GOVERNMENT INFORMATION GPO

5-29-81
Vol. 46 No. 103
Pages 28833-29238

federal register

Friday
May 29, 1981

Highlights

28833 **Extension of Credit to Romania** Presidential determination.

29190 **Social Security** HHS/SSA changes rules for administering the disability determination function. (Part V of this issue)

28885 **Food Stamps** USDA/FNS intends to sponsor demonstration projects on alternative methods of delivering food stamp benefits.

28845 **Occupational Noise Exposure** Labor/OSHA defers the effective date of amendments to the hearing conservation programs.

28845 **Occupational Exposure to Lead** Labor/OSHA defers until 7-1-81, the effective date of new trigger levels for medical removal protection for primary smelters and secondary smelters.

28842 **Occupational Safety and Health** Labor/OSHA revokes walkaround compensation regulation.

28841 **Housing Loans—Elderly and Handicapped** HUD/FHC lowers interest rates.

29220 **Incorporation by Reference** OFR announces final approval of March 31, 1981 extensions. (Part VI of this issue)

CONTINUED INSIDE

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

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

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

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

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

Highlights

28865 **Regulatory Agenda** DOD/Sec'y.

28895 **Grant Programs—Education** ED invites applicants for new projects under the International Understanding Program.

28892 **Grant Programs—Minority Businesses** Commerce/MBDA seeks applicants for its Specified Consultant Services Program.

28839 **Natural Gas** DOE/FERC publishes incremental pricing acquisition cost threshold prices for the month of June 1981.

29066 **Waste Treatment and Disposal** EPA publishes inventory of open dumps. (Part II of this issue)

29152 **Minimum Wages** Labor/ESA publishes minimum wages for Federal and federally assisted construction. (Part III of this issue)

29176 **Inventions and Patents** Commerce/PTO provides procedures for reexamination of patents. (Part IV of this issue)

28938 **Motor Vehicle** EPA publishes conclusions of the fuel economy retrofit device evaluation for automotive cylinder deactivator system.

28881 **Migratory Birds** Interior/FWS proposes to delete certain import and export permit requirements.

Privacy Act Documents

28949 HHS/PHS
28893 DOD/Navy

29022 **Sunshine Act Meetings**

Separate Parts of This Issue

29064 **Part II, EPA**
29152 **Part III, Labor/ESA**
29176 **Part IV, Commerce/PTO**
29190 **Part V, HHS/SSA**
29220 **Part VI, OFR**

Contents

Federal Register
Vol. 46, No. 103
Friday, May 29, 1981

The President
ADMINISTRATIVE ORDERS
28833 Romania; extension of credit (Presidential Determination No. 81-7 of May 20, 1981)

Executive Agencies

Agricultural Marketing Service
RULES
28835 Lemons grown in Ariz. and Calif.
28835 Nectarines grown in Calif.; interim
PROPOSED RULES
28859 Carrots grown in 48 contiguous States; consumer-sized carrot bags and master containers; proceeding terminated

Agriculture Department
See Agricultural Marketing Service; Animal and Plant Health Inspection Service; Food and Nutrition Service; Food Safety and Quality Service; Forest Service; Rural Electrification Administration.

Alaska Natural Gas Transportation System, Office of Federal Inspector
NOTICES
28939 Equal employment opportunity responsibilities; discrimination complaint handling and information sharing procedures; memorandum of understanding with EEOC

Alcohol, Drug Abuse, and Mental Health Administration
NOTICES
Meetings; advisory committees:
28945 June (2 documents)

Animal and Plant Health Inspection Service
PROPOSED RULES
Animal and poultry import restrictions:
28860 Horses, mares over 731 days of age, from countries affected with CEM

Antitrust Division
NOTICES
Competitive impact statements and proposed consent judgments:
29004 National Finance Adjusters, Inc.

Blind and Other Severely Handicapped, Committee for Purchase From
NOTICES
28892, 28893 Procurement list, 1981; additions and deletions (2 documents)

Civil Aeronautics Board
NOTICES
28890 Foreign air freight forwarders; revocation of foreign air carrier permits
Hearings, etc.:
28888 Air Chicago fitness investigation (2 documents)
28889 Air Wisconsin addition of Akron/Canton proceeding
28889 Cape Smith Air Service, Inc.; fitness determination
28889 Eldoaire, Inc.; fitness determination
28889 Rio Airways, Inc.; fitness determination
28890 Suburban Airlines; fitness determination

Commerce Department
See International Trade Administration; National Oceanic and Atmospheric Administration; National Technical Information Service; Patent and Trademark Office.

Copyright Office, Library of Congress
RULES
28846 Works of sounds, images, or both; advance notice of potential infringement

Defense Department
See also Navy Department.
PROPOSED RULES
28865 Regulatory agenda

Drug Enforcement Administration
RULES
28840 Nomenclature and address changes

Economic Regulatory Administration
NOTICES
Consent orders:
28896 Encorp, Inc.
28897 Phillips Oil Operating Co.
Powerplant and industrial fuel use; prohibition orders, exemption requests, etc.:
28898 General Motors Corp.

Education Department
NOTICES
Grant applications and proposals; closing dates:
28895 International understanding program
Meetings:
28894 Financing Elementary and Secondary Education Advisory Panel

Employment and Training Administration
NOTICES
29008 Employment transfer and business competition determinations; financial assistance applications
Environmental statements; availability, etc.:
29008 Miami, Fla.; proposed Job Corps Center at Ada Merritt Junior High School

Employment Standards Administration
NOTICES
29152 Minimum wages for Federal and federally-assisted construction; general wage determination decisions, modifications, and supersedeas decisions (Ariz., Calif., Colo., Conn., Fla., Hawaii, Minn., Miss., Nev., Oreg., Pa.)

Energy Department
See Economic Regulatory Administration; Federal Energy Regulatory Commission; Hearings and Appeals Office, Energy Department.

Environmental Protection Agency
RULES
Hazardous waste programs; interim authorizations; various States:
28850 Rhode Island
PROPOSED RULES
Air quality implementation plans; approval and promulgation; various States, etc.:
28871 Maryland
Air quality planning purposes; designation of areas:
28872 Texas
Water pollution; effluent guidelines for point source categories:
28873 Coal mining; corrections and availability of development documents, etc.
NOTICES
Air quality; prevention of significant deterioration (PSD):
28936, 28937 Nonapplicability determinations (2 documents)
28936 Permit approvals (2 documents)
Environmental statements; availability, etc.:
28937 Agency statements; weekly receipts
28939 Indianapolis, Ind.; sludge management plan
Motor vehicle fuel economy, evaluation of retrofit devices:
28936 Automotive cylinder deactivator system
Waste management, solid:
28938 Open dumps; inventory

Equal Employment Opportunity Commission
NOTICES
28939 Equal employment opportunity responsibilities; discrimination complaint handling and information sharing procedures; memorandum of understanding with Office of Federal Inspector of Alaska Natural Gas Transportation System

Federal Communications Commission
NOTICES
Meetings:
28942 International Telegraph and Telephone Consultative Committee; address change

Federal Deposit Insurance Corporation
NOTICES
29022 Meetings; Sunshine Act

Federal Election Commission
NOTICES
29022 Meetings; Sunshine Act
28942 Pennsylvania special election; filing dates

Federal Energy Regulatory Commission
RULES
Natural Gas Policy Act of 1978:
28839 Incremental pricing; acquisition cost thresholds
NOTICES
Hearings, etc.:
28900 Central Maine Power Co.
28900 Coleman, William T., Jr.
28901 Consolidated Hydroelectric, Inc.
28902 Dayton Power & Light Co.
28903 El Paso Natural Gas Co. et al.
28904 Georgia Power Co.
28904 Gulf States Utilities Co.
28905 Kansas Gas & Electric Co.
28906 Kansas Power & Light Co.
28907 Missouri Edison Co.
28907 National Fuel Gas Supply Corp.
28907 Tennessee Gas Pipeline Co. et al.
28908 Texas Gas Pipe Line Corp.
28908 Texas-New Mexico Power Co.
28908 Transcontinental Gas Pipe Line Corp.
29022 Meetings; Sunshine Act
Natural Gas Policy Act of 1978:
28909, 28917 Jurisdictional agency determinations (2 documents)

Federal Home Loan Bank Board
NOTICES
29022, 29023 Meetings; Sunshine Act (2 documents)

Federal Home Loan Mortgage Corporation
NOTICES
29023 Meetings; Sunshine Act (2 documents)

Federal Maritime Commission
RULES
28858 Meetings; Sunshine Act; implementation
NOTICES
Energy and environmental statements; availability, etc.:
28943 Frederick Richards, Inc. and Frederick Richards of Georgia, Inc.; marketing manager agreement
28943 Hong Kong, Taiwan, and Macao to Pacific Coast ports of U.S.; all-water trades, rate-making agreement
Tariff cancellations:
28943 California Freight Specialists

Federal Register Office
RULES
29220 Incorporations by reference, approval and corrections

Federal Reserve System
NOTICES
Applications, etc.:
28944 Eldorado Bancorp
28944 United Michigan Corp.
29023 Meetings; Sunshine Act

Fish and Wildlife Service
PROPOSED RULES
28881 Migratory birds, importation or exportation of; deletion of permit requirement
NOTICES
28960, 28961 Endangered and threatened species permit applications (3 documents)
28961 Marine mammal permit applications

Food and Drug Administration
RULES
Animal drugs, feeds, and related products:
28840 Pyrantel tartrate
29220 Incorporations by reference, approval and corrections, *See* entry under Federal Register Office.

28839 Pineapple, canned; identity standards; effective date confirmed
NOTICES
28947 GRAS or prior sanctioned ingredients; comprehensive safety review; hearings
Medical devices:
28946 Gonorrhea antibody test kits (GAT's); premarket approval; hearing on petition to withdraw
28948 Tomato juice; identity standards deviation; temporary permits for market testing

Food and Nutrition Service
NOTICES
Food stamp program:
28885 Demonstration project; alternative methods of delivering benefits

Food Safety and Quality Service
RULES
Meat and poultry inspection, mandatory; special provisions for designated States:
28837 Idaho
PROPOSED RULES
28859 Peanuts, shelled; grade standards; withdrawn

Forest Service
NOTICES
Meetings:
28888 Uinta National Forest Grazing Advisory Board

General Accounting Office
NOTICES
28944 Regulatory reports review; proposals, approvals, violations, etc. (NRC)

General Services Administration
See Federal Register Office

Geological Survey
NOTICES
Coal lease areas; maximum economic recovery and fair market value:
28961 China Butte and Red Rim tracts, Green River-Hams Fork Coal Region, Wyoming; inquiry
Outer Continental Shelf; oil, gas, and sulphur operations; development and production plans:
28962 Mesa Petroleum Co.

Health and Human Services Department
See Alcohol, Drug Abuse, and Mental Health Administration; Food and Drug Administration; Public Health Service; Social Security Administrations.

Hearings and Appeals Office, Energy Department
NOTICES
Applications for exception:
28928 Cases filed
28933, 28935 Decisions and orders (2 documents)
28929 Special refund procedures; implementation and inquiry

Housing and Urban Development Department
RULES
29220 Incorporations by reference, approval and corrections. *See* entry under Federal Register Office.
Low income housing:
28841 Elderly or handicapped housing; interest rate determination

Interior Department
See Fish and Wildlife Service; Geological Survey; Land Management Bureau; National Park Service.

International Convention Advisory Commission
NOTICES
28963 Meetings

International Trade Administration
NOTICES
Antidumping:
28891 Stainless steel wire rods from France

Interstate Commerce Commission
NOTICES
Agreements under sections 5a and b, applications for approval, etc.:
29004 Western Railroads et al.
Environmental statements; availability, etc.:
29003 Mt. Vernon Terminal Railway Inc.; Whatcom County, Wash.; construction and operation
Motor carriers:
28975 Finance applications
29001 Intercorporate hauling operations; intent to engage in
28963, 28964, 28977, 28978, 28993 Permanent authority applications (6 documents)
29004 Permanent authority applications; correction
28999 Permanent authority applications; operating rights republication
28980 Permanent authority applications; restriction removals
Rail carriers:
29002 OKC Corp. v. Missouri-Kansas-Texas Railroad Co. et al.; undercharges on iron ore movement; exemption
Railroad services abandonment:
28999 Atchison, Topeka & Santa Fe Railway Co.
29000, 29001 Chesapeake & Ohio Railway Co. (3 documents)
29003, 29004 Seaboard Coast Line Railroad Co. (2 documents)

Justice Department
See Antitrust Division; Drug Enforcement Administration.

Labor Department
See also Employment and Training Administration; Employment Standards Administration; Mine Safety and Health Administration; Occupational Safety and Health Administration; Pension and Welfare Benefit Programs Office.
NOTICES
Adjustment assistance:
29011 Ball & Socket Plastics, Inc.
29012 E. M. Richmond Co.

Land Management Bureau
RULES
Public land orders:
28851–28856 California (12 documents)

28857 Montana
28857, Oregon (3 documents)
28858

NOTICES
Applications, etc.:
28954, Wyoming (2 documents)
28955
Classification of lands:
28958 Colorado
28953, New Mexico (3 documents)
28958
28954 Wyoming
Coal leases, exploration licenses, etc.:
28955- Alabama (3 documents)
28957
Conveyance of lands:
28954 New Mexico
Environmental statements; availability, etc.:
28951 Outer Continental Shelf; offshore Southern California; oil and gas lease sale
Exchange of public lands for private land:
28959 Idaho
Meetings:
28953 Medford District Advisory Council
28959 Outer Continental Shelf Advisory Board
28959 San Juan River Regional Coal Team
28953 Susanville District Grazing Advisory Board
Wilderness areas; characteristics, inventories, etc.:
28952 Arizona
28954 New Mexico
Withdrawal and reservation of lands, proposed, etc.:
28955 Wyoming

Mine Safety and Health Administration
NOTICES
Petitions for mandatory safety standard modifications:
29009 Amax Lead Co. of Missouri
29010 Consolidation Coal Co.
29010 Occidental Oil Shale, Inc.

Minority Business Development Agency
NOTICES
28892 Financial assistance application announcements

National Aeronautics and Space Administration
NOTICES
Meetings:
29012 Wage Committee

National Oceanic and Atmospheric Administration
PROPOSED RULES
Fishery conservation and management:
28883 Billfish fisheries, Western Pacific; hearings

National Park Service
RULES
Special regulations:
28846 Glacier Bay National Park and Preserve; humpback whale protection; deferral of effective date and request for comments

National Technical Information Service
NOTICES
Patent licenses, exclusive:
28892 Nuclear Associates

National Transportation Safety Board
NOTICES
29023 Meetings; Sunshine Act

Navy Department
NOTICES
Meetings:
28893 Education and Training Advisory Board
28893 Privacy Act; systems of records

Nuclear Regulatory Commission
RULES
Nuclear material, special; domestic licensing:
28838 Emergency planning; correction
NOTICES
Applications, etc.:
29012, Carolina Power & Light Co. (2 documents)
29013
29013 Mallinckrodt, Inc.
29015 Pennsylvania Power & Light Co. et al.
Environmental statements; availability, etc.:
29013 General Electric Co.; test reactor
29012 Texas Utilities Generating Co.; Comanche Peak Electric Station, Units 1 and 2

Occupational Safety and Health Administration
RULES
Health and safety standards:
28845 Lead; occupational exposure standards; trigger levels for medical removal protection; deferral of effective date
28845 Occupational noise exposure; hearing conservation program; deferral of effective date
Inspections, citation, and proposed penalties:
28842 Walkaround pay; revoked
PROPOSED RULES
28864 Marine terminals; health and safety standards; extension of time
NOTICES
Variance applications:
29010 Interlake Stamping Corp.

Patent and Trademark Office
RULES
Patent cases:
29176 Reexamination proceedings

Pension and Welfare Benefit Programs Office
NOTICES
Meetings:
29011 Employee Welfare and Pension Benefit Plans Advisory Council

President's Economic Policy Advisory Board
NOTICES
29015 Meetings

Public Health Service
NOTICES
28949 Privacy Act; systems of records

Rural Electrification Administration
RULES
Electric borrowers:
28836 National Electrical Safety Code-ANSI C2, 1981 edition, revision (Bulletin 40-7)
NOTICES
Environmental statements; availability, etc.:
28888 Wabash Valley Power Association, Inc.; financing assistance

Securities and Exchange Commission
NOTICES
Hearings, etc.:
29015 American Electric Power Service Corp. et al.
29016 Connecticut Yankee Atomic Power Co.
29020 West Texas Utilities Co.
Self-regulatory organizations; proposed rule changes:
29016 Municipal Securities Rulemaking Board
Self-regulatory organizations; unlisted trading privileges:
29016 Cincinnati Stock Exchange
29019 Philadelphia Stock Exchange, Inc.

Small Business Administration
NOTICES
Applications, etc.:
29020 Grocers Capital Co., Inc.
Small business investment companies:
29020 Maximum annual cost of money to small business concerns; Federal Financing Bank rate

Social Security Administration
RULES
Social security benefits and supplemental security income:
29190 Disability determinations

Veterans Administration
NOTICES
Environmental statements; availability, etc.:
29020 New York, N.Y.; rehabilitation engineering and outpatient clinic
Meetings:
29021 Educational Allowances Station Committee

MEETINGS ANNOUNCED IN THIS ISSUE

AGRICULTURE DEPARTMENT
Forest Service—
28888 Uinta National Forest Grazing Advisory Board, Woodland, Utah (open), 6–17–81

DEFENSE DEPARTMENT
Navy Department—
28893 Education and Training Advisory Board, Newport, R.I. (open), 7–16 and 7–17–81

EDUCATION DEPARTMENT
28894 Financing Elementary and Secondary Education Advisory Panel, Berkeley, Calif. (open), 6–30 and 7–1–81

HEALTH AND HUMAN SERVICES DEPARTMENT
Alcohol, Drug Abuse, and Mental Health Administration—
28945 Alcohol Human Resource Development Review Committee, Rockville, Md. (partially open), 6–4 and 6–5–81
28945 Community Alcoholism Services Review Committee, Rockville, Md. (partially open), 6–17 through 6–22–81
28945 Federal Activities for Alcohol Abuse and Alcoholism Interagency Committee, Washington, D.C. (open), 6–9–81

INTERIOR DEPARTMENT
Land Management Bureau—
28953 Medford District Advisory Council, Subcommittee meeting, Medford, Oreg. (open), 6–12–81
28959 Outer Continental Shelf Advisory Board, Alaska Regional Technical Working Group, Anchorage, Alaska (open), 6–24 and 6–25–81
28953 Susanville District Grazing Advisory Board, Susanville, Calif. (open), 6–9–81

INTERNATIONAL CONVENTION ADVISORY COMMISSION
28963 Meeting, Washington, D.C. (open), 6–30–81

LABOR DEPARTMENT
Pension and Welfare Benefit Programs Office—
29011 Advisory Committee, Washington, D.C. (open), 6–30–81

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
29012 NASA Wage Committee, Washington, D.C. (closed), 6–26–81

PRESIDENT'S ECONOMIC POLICY ADVISORY BOARD
29015 Meeting, Washington, D.C. (closed), 6–11–81

CHANGED MEETING

FEDERAL COMMUNICATIONS COMMISSION
28942 International Telegraph and Telephone Consultative Committee (CCITT), Study Group A of the U.S. Organization, Washington, D.C. (open), 5–28–81 (location change)

HEARINGS

COMMERCE DEPARTMENT
National Oceanic and Atmospheric Administration—
28883 Western Pacific Fishery Management Council, Honolulu, Hawaii, 6–16; Hilo, Hawaii, 6–17; Kona, Hawaii, 6–18; Pago Pago, American Samoa, 6–25; Lihue, Kauai, 6–29; Kahului, Maui, 6–30 and Agana, Guam, 7–13–81

EDUCATION DEPARTMENT
28894 Financing Elementary and Secondary Education Advisory Panel, San Francisco and Berkeley, Calif., 6–29 and 6–30–81 respectively

INTERIOR DEPARTMENT
Land Management Bureau—
28959 New Mexico and Colorado San Juan River Regional Coal Team, Albuquerque, N. Mex., 7–13–81 and Farmington, N. Mex., 7–16–81
28951 Outer Continental Shelf Offshore Southern California, availability of a draft environmental impact statement, proposes oil and gas lease sale No. 68, Santa Barbara, Calif., 7–28 and 7–29–81 and Long Beach, Calif., 7–30 and possibly 7–31–81

VETERANS ADMINISTRATION
29021 Educational Allowances on Station Committee, Tacoma, Wash., 7–2–81

CFR PARTS AFFECTED IN THIS ISSUE

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

1 CFR
51 29220

3 CFR
Executives Orders:
February 21, 1913 (Revoked in part by PLO 5938) 28854
January 24, 1914 (Revoked in part by PLO 5937) 28854
June 14, 1921 (Revoked in part by PLO 5924) 28857
November 9, 1923 (Revoked in part by PLO 5882) 28857
June 13, 1925 (Revoked in part by PLO 5890) 28858
3412 (Revoked by PLO 5934) 28854
4202 (Revoked by PLO 5941) 28855
6798 (Revoked by PLO 5939) 28854
7026 (Revoked by PLO 5940) 28855
9101 (Revoked by PLO 5926) 28851
Administrative Orders:
Presidential Determinations:
No. 81-7 of May 20, 1981 28833

7 CFR
910 28835
916 28835
1701 28836
Proposed Rules:
Ch. IX 28859
2851 28859

9 CFR
331 28837
Proposed Rules:
92 28860

10 CFR
50 28838

18 CFR
282 28839

20 CFR
404 29190
416 29190

21 CFR
145 28839
558 28840
701 29220
1301 28840
1303 28840
1304 28840
1308 28840
1311 28840
1312 28840

24 CFR
200 29221
885 28841
3280 29232

29 CFR
1903 28842
1910 (2 documents) 28845
Proposed Rules:
1910 28864
1918a 28864

32 CFR
Proposed Rules:
Ch. I 28865
Ch. V 28865
Ch. VI 28865
Ch. VII 28865

33 CFR
Proposed Rules:
Ch. II 28865

36 CFR
7 28846
Proposed Rules:
Ch. III 28865

37 CFR
1 29176
201 28846

40 CFR
123 28850
Proposed Rules:
52 28871
81 28872
434 28873

43 CFR
Public Land Orders:
431 (Amended in part by PLO 5942) 28856
1385 (Revoked by PLO 5933) 28853
1442 (Revoked by PLO 5889) 28857
2724 (Revoked by PLO 5931) 28853
3342 (Revoked in part by PLO 5927) 28852
5882 28857
5889 28857
5890 28858
5924 28857
5926 28851
5927 28852
5930 28852
5931 28853
5933 28853
5934 28854
5937 28854
5938 28854
5939 28854
5940 28855
5941 28855
5942 28856

46 CFR
503 28858

50 CFR
Proposed Rules:
13 28881
21 28881
682 28883

Federal Register
Vol. 46, No. 103
Friday, May 29, 1981

Presidential Documents

Title 3—

The President

Presidential Determination No. 81–7 of May 20, 1981

Determination under Section 2(b)(2) of the Export-Import Bank Act of 1945, as amended—Socialist Republic of Romania

Memorandum for the Secretary of State

Pursuant to Section 2(b)(2) of the Export-Import Bank Act of 1945, as amended, I determine that it is in the national interest for the Export-Import Bank of the United States to extend a credit in the amount of $120,742,500 to the Socialist Republic of Romania in connection with its purchase of two nuclear steam turbine generators and related services and spare parts.

On my behalf, please transmit this determination to the Speaker of the House and the President of the Senate.

This determination shall be published in the **Federal Register.**

Ronald Reagan

THE WHITE HOUSE,
Washington, May 20, 1981.

[FR Doc. 81–16217
Filed 5–27–81; 2:29 pm]
Billing code 3195–01–M

Rules and Regulations

Federal Register
Vol. 46, No. 103
Friday, May 29, 1981

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 910

[Lemon Reg. 307]

Lemons Grown in California and Arizona; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation establishes the quantity of fresh California-Arizona lemons that may be shipped to market during the period May 31–June 6, 1981. Such action is needed to provide for orderly marketing of fresh lemons for this period due to the marketing situation confronting the lemon industry.

EFFECTIVE DATE: May 31, 1981.

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

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

This action is consistent with the marketing policy for 1980–81. The marketing policy was recommended by the committee following discussion at a public meeting on July 8, 1980. A regulatory impact analysis on the marketing policy is available from William J. Doyle, Acting Chief, Fruit Branch, F&V, AMS, USDA, Washington, D.C. 20250, telephone 202–447–5975.

The committee met again publicly on May 26, 1981, at Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of lemons deemed advisable to be handled during the specified week. The committee reports the demand for lemons is good.

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

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

Section 910.607 is added as follows:

§ 910.607 Lemon Regulation 307.

The quantity of lemons grown in California and Arizona which may be handled during the period May 31, 1981, through June 6, 1981, is established at 320,000 cartons.

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

Dated: May 28, 1981.

D. S. Kuryloski,

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

[FR Doc. 81-16341 Filed 5-28-81; 11:42 am]

BILLING CODE 3410-02-M

7 CFR Part 916

[Nectarine Reg. 13]

Nectarines Grown in California; Grade and Size Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim rule.

SUMMARY: This regulation sets minimum grade and size requirements for shipments of specified varieties of fresh California nectarines for the period June 1, 1981, through August 15, 1981. Such action is designed to promote orderly marketing of suitable quality and sizes of fresh California nectarines in the interest of producers and consumers.

DATE: Interim rule effective June 1, 1981; comments which are received by June 29, 1981 will be considered.

ADDRESS: Send two copies of comments to the Hearing Clerk, United States 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.

This regulation is issued under the marketing agreement, as amended, and Order No. 916, as amended (7 CFR Part 916), regulating the handling of fresh nectarines grown in California. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). This action is based upon the recommendations and information submitted by the Nectarine Administrative Committee, established under the order, and upon other information. It is hereby found that this action will tend to effectuate the declared policy of the act.

The committee met on May 7, 1981, to consider supply and market conditions and other factors affecting the need for

regulation. The committee estimates fresh shipments of California nectarines for 1981 at 16,206,000 packages, compared with 15,677,000 packages last season. The committee reports that the 1981 California nectarine crop is sizing normally and is of good quality.

The grade and size requirements are necessary to prevent the shipment of California nectarines of a lower grade or smaller size than specified and are designed to provide ample supplies of good quality fruit in the interest of producers and consumers pursuant to the declared policy of the act.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the **Federal Register** (5 U.S.C. 553), and good cause exists for making these regulatory provisions effective as specified in that (1) shipment of the current crop of nectarines is in progress and this regulation should be applicable to all shipments during the season; (2) the current California nectarine regulation (45 FR 32308; 45252) will expire May 31, 1981; (3) the California nectarine regulation was recommended by the committee following discussion at a public meeting; (4) California nectarine handlers have been apprised of these requirements and the effective date; and (5) the requirements are essentially the same as those currently in effect.

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, a new § 916.355 is added to read as follows: (§ 916.355 expires August 15, 1981, and will not be published in the annual Code of Federal Regulations).

§ 916.355 Nectarine Regulation 13.

(a) During the period June 1, 1981, through August 15, 1981, no handler shall handle:

(1) Any package or container of any variety of nectarines unless such nectarines meet the requirements of U.S. No. 1 grade: *Provided*, That maturity shall be determined by the application of color standards by variety or such other tests as determined to be proper by the Federal or Federal-State Inspection Service: *Provided further*, That nectarines 2 inches in diameter or smaller, shall not have fairly light colored, fairly smooth scars which exceed the aggregate area of a circle ⅜ inch in diameter, and nectarines larger than 2 inches in diameter shall not have fairly light colored, fairly smooth scars which exceed an aggregate area of a circle ½ inch in diameter: *Provided further*, That an additional tolerance of 25 percent shall be permitted for fruit that is not well formed but not badly misshapen.

(2) Any package or container of Mayred variety nectarines unless:

(i) Such nectarines, when packed in molded forms (tray pack) in a No. 22D standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 112 nectarines in the lug box;

(ii) Such nectarines in any container when packed other than as specified in subdivision (i) of this subparagraph (2) are of a size that a 16-pound sample, representative of the nectarines in the package or container, contains not more than 105 nectarines.

(3) Any package or container of Aurelio Grand, Mayfair, Maybelle, or Royal Delight variety nectarines unless:

(i) Such nectarines, when packed in molded forms (tray pack) in a No. 22D standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more thatn 108 nectarines in the lug box;

(ii) Such nectarines in any container when packed other than as specified in subdivision (i) of this subparagraph (3) are of a size that a 16-pound sample, representative of the nectarines in the package or container, contains not more than 98 nectarines.

(4) Any package or container of Apache, Armking, Arm Queen, Crimson Gold, Early Star, Gee Red, June Belle, June Grand, May Grand, Red June, Spring Grand, 73–40, or Zee Gold variety nectarines unless:

(i) Such nectarines, when packed in molded forms (tray pack) in a No. 22D standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 96 nectarines in the lug box; or

(ii) Such nectarines in any container when packed other than as specified in subdivision (i) of this subparagraph (4) are of a size that a 16-pound sample, representative of the nectarines in the package or container, contains not more than 90 nectarines.

(5) Any package or container of Autumn Grand, Bob Grand, Clinton-Strawberry, Early Sun Grand, Ed's Red, Fairlane, Fantasia, Firebrite, Flamekist, Flavortop, Flavortop I, Gold King, Granderli, Hi-Red, Independence, Kent Grand, Late Le Grand, Le Grand, Moon Grand, Niagara Grand, Red Diamond, Red Free, Red Grand, Regal Grand, Richards Grand, Royal Giant, Royal Grand, Ruby Grand, September Grand, Tasty Free, Tom Grand, Honey Gold, Larry's Grand, Son Red, Spring Red, Star Grand, Summer Grand, Sun Grand, or Sun King variety nectarines unless:

(i) Such nectarines, when packed in molded forms (tray pack) in a No. 22D standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 84 nectarines in the lug box; or

(ii) Such nectarines in any container when packed other than specified in subdivision (i) of this subparagraph (5) are of a size that a 16-pound sample, representative of the nectarines in the package or container, contains not more than 75 nectarines.

(b) As used herein, "U.S. No. 1" and "standard pack" mean the same as defined in the United States Standards for Grades of Nectarines (7 CFR 2851.3145–3160); "No. 22D standard lug box" means the same as defined in Section 1380.19(17) of the "Regulations of the California Department of Food and Agriculture."

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

Dated: May 27, 1981.

D. S. Kuryloski,

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

[FR Doc. 81-16235 Filed 5-28-81; 8:45 am]

BILLING CODE 3410-02-M

Rural Electrification Administration

7 CFR Part 1701

Public Information; Appendix A—REA Bulletins

AGENCY: Rural Electrification Administration, USDA.

ACTION: Final rule.

SUMMARY: The Rural Electrification Administration (REA) hereby amends Appendix A—REA Bulletins to provide for a revision of REA Bulletin 40–7, "National Electrical Safety Code—ANSI C2, 1981 Edition." The revision changes the standards to which all REA-financed construction must comply from the 1977 edition of the National Electrical Safety Code to the 1981 edition.

EFFECTIVE DATE: May 19, 1981.

FOR FURTHER INFORMATION CONTACT: James C. Dedman, telephone (202) 447–7040. A Final Impact Statement has been prepared and is available from the Director, Engineering Standards Division, Rural Electrification Administration, Room 1270–S, U.S.

Department of Agriculture, Washington, D.C. 20250.

SUPPLEMENTARY INFORMATION: REA regulations are issued pursuant to the Rural Electrification Act as amended (7 U.S.C. 901 et seq.). REA hereby amends Appendix A–REA Bulletins to provide for a revision of REA Bulletin 40–7, "National Electrical Safety Code—ANSI C2, 1981 Edition." A Notice of Proposed Rulemaking was published in the **Federal Register** on February 3, 1981, Volume 46, No. 22. However, no public comments were received in response to this notice.

This final action has been issued in conformance with Executive Order 12291, Federal Regulation, and has been determined to be "not major."

This program is listed in the Catalog of Federal Domestic Assistance as 10.850—Rural Electrification Loans and Loan Guarantees.

Dated: May 19, 1981.

Joe S. Zoller,

Acting Administrator.

[FR Doc. 81-15806 Filed 5-28-81; 8:45 am]

BILLING CODE 3410-15-M

Food Safety and Quality Service

9 CFR Part 331

[Docket Number 81-018F]

Designation of the State of Idaho Under the Federal Meat Inspection Act

AGENCY: Food Safety and Quality Service, USDA.

ACTION: Final rule.

SUMMARY: The Secretary of Agriculture hereby designates the State of Idaho under section 301(c)(3) of the Federal Meat Inspection Act. The Governor of the State of Idaho has advised this Department that the State of Idaho is no longer in a position to continue administering a State meat inspection program after June 30, 1981. Accordingly, effective July 1, 1981, all establishments operating under the Idaho meat inspection program shall be subject to the provisions of titles I and IV of the Federal Meat Inspection Act. By this designation, the U.S. Department of Agriculture, pursuant to law, is assuming the responsibility, previously held by the State of Idaho, of administering the meat inspection program with respect to establishments operating, and intrastate operations and transactions, wholly within that State.

The provisions concerning designated States are found in Part 331, Subchapter A, Chapter III, Title 9 of the Code of Federal Regulations.

EFFECTIVE DATES: Effective date of this notice: May 31, 1981. Effective date of the application of the regulations will be July 1, 1981.

FOR FURTHER INFORMATION CONTACT: Dr. Joe Blair, Director, Federal-State Relations Branch, Field Operations, Meat and Poultry Inspection Program, Food Safety and Quality Service, U.S. Department of Agriculture, Washington, DC 20250, (202) 447–6313.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

This final rule is isued in conformance with Executive Order 12291, and has been determined to be not a "major rule." The U.S. Department of Agriculture, pursuant to law, is assuming the responsibility, previously held by the State of Idaho, of administering the meat inspection program with respect to establishments operating, and intrastate operations and transactions, wholly within that State. This action is being taken because the State of Idaho indicated it was no longer in a position to enforce requirements with respect to said establishments at least equal to those imposed under titles I and IV of the Federal Meat Inspection Act. Consequently, it should not result in an annual effect on the economy of $100 million or more; a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Effect on Small Entities

Dr. Donald L. Houston, Administrator, Food Safety and Quality Service, has determined that this action will not have a significant impact on a substantial number of small entities. As stated above, the U.S. Department of Agriculture, pursuant to law, is assuming the responsibility, previously held by the State of Idaho, of administering the meat inspection program with respect to establishments operating, and operations and transactions, wholly within that State. This action will affect approximately 75 heretofore State inspected establishments in Idaho, most, if not all, of which may be presumed to be small businesses. However, this is not a substantial number of establishments given the approximately 10,000 small meat establishments nationwide, which are either federally or State inspected. Additionally, the application of certain Federal facility and other requirements to such establishments will be flexible insofar as each facility will be reviewed with regard to the circumstances peculiar to that establishment. Furthermore, it is not anticipated that significant costs will be incurred by these Idaho establishments as a result of this action. Those specific establishments for which some upgrading of facilities is indicated will be provided up to 36 months, in which to make such changes.

Background

The Governor of the State of Idaho has advised this Department that the State of Idaho is no longer in a position to continue administering the State meat inspection program after June 30, 1981, and has requested the Department to assume the responsibility for carrying out the provisions of titles I and IV of the Federal Meat Inspection Act, with respect to establishments within the State at which cattle, sheep, swine, goats, or equines are slaughtered or their carcasses, or parts or products thereof, are prepared for use as human food, solely for distribution within such State, and with respect to intrastate operations and transactions concerning meat products and other articles and animals subject to the Federal Meat Inspection Act, and persons, firms, and corporations engaged therein.

The Secretary heretofore determined that the State of Idaho had developed and activated requirements at least equal to the requirements under titles I and IV of the Federal Meat Inspection Act. However, such titles contemplate a continuous, ongoing program, and in view of the termination date now applicable to the Idaho program, it is hereby determined that Idaho is not effectively enforcing requirements at least equal to those imposed under titles I and IV of the Federal Meat Inspection Act. Therefore, notice is hereby given that the Secretary of Agriculture designates said State under section 301(c)(3) of the Federal Meat Inspection Act.

On July 1, 1981, the provisions of titles I and IV of the Federal Meat Inspection Act shall apply to intrastate operations and transactions in said State and to persons, firms, and corporations engaged therein, to the same extent and in the same manner as if such operations and transactions were conducted in or for "commerce", within the meaning of the Federal Meat Inspection Act, and any establishment

in the State which conducts any slaughtering or preparation of carcasses or parts or products thereof, as described above, must have Federal meat inspection or cease its operations, unless it qualifies for an exemption under section 23(a) or 301(c) of the Federal Meat Inspection Act.

Therefore, the operator of each such establishment who desires to continue any such operations after June 30, 1981, should immediately communicate with the Regional Director for Meat and Poultry Inspection, as listed below, for information concerning the requirements and exemptions under the Act and application for inspection and survey of the establishment: Dr. R. B. Albritton, Acting Director, Western Region, Meat and Poultry Inspection Program, U.S. Department of Agriculture, Building 2C, 620 Central Avenue, Alameda, California 94501, (415) 273–7402.

Accordingly, Part 331 is amended as follows:

1. The authority citation for Part 331 reads as follows:

Authority: Secs. 21 and 301, 81 Stat. 584, 588, 592, 593, 595; 21 U.S.C. 621, 661.

§ 331.2 [Amended]

2. The table in § 331.2 of the Federal meat inspection regulations (9 CFR 331.2) is amended as follows:

In the "State" column, "Idaho" is added immediately below "Guam".

In the "Effective date of application of Federal provisions" column, "July 1, 1981," is added on the line with "Idaho".

Dr. Donald L. Houston, Administrator, Food Safety and Quality Service, has determined that it is necessary to designate the State of Idaho immediately, in accordance with section 301(c) of the Federal Meat Inspection Act, in order to carry out the Secretary's responsibilities under the Act.

Therefore, it does not appear that additional relevant information would be made available to the Secretary by public participation in this rulemaking proceeding. Accordingly, under the administrative procedures provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedures are impracticable and contrary to public interest.

Done at Washington, DC, on: May 6, 1981.

Donald L. Houston,

Administrator, Food Safety and Quality Service.

[FR Doc. 81-16148 Filed 5-28-81; 8:45 am]

BILLING CODE 3410-DM-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 50

Emergency Planning; Correction.

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule; correction.

SUMMARY: The Commission is making two minor corrections to its emergency planning rules that appeared in the **Federal Register** of Tuesday, August 19, 1980 [45 FR 55402]. The two corrections are designed to bring the language of the rule into conformity with the Commission's intent.

EFFECTIVE DATE: May 29, 1981.

FOR FURTHER INFORMATION CONTACT: Mark E. Chopko, Attorney, Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, 202–634–3224.

SUPPLEMENTARY INFORMATION: In approving the text of the final rules on emergency planning on July 23, 1980, the Commission gave considerable attention to whether the overall standard to be used in judging emergency preparedness should be "whether the state of onsite and offsite emergency preparedness provides reasonable assurance that *appropriate* protective measures can and will be taken in the event of a radiological emergency" or some other standard. *See* SECY–80–275, Encl. B at 1, Vol. 14 of Administrative Record of Emergency Planning Rulemaking (PR–50 (44 FR 75167)) [emphasis added]. After extensive debate, the Commission settled upon "adequate" instead of "appropriate." The final rule, with two inadvertent exceptions, reflects that change. 45 FR 55402 (August 19, 1980), Transcript of July 23, 1980 Meeting, 20–48 (Vol. 9 of Record, *supra*). As the record makes clear, the Commission specifically intended in its public deliberations that the word "appropriate" was to be changed accordingly, especially in the rules. *Id.* at 47–48, 123–124. Indeed, the Supplementary Information uses the intended formulation "adequate protective measures" with respect to both new licenses and operating facilities in describing the final rules. 45 FR at 55403. However, one passage in 10 CFR 50.54(s)(2) [45 FR at 55410] and one passage in Appendix E, § III [45 FR at 55411] had been inadvertently overlooked in editing the final rule for publication last July. These minor corrections will conform the passages noted to the Commission's intent by replacing "appropriate" with "adequate" in the phrase "reasonable assurance that . . . protective measures can and will be taken" in 10 CFR 50.54 and making a similar change in Appendix E, § III.

Because the change is of a minor nature to conform the rules to the Commission's intent as stated in the public record of the rulemaking and does not signal any change in the standards applied under the rule or any other change in NRC practice, the Commission finds good cause to publish the rule without advance notice and public comment thereon as unnecessary. For the same reasons, these corrections shall be effective as a final rule upon publication in the **Federal Register.**

Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and sections 552 and 553 of Title 5 of the United States Code, the following amendments to Title 10, Chapter I, Code of Federal Regulations, Part 50, are published as documents subject to codification:

1. Section 50.54 is amended by revising paragraph (s)(2) as follows:

§ 50.54 Conditions of licenses.

* * * * *

(s) * * *

(2) For operating power reactors, the licensee, State, and local emergency response plans shall be implemented by April 1, 1981, except as provided in Section IV, D.3 of Appendix E of this Part. If, after April 1, 1981, the NRC finds that the state of emergency preparedness does not provide reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency and if the deficiencies are not corrected within four months of that finding, the Commission will determine whether the reactor shall be shut down until such deficiencies are remedied or whether other enforcement action is appropriate. In determining whether a shutdown or other enforcement action is appropriate, the Commission shall take into account, among other factors, whether the licensee can demonstrate to the Commission's satisfaction that the deficiencies in the plan are not significant for the plant in question, or that adequate interim compensating actions have been or will be taken promptly, or that there are other compelling reasons for continued operation.

2. Part 50, Appendix E is amended by revising the heading, and also revising the second paragraph of paragraph III, as follows [footnotes omitted]:

Appendix E—Emergency Planning and Preparedness for Production and Utilization Facilities

* * * * *

III. The Final Safety Analysis Report

* * * * *

The plans submitted must include a description of the elements set out in Section IV for the Emergency Planning Zones (EPZs) to an extent sufficient to demonstrate that the plans provide reasonable assurance that adequate protective measures can and will be taken in the event of an emergency.

(Sec. 161b., i., and o., Pub. L. 83-703, 68 Stat. 948 (42 U.S.C. 2201); Sec. 201, as amended, Pub. L. 93-438, 88 Stat. 1242, Pub. L. 94-79, 89 Stat. 413 (42 U.S.C. 5341))

Dated at Washington, DC, this 22d day of May, 1981.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 81-16145 Filed 5-28-81; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 282

[Docket No. RM79-14]

Order of the Director, OPPR of Publication of Incremental Pricing Acquisition Cost Thresholds Under Title II of the NGPA

AGENCY: Federal Energy Regulatory Commission.

ACTION: Order prescribing incremental pricing thresholds.

SUMMARY: The Director of the Office of Pipeline and Producer Regulation is issuing the incremental pricing acquisition cost thresholds prescribed by Title II of the Natural Gas Policy Act and 18 CFR 282.304. The Act requires the Commission to compute and publish the threshold prices before the beginning of each month for which the figures apply. Any cost of natural gas above the applicable threshold is considered to be an incremental gas cost subject to incremental pricing surcharging.

EFFECTIVE DATE: June 1, 1981.

FOR FURTHER INFORMATION CONTACT:
Kenneth A. Williams, Federal Energy Regulatory Commission, 825 N. Capitol Street, NE., Washington, D.C. 20426, (202) 357-8500.

Order of the Director, OPPR

Issued: May 22, 1981.

Publication of prescribed incremental pricing acquisition cost threshold of the NGPA of 1978. Docket No. RM79-14.

Section 203 of the NGPA requires that the Commission compute and make available incremental pricing acquisition cost threshold prices prescribed in Title II before the beginning of any month for which such figures apply.

Pursuant to that mandate and pursuant to § 375.307(1) of the Commission's regulations, delegating the publication of such prices to the Director of the Office of Pipeline and Producer Regulation, the incremental pricing acquisition cost threshold prices for the month of June 1981, is issued by the publication of a price table for the applicable month.

Kenneth A. Williams,

Director, Office of Pipeline and Producer Regulation.

Table I.—*Incremental pricing acquisition cost threshold prices*

	Calendar year 1980											Calendar year 1981					
	January	February	March	April	May	June	July	August	September	October	November	December	January	February	March	April	May	June
Incremental pricing threshold	$1.702	$1.738	$1.750	$1.762	$1.776	$1.790	$1.804	$1.819	$1.834	$1.849	$1.863	$1.877	$1.891	$1.908	$1.925	$1.942	$1.954	$1.967
NGPA section 102 threshold	2.358	2.381	2.404	2.428	2.453	2.478	2.504	2.532	2.560	2.588	2.614	2.640	2.667	2.698	2.729	2.761	2.787	2.813
NGPA section 109 threshold	1.786	1.799	1.812	1.825	1.839	1.853	1.867	1.883	1.899	1.915	1.929	1.943	1.957	1.975	1.993	2.011	2.024	2.037
130% of No. 2 fuel oil in New York City threshold	7.170	7.260	7.410	7.110	7.380	8.040	7.840	7.380	7.400	7.400	7.450	7.580	7.610	[1]7.960	8.260	9.010	9.510	9.430

[1] The $7.960 figure reflects the correct pricing threshold for high cost natural gas, effective February 1, 1981.

[FR Doc. 81-16146 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-85-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 145

[Docket No. 76P-0026]

Canned Pineapple; Amendment of Standard of Identity; Confirmation of Effective Date

AGENCY: Food and Drug Administration.

ACTION: Final Rule; Confirmation of Effective Date.

SUMMARY: The Food and Drug Administration (FDA) confirms the effective date for compliance with the amendment to the standard of identity for canned pineapple to provide for previously canned pineapple as an optional ingredient.

DATE: Effective July 1, 1983, for all affected products initially introduced or initially delivered for introduction into interstate commerce on or after this date. Voluntary compliance may have begun July 29, 1980.

FOR FURTHER INFORMATION CONTACT:
F. Leo Kauffman, Bureau of Foods (HFF-214), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-245-1164.

SUPPLEMENTARY INFORMATION: FDA published a final rule in the **Federal Register** of July 10, 1979 (44 FR 40276) amending the U.S. standard of identity for canned pineapple. That standard required, in part, that canned pineapple be prepared from fresh pineapple. Except for provisions that may have been subsequently stayed by the filing of proper objections, the final rule had an effective date of July 1, 1981.

After considering the objections and requests for a hearing received, in the **Federal Register** of June 27, 1980 (45 FR 43389), FDA confirmed the July 1, 1981 effective date for compliance with all provisions of the amended U.S. standard of identity except for a further amendment of § 145.180(a)(1) (21 CFR 145.180(a)(1)) to provide for previously

canned pineapple as an optional ingredient. Any person who would be adversely affected by the further amendment could have, at any time on or before July 28, 1980, filed written objections and requested a hearing. No objections or requests for a hearing were filed.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 401, 701(e), 52 Stat. 1046 as amended, 70 Stat. 919 as amended (21 U.S.C. 341, 371(e))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), notice is given that 21 CFR 145.180(a)(1), as amended in the **Federal Register** of June 27, 1980 (45 FR 43389), will become effective July 1, 1983. Voluntary compliance may have begun July 29, 1980.

Dated: May 20, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-15932 Filed 5-28-81; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 558

New Animal Drugs for Use in Animal Feeds; Pyrantel Tartrate

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration amends the animal drug regulations to reflect approval of a new animal drug application (NADA) filed for Cadco, Inc., providing for safe and effective use of 9.6- and 19.2-gram-per-pound pyrantel tartrate premixes for making complete swine feeds.

EFFECTIVE DATE: May 29, 1981.

FOR FURTHER INFORMATION CONTACT: Charles E. Haines, Bureau of Veterinary Medicine (HFV-138), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3410.

SUPPLEMENTARY INFORMATION: Cadco Inc., P.O. Box 3599, Des Moines, IA 50322 is the sponsor of NADA 119-062 submitted on its behalf by Pfizer, Inc. The NADA provides for use of premixes containing 9.6 and 19.2 grams of pyrantel tartrate per pound for making complete swine feeds used (1) as an aid in prevention of migration and establishment of large roundworm (*Ascaris suum*) infections, (2) as an aid in prevention of establishment of nodular worm (*Oesophagostomum*) infections, and (3) for removal and control of large roundworm (*Ascaris suum*) and nodular worm (*Oesophagostomum*) infections.

Approval of this application relies on safety and effectiveness data contained in Pfizer's approved NADA 43-290. Use of the data in NADA 43-290 to support this application has been authorized by Pfizer. This approval does not change the approved use of the drug. Consequently, approval of this NADA poses no increased human risk from exposure to residues of the animal drug, nor does it change the conditions of the drug's safe use in the target animal species. Accordingly, under the Bureau of Veterinary Medicine's supplemental approval policy, published in the **Federal Register** of December 23, 1977 (42 FR 64367), the approval of this NADA has been treated as would an approval of a Category II supplement and did not require reevaluation of the safety and effectiveness data in NADA 43-290.

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

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

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

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))), and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) (formerly 21 CFR 5.1, see 46 FR 26052; May 11, 1981), and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Part 558 is amended in § 558.485 by adding paragraph (a)(8) to read as follows:

§ 558.485 Pyrantel tartrate.

(a) * * *

(8) To 011490: 9.6 and 19.2 grams per pound, paragraph (e)(1) through (3) of this section.

* * * * *

Effective date. May 29, 1981.

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

Dated: May 20, 1981.

Gerald B. Guest,

Acting Director, Bureau of Veterinary Medicine.

[FR Doc. 81-15725 Filed 5-28-81; 8:45 am]

BILLING CODE 4110-03-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Parts 1301, 1303, 1304, 1308, 1311 and 1312

Change of Address and Nomenclature Changes

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Final rule.

SUMMARY: This final rule changes office designations and addresses which are currently listed in 21 CFR Part 1300 to End to accurately reflect changes in the Drug Enforcement Administration's organizational structure. No substantive changes in any of the regulations are included in this action. Therefore no comments are solicited and this action is issued as a final rule.

EFFECTIVE DATE: May 29, 1981.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Regulatory Control Division, Drug Enforcement Administration, Washington, D.C. 20537; Telephone: (202) 633-1366.

SUPPLEMENTARY INFORMATION: Sections of 21 CFR Part 1300 to End make reference to the Distribution Audit Branch of DEA as the designated office to which various documents should be sent. Reorganizations within DEA have transferred the function of the Distribution Audit Branch to other elements of the agency. In order to

ensure that the applications, reports and other correspondence required by the regulations in 21 CFR Part 1300 to End reach their proper destination as expeditiously as possible, certain of the DEA office designations must be changed. Additionally, the Department of Health, Education and Welfare has been renamed the Department of Health and Human Services, thus requiring a nomenclature change to any reference to this Department in 21 CFR Part 1300 to End.

Therefore, under the authority vested in the Attorney General by sections 301 and 501(b) of the Act (21 U.S.C. 821 and 871(b)), and delegated to the Administrator of the Drug Enforcement Administration by regulations of the Department of Justice (28 CFR 0.100), the Administrator hereby orders that Title 21 of the Code of Federal Regulations, Part 1300 to End be amended as follows:

§ 1301.26 [Amended]

21 CFR 1301.26(e) is amended by removing the words "Distribution Audit Branch" and inserting, in their place, the words "Compliance Division."

§ 1301.71 [Amended]

21 CFR 1301.71(d) is amended by removing the words "Compliance Investigations Division" and inserting, in their place, the words "Compliance Division."

§§ 1303.12, 1303.22, 1303.27, 1304.35 and 1308.24 [Amended]

21 CFR 1303.12 (b) and (d), 1303.22, 1303.27, 1304.35(a) and 1308.24(d) are amended by removing the words "Distribution Audit Branch" and inserting, in their place, the words "Regulatory Control Division."

§ 1304.37 [Amended]

21 CFR 1304.37(a) is amended by removing the words "Distribution Audit Branch, Drug Enforcement Administration, Department of Justice, Washington, D.C. 20537" and inserting, in their place, the words "ARCOS Unit, P.O. Box 28293, Central Station, Washington, D.C. 20005."

§§ 1304.37, 1308.39 and 1304.41 [Amended]

21 CFR 1304.37(b), 1304.39(d) and 1304.41(d) are amended by removing the words "Distribution Audit Branch" and inserting, in their place, the words "ARCOS Unit."

§ 1304.42 [Amended]

21 CFR 1304.42(a) is amended by removing the words "Regulatory Investigations Section" and inserting, in their place, the words "Regulatory Control Division."

§ 1308.04 [Amended]

21 CFR 1308.04(a) is amended by removing the words "Assistant Director for Scientific Support, Attention: Label Project, Drug Enforcement Administration, Department of Justice, Washington, D.C. 28083" and inserting, in their place, the words "Regulatory Support Division, Attention: Project Label, Drug Enforcement Administration, Department of Justice, Washington, D.C. 20537."

§ 1308.23 [Amended]

21 CFR 1308.23(b) is amended by removing the ZIP code number "28083" and inserting, in its place, the number "20537."

§ 1301.74 [Amended]

21 CFR 1301.74(k) is amended by removing the words "Secretary of Health, Education, and Welfare" and inserting, in their place, the words "Secretary of Health and Human Services."

§§ 1311.53 and 1312.15 [Amended]

21 CFR 1311.53(c) and 1312.15(b) are amended by removing the word "Bureau" and inserting, in its place, the word "Administration."

Peter B. Bensinger,

Administrator, Drug Enforcement Administration.

May 20, 1981.

[FR Doc. 81-15924 Filed 5-28-81; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Housing—Federal Housing Commissioner

24 CFR Part 885

[Docket No. R-81-897]

Loans for Housing for the Elderly or Handicapped (Interest Rate Determination)

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Final rule.

SUMMARY: This rule changes the formula by which the interest rates for direct loans for housing for the elderly or handicapped will be calculated. The effect of this change will be lower interest rates.

Experience indicates that the level of default and resulting administrative costs for these loans are quite low. Accordingly, the Secretary has determined to reduce the charge for administrative costs and probable losses for purposes of establishing the interest rates for Section 202 loans. Instead of the present charge of 1 percent per annum during the construction period and ½ of 1 percent per annum during the permanent loan period; the charge will be ¼ of 1 percent per annum for both periods.

EFFECTIVE DATE: May 29, 1981.

FOR FURTHER INFORMATION CONTACT: George O. Hipps, Jr., Director, Office of Multifamily Housing Development, 451 7th Street SW., Room 6128, Washington, D.C. 20410, telephone (202) 755-5720. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: Section 202 of the National Housing Act authorizes loans to encourage construction of housing for the elderly and handicapped. The interest rate for these loans is based on two factors: (1) a rate determined by the Secretary of the Treasury, taking into account the average interest rate on all interest-bearing obligations of the United States forming a part of the public debt and computed as of the end of the preceding fiscal year, and (2) a charge for administrative costs and probable losses determined by the Secretary of HUD.

Because of the remedial nature of the section 202 interest rate change and in order to avoid further delay in processing projects presently in development, the Department has determined that there is good cause for making this Rule effective as soon as possible.

The Catalog of Federal Domestic Assistance Program title and number is Housing for the Elderly or Handicapped, 14.157.

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations in 24 CFR Part 50, which implement section 102(2)(c) of the National Environmental Policy Act of 1969. The Finding of No Significant Impact is available for public inspection during regular business hours at the Office of the Rules Docket Clerk, Office of the General Counsel, Room 5218, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410. In addition, the Chairmen and Ranking Minority Members of the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking, Finance and Urban Affairs of the House of Representatives have waived the delay of effective date required by

section 7(o)(3) of the Department of Housing and Urban Development Act.

Pursuant to section 605(b) of the Regulatory Flexibility Act, the undersigned hereby certifies that this rule does not have a significant economic impact on a substantial number of small entities.

Accordingly, 24 CFR 885.410(g) (1) and (2) is revised to read as follows:

§ 885.410 Amount and terms of financing.

* * * * *

(g) The loan shall bear interest at a rate established by the Secretary by adding:

(1) A rate determined by the Secretary of the Treasury to be the average interest rate on all interest-bearing obligations of the United States then forming a part of the public debt computed at the end of the fiscal year immediately prior to the date on which the loan is made; plus

(2) An allowance to cover administrative costs and probable losses under the program, which allowance has been determined by the Secretary of HUD to be one-fourth of one percent (.25%) per annum for both the construction and permanent loan periods.

* * * * *

(Sec. 202, Housing Act of 1959 (12 U.S.C. 1701q); sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)))

Issued at Washington, D.C., April 27, 1981.

Philip D. Winn,

Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 81-16094 Filed 5-28-81; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1903

[Docket No. W-005A]

Revocation of Walkaround Compensation Regulation

AGENCY: Occupational Safety and Health Administration (OSHA), Department of Labor.

ACTION: Revocation of a regulation.

SUMMARY: This document revokes 29 CFR 1903.8(e), a regulation scheduled to become effective on May 30, 1981, which requires employers to compensate employee representatives who accompany OSHA inspectors during inspections ("walkarounds") and employees who engage in other inspection-related activities. The agency has concluded that the record does not establish that the regulation is necessary in order for the Secretary to conduct effective compliance inspections.

EFFECTIVE DATE: May 29, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. H. Berrien Zettler, Office of Field Coordination, Occupational Safety and Health Administration, Room N-3603, U.S. Department of Labor, Washington, D.C. 20210 (Tel. 202-523-7725).

SUPPLEMENTARY INFORMATION:

I. Background

A. Introduction

On January 16, 1981, the Occupational Safety and Health Administration ("OSHA") promulgated a walkaround compensation regulation requiring employers to compensate employee representatives who participate in OSHA walkaround inspections and employees who engage in related activities, such as speaking with OSHA compliance officers during inspections. 46 FR 3852. The regulation was scheduled to go into effect on February 17, 1981, but on February 6, 1981, the effective date was delayed until March 30, 1981. Subsequently, the President issued Executive Order 12291, 46 FR 13193 (February 19, 1981), which, in part, required agencies to review regulations promulgated but not in effect as of the date of the order. Pursuant to that order, on March 27, 1981, OSHA published in the **Federal Register** a notice which further delayed the effective date of the walkaround compensation regulation until May 30, 1981, and proposed to revoke the regulation. 46 FR 18999.

The agency invited the public to submit written data, views, and arguments with respect to the proposed revocation and all issues involved therein. Comments were to be postmarked on or before April 30, 1981. The agency has received a number of comments from businesses, unions, trade associations, public interest groups and others. All timely submissions were made part of the record and were duly considered. In addition all comments and exhibits previously submitted on the regulation were re-evaluated and reconsidered.

B. Statutory Framework

Section 8(a) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651 *et. seq.* (the "Act" and the "OSH Act") authorizes the Secretary of Labor ("Secretary") to conduct inspections and investigations of workplaces in order to determine whether or not violations of the Act are present. With respect to inspections section 8(e) of the Act provides:

> Subject to regulations issued by the Secretary, a representative of the employer and a representative authorized by his employees shall be given an opportunity to accompany the Secretary or his authorized representative during the physical inspection of any workplace under subsection (a) for the purpose of aiding such inspection. Where there is no authorized employee representative, the Secretary or his authorized representative shall consult with a reasonable number of employees concerning matters of health and safety in the workplace.

In addition section 8(g)(2) of the Act provides:

> The Secretary and the Secretary of Health, Education and Welfare shall each prescribe such rules and regulations as he may deem necessary to carry out their responsibilities under this Act, including rules and regulations dealing with the inspection of an employer's establishment.

C. History of Walkaround Compensation Regulation

In 1973, the Assistant Secretary of Labor for Occupational Safety and Health, relying in part upon the Solicitor of Labor's opinion that walkaround time was not "hours worked" under the minimum wage and overtime provisions of the Fair Labor Standards Act ("FLSA"), 29 U.S.C. 203(o) (1976), concluded that an employer's failure to pay employees for the time spent with the OSHA inspector was not a *per se* violation of section 11(c) of the Act. *See* 28 FR 2684 (January 29, 1973) (codified at 29 CFR 1977.21(a)) (1975). Generally, that section provides that no person may discharge or discriminate against any employee because of the employee's exercise of his rights under the Act.

In 1974, a federal district court upheld the Department of Labor's interpretation in a civil action brought by employees to recover wages lost because of participation in an OSHA inspection. *Leone* v. *Mobil Oil Corp.*, 377 F. Supp. 1302 (D.D.C. 1974), *aff'd* 523 F.2d 1153 (D.C. Cir. 1975). In 1975, the U.S. Court of Appeals for the District of Columbia Circuit affirmed the district court's decision and held that because walkaround time primarily benefits employees and because the walkaround is conducted beyond the employer's control, walkaround time does not constitute "hours worked" under the FLSA. *Leone, supra*, 523 F.2d 1153, 1163-64. Furthermore, the court held that a walkaround payment requirement could not be inferred from the provisions of the Occupational Safety and Health Act. *Id.* at 1159-61.

In 1977, the Solicitor of Labor re-evaluated the original legal position and in September 1977, issued a new opinion which stated that walkaround time was "hours worked" under the FLSA, that an employer's failure to pay employees for that time chilled the exercise of the employees' walkaround right, and that therefore the failure to pay was discrimination prohibited by section 11(c)(1) of the Act. On September 20, 1977, the Assistant Secretary promulgated a rule declaring that "an employer's failure to pay employees for time during which they are engaged in walkaround inspections is discriminatory under section 11(c)." 42 FR 47344. Because the rule was considered "an interpretive rule and general statement of policy," 42 FR 47344, public participation was not provided in accordance with the provisions of the Administrative Procedure Act ("APA"). 5 U.S.C. 553.

In 1978, a federal district court, in an action challenging the validity of the new regulation, concluded that the regulation was interpretive and therefore exempt from the notice-and-comment procedures of the APA. *Chamber of Commerce of the United States of America* v. *OSHA*, 465 F. Supp. 10 (D.D.C. 1978), *rev'd* 636 F.2d 464 (D.C. Cir. 1980). The court helt that OSHA did not exceed its statutory authority in issuing the new regulation. On appeal, the U.S. Court of Appeals for the District of Columbia Circuit reversed the judgment of the district court and remanded the case to that court with instructions to vacate the regulation. *Chamber of Commerce of the United States of America* v. *OSHA*, 636 F.2d 464 (D.C. Cir. 1980). The Court of Appeals held that walkaround time did not constitute "hours worked" within the meaning of the FLSA because the employer did not select or regulate the employee representative during the walkaround, nor was the employer the primary beneficiary of the walkaround. The court also held that the Act itself neither prohibited nor compelled pay for walkaround time. Therefore, according to the court, the regulation was not interpretive but legislative. Because OSHA did not comply with the notice-and-comment procedures of the APA for the promulgation of legislative rules, the court concluded that the walkaround pay regulation was invalid and should be vacated.

On remand, the district court vacated the regulation. On October 31, 1980, the Assistant Secretary deleted the regulation, 45 FR 72118, and instructed OSHA field staff to cease enforcing its provisions.

On November 14, 1980, the Assistant Secretary proposed regulations requiring walkaround compensation. 45 FR 75232. The agency invited the public to submit written data, views, and arguments on the proposed regulations by December 29, 1981. Many comments were received. On January 16, 1981, the Assistant Secretary promulgated a walkaround compensation regulation at 29 CFR 1903.8(e). It was scheduled to become effective on February 17, 1981.

On January 29, 1981, the President issued a memorandum requiring agencies to delay for sixty days the effective date of regulations which had been promulgated and which were scheduled to become effective within sixty days from the date of the memorandum. 46 FR 11227. Pursuant to that memorandum, on February 6, 1981, the Acting Secretary of Labor delayed the effective date of the OSHA walkaround compensation regulation until March 30, 1981. 46 FR 11253. On February 17, 1981, the President issued Executive Order 12991, 46 FR 13193, which required agencies to review regulations promulgated but not in effect as of the date of the order. In reviewing regulations agencies were required, to the extent permitted by law, to base administrative decisions ". . . on adequate information concerning the need for and consequences of proposed government action" [section 2(a)] and not to undertake regulatory action "* * * unless the potential benefits to society for the regulation outweigh the potential costs to society" [section 2(b)], *inter alia*.

Pursuant to that executive order, on March 27, 1981, OSHA published in the **Federal Register** a notice which delayed the effective date of the walkaround compensation regulation until May 30, 1981, and proposed to revoke the regulation. 46 FR 18999. The agency invited the public to submit written comments with respect to the proposed revocation by April 30, 1981. A number of comments were received and they, as well as the comments and exhibits previously submitted on the regulation, were considered.

II. Basis and Purpose of the Revocation

A. Introduction

On the basis of a careful re-evaluation of the previous record and consideration of the new comments, the Secretary has determined that the walkaround compensation regulation is not necessary to carry out his responsibilities under the Act. Therefore, pursuant to sections 8(e) and 8(g)(2) of the Act, the Secretary revokes the regulation.

The rule, when promulgated, was based primarily on the theory that failure to compensate for time spent on the walkaround would chill employee participation in the inspection process. However, on the basis of the record, the agency finds that a walkaround compensation regulation would have only a negligible effect on the number of employees who participate in OSHA inspections and on the Secretary's enforcement efforts. As noted in the January 16, 1981 **Federal Register**, a considerable number of inspections are conducted in establishments in which there are no employee representatives and the OSHA inspector consults with a reasonable number of employees, in accordance with Section 8(e). *See* 46 FR 3588. In those cases in which an employee representative accompanies the OSHA inspector on the walkaround, the record indicates that the vast majority of representatives are in fact compensated for their time. Furthermore, in those cases in which compensation is not available, the record does not establish that the lack of pay operates as a significant disincentive to employee participation. Thus, it appears that a walkaround compensation regulation will encourage only a few employee representatives to participate in the walkaround. And, even where there is no walkaround representative, in accordance with the requirements of Section 8(e), the compliance officer consults with individual employees at the worksite. In view of its minimal impact on employee participation and on the Secretary's ability to effectively enforce the Act, the agency finds that the regulation is not a necessary exercise of his rulemaking authority.

B. Current Walkaround Compensation Practices

The record establishes that the vast majority of employee representatives are in fact compensated for time spent on walkaround. Throughout its ten-year enforcement history, the agency has found that a substantial percentage of employee representatives are paid for time during which they accompany or otherwise assist OSHA compliance officers during inspections. This experience is substantiated by memoranda submitted for the record by various OSHA compliance personnel. Several compliance officers stated that they had never encountered an instance in which an employee was denied walkaround compensation. *See* Exhibits 3–10 at p. 3; 3–11 at p. 1; 3–12 at p. 1; 3–13; 3–30 at pp. 8 and 21; 3–35. Other compliance officers noted that in general

they had experienced no difficulties with respect to compensation for employee representatives. *See* Exhibits 3–4 at p. 6; 3–5; 3–12 at p. 1; 3–18 at p. 1. Many inspectors noted specific instances of compensation by either the employer or a union. *See* Exhibits 3–9 at pp. 4, 5, 11, 12; 3–21; 3–25 at p. 2; 3–26 at p. 2; 3–27 at p. 3; 3–28 at pp. 1 and 2. On the other hand, although numerous memoranda were submitted for the record by compliance officers, area directors and regional administrators, only approximately 10 instances of non-payment were documented. *See* Exhibits 3–6 at p. 8; 3–7 at p. 2; 3–19 at pp. 7 and 11; 3–26; 3–28 at p. 1; 3–31 at pp. 3 and 5; 3–38. Indeed, it is not even clear from these submissions whether these employees were totally denied walkaround pay or were not paid by their employers but compensated by their unions. Thus, the agency's experience and the supporting evidence clearly establish that non-payment of walkaround compensation occurs only in limited, isolated instances and that the substantial majority of representatives are in fact paid. Furthermore, so far as appears from the record, there is no evidence that employees are not paid for time during which they are engaged in other inspection-related activities.

The agency's finding regarding compensation practices is supported by the paucity of non-payment cases submitted by the general public. Since November 1980, the agency has received over 400 comments on the walkaround compensation regulation. Of those comments which addressed the issue of compensation, several noted instances in which either the employer or the union paid the employee representative for time spent on the walkaround. *See* Exhibits 2–40; 2–145; 2–202; 2–209; 4–34. However, only a few comments noted specific instances in which no compensation was available from any source and the employee did not participate in the inspections. *See* Exhibits 2–276; 2–310. This further supports the agency's conclusion that an overwhelming majority of employees are compensated and that there is no need for the regulation.

The above conclusion is also supported by a study, sponsored by a labor organization, that was referred to by some commentors and cited by the U.S. Court of Appeals for the District of Columbia in *Leone* v. *Mobil Oil Corporation*, 523 F.2d 1153, 1161 (D.C. Cir. 1975). *See* Zalusky, "The Worker Views the Enforcement of Safety Laws," 26 Labor L.J. 224 (1975). This study revealed that, of the employee representatives responding to a survey, 93% of those who participated in the walkaround were paid by the employer and 4% were paid by the union. The remaining 3% included cases in which the employee received full pay, part of it from the union and part from the employer, and one instance in which the employee representative was not working and participated in the walkaround on his own time. Zalusky, *supra* at 230. The study also pointed out that an inspection often followed a grievance and that collective bargaining agreements often provide pay for employee time spent investigating grievances. *Id.* Based on the empirical data contained in the study, and in the absence of any body of evidence to the contrary, we believe that the study supports the conclusion that compensation is available to a substantial majority of employee representatives.

In reaching this conclusion, the agency is not unmindful of the commentors who expressed concern that employers would not provide walkaround compensation in the absence of a regulation requiring them to do so. *See* Exhibits 4–31; 6–2; 6–14; 6–34; 6–43; 6–49. However, this claim is belied by the results of the Zalusky study, *supra*, which showed that 93% of employee walkaround representatives who responded to the survey were paid walkaround compensation by the employer at a time when it was the Secretary's position that such compensation was not required by the Act. Moreover, aside from speculation, there is no evidence to indicate that employers who have paid walkaround compensation in the past will change their practice as a result of the revocation of the regulation.

C. Lack of Disincentive

We have discussed the question of whether there is a significant need for a walkaround compensation regulation in view of evidence that a considerable majority of employees are in fact paid for time spent on the walkaround. Quite apart from this question is the issue of whether the regulation would encourage employee participation in the inspection process. As noted in the preamble to the January 16, 1981 rule, the promulgation of the regulation was based to a large extent on the assumption that the loss of pay or other benefits operates as a significant disincentive to employee participation in an inspection. 46 FR 3855–56. After careful reevaluation of the previous record and consideration of the new comments, the agency finds that the record does not adequately support this assumption. Indeed, comments submitted by agency personnel and the general public note fewer than 10 instances in which an employee representative did not participate in the walkaround because of non-payment. *See* Exhibits 3–6 at p. 8; 3–19 at p. 11; 3–26 at p. 2; 3–38; 2–276; 2–310. On the other hand, OSHA compliance officers noted several instances in which employee representatives participated in an inspection despite the knowledge that they would not be compensated for the time involved. *See* Exhibits 3–19 at p. 7; 3–21; 3–26 at p. 1; 3–31 at pp. 3 and 5. Several employees stated that they had participated in a walkaround even though they were not paid. *See* Exhibits 2–252; 2–302. Other employees indicated that their participation in an inspection would not be discouraged by a lack of compensation. *See* Exhibit 6–45.

Based on the extremely small number of non-participation cases resulting from non-payment, and on the evidence that a substantial number of employee representatives take part in the inspection process, the record does not adequately establish that lack of compensation is in fact a significant disincentive to employee participation in the walkaround. Moreover, even to the limited extent that the lack of pay might discourage a few employees from participating in the inspection, the agency finds that a walkaround compensation regulation is not necessary since it would not have a significant effect on the Secretary's overall ability to conduct effective and efficient workplace inspections. In those limited cases in which an employee representative does not participate because he is not paid, the OSHA inspectors can rely on consultations with individual employees at the worksite, as provided Section 8(e) of the Act. Indeed, as noted earlier, a considerable number of workplace inspections are conducted in establishments in which there is no employee representative on the walkaround. In such cases, pursuant to the Act and OSHA instructions, compliance officers are required to consult with a reasonable number of employees at the worksite. Accordingly, on this record, the agency has decided not to require employers to pay for time spent on the walkaround. Rather, we conclude that the issue of walkaround compensation is best left to voluntary arrangements between employers and employees. In reaching this conclusion, the agency notes that its concern for securing employee participation in the walkaround is satisfied in an overwhelming percentage of inspections in which employee representatives have

been designated. Absent evidence that this rate of participation will decline substantially, the agency believes that the policies of the Act would best be effectuated if the parties negotiate payment arrangements between themselves.

Some commentors expressed the view that leaving walkaround compensation to collective bargaining is an inadequate solution in light of the fact that only approximately 20 percent of the U.S. workforce is unionized; thus, the vast majority of workers do not have access to collective bargaining and cannot obtain walkaround benefits. *See* Exhibits 6–14; 6–28; 6–45; 6–48. However, inspections of non-union establishments are typically conducted without the participation of employee representatives since none exists. As we have noted in the preamble to the original rule, the selection of employee representatives in non-union establishments would entail complex and time-consuming procedures that would seriously delay the conduct of inspections and effective and efficient enforcement of the Act. *See* 46 FR 3855. Thus, the issue of walkaround compensation generally does not arise in non-union establishments.

D. Conclusion

For approximately seven of the ten years of OSHA's existence, walkaround compensation was not required by the agency. During that period, OSHA generally conducted effective and efficient inspections, finding occupational hazards and issuing citations when violations were discovered. In view of this experience and the record in this case, the agency concludes that a walkaround compensation regulation is not necessary. Absent the need for the agency to require compensation to encourage employee participation in the walkaround, there is no need to discuss the related issue, discussed in the original rule at 46 FR 3856–57, of who should properly bear the burden of paying walkaround compensation.

III. Regulatory Assessment

Pursuant to Executive Order 12291, the costs of a regulation must not outweigh its benefits. Since this revocation relieves employers of the obligation to pay walkaround compensation, this agency action imposes no costs and therefore it meets the requirements of the Executive Order. Furthermore, because of the absence of an economic impact, no Regulatory Impact Analysis is required.

IV. Effective Date

The revocation of the walkaround compensation regulation is effective May 29, 1981. This effective date is permitted by 5 U.S.C. 553(d)(1), which provides that a substantive rule need not be published at least 30 days before its effective date if it "relieves a restriction." Since this revocation relieves employers of the obligation to pay walkaround compensation, the 30-day requirement need not be followed.

V. Authority

This document was prepared under the direction of Thorne G. Auchter, Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Ave., N.W., Washington, D.C. 20210.

Accordingly, pursuant to sections 8(e) and 8(g)(2) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 657(e) and 657(g)(2)), 5 U.S.C. 553, and Secretary of Labor's Order 8–76 (41 FR 25059), OSHA amends Part 1903 of Title 29 of the Code of Federal Regulations by removing paragraph (e) of § 1903.8, as set forth below.

Signed at Washington, D.C., on this 27th day of May, 1981.

Thorne G. Auchter,

Assistant Secretary of Labor.

§ 1903.8 Representatives of employers and employees.

* * * * *

(e) *Walkaround compensation.* [Removed].

(Secs. 8(e) and 8(g)(2), 84 Stat. 1600, 1603 (29 U.S.C. 657(e) and 8(g)(2)); 5 U.S.C. 553; Secretary of Labor's Order 8–76 (41 FR 25059))

[FR Doc. 81–16236 Filed 5–28–81; 9:12 am]

BILLING CODE 4510–26–M

---

29 CFR Part 1910

[Docket No. H–004M]

Occupational Exposure to Lead, New Trigger Levels for Medical Removal Protection; Deferral of Effective Date

AGENCY: Occupational Safety and Health Administration, Labor.

ACTION: Notice of further deferral of effective date of new trigger levels for medical removal protection for primary smelters and secondary smelters.

SUMMARY: For primary and secondary smelters only, OSHA is delaying the effective date of the new trigger levels for medical removal protection under the lead standard (29 CFR 1910.1025(k)) from the June 1, 1981 date previously announced in the **Federal Register** (46 FR 24558; May 1, 1981) to July 1, 1981. The background and basis in the record for the further delay of the effective date as to primary and secondary smelters are discussed in that prior notice. This action is taken to allow the Agency more time to complete its efforts to fashion appropriate relief for the involved lead industries; while at the same time providing necessary protection for employees.

DATES: For primary and secondary lead smelters, the temporary stay of the new trigger levels is extended to July 1, 1981.

FOR FURTHER INFORMATION CONTACT: Dr. Robert P. Beliles, Occupational Safety and Health Administration, Room N–3718, U.S. Department of Labor, Washington, D.C. 20210; telephone (202) 523–7081.

Signed at Washington, D.C., this 22nd day of May, 1981.

Thorne G. Auchter,

Assistant Secretary of Labor.

[FR Doc. 81–15988 Filed 5–28–81; 8:45 am]

BILLING CODE 4510–26–M

---

29 CFR Part 1910

Occupational Noise Exposure; Hearing Conservation Amendment; Deferral of Effective Date

AGENCY: Occupational Safety and Health Administration, Labor.

ACTION: Final rule; deferral of effective date.

SUMMARY: On January 16, 1981 (46 FR 4078), OSHA published an amendment to its standard for occupational noise exposure (29 CFR 1910.95). The amendment set forth specific requirements for hearing conservation programs including monitoring of employee exposure, audiometric testing and use of hearing protectors. The amendment was to become effective on April 15, 1981, with various provisions being phased in over the next two years.

Following the publication of the amendment, the Agency received numerous requests for interpretation, petitions for administrative reconsideration of various provisions of the amendment, and petitions for administrative stay.

On April 10, 1981, the Agency deferred the effective date of the hearing conservation amendment until June 1, 1981 (46 FR 21365) so that the Agency could analyze all of the requests and petitions that had been submitted on the hearing conservation amendment. In view of the large number of requests and petitions received and the complexity of the issues raised, the

Agency needs more time to adequately consider these documents.

Accordingly, by this notice the Agency defers the effective date for the hearing conservation amendment until August 1, 1981. This action should allow the Agency to complete the analysis of the comments received to date. In view of this further deferral of the effective date, appropriate adjustments will be made, as necessary, in the effective dates of the various provisions of the standard which were scheduled to be phased in over time.

The need for further consideration of the public submissions constitutes good cause for the deferral of the effective date. Due to the short deferral period, notice and opportunity to comment on the deferral is impractical and unnecessary within the meaning of 5 U.S.C. 553 and 29 U.S.C. 655(b).

EFFECTIVE DATE: The effective date of § 1910.95 (c)–(s) and Appendixes A–I is deferred until August 1, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. James Foster, Room N–3641, Office of Public Affairs, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, D.C. 20210, Telephone: (202) 523–8151.

Signed at Washington, D.C. this 22d day of May, 1981.

Thorne G. Auchter,

Assistant Secretary of Labor.

[FR Doc. 81–15987 Filed 5–28–81; 8:45 am]

BILLING CODE 4510–26–M

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

Special Regulations, Areas of the National Park System; Glacier Bay National Park and Preserve

AGENCY: National Park Service, Department of Interior.

ACTION: Deferral of effective date of final rule with request for comments.

SUMMARY: The National Park Service is further postponing the effective date of a final rule concerning protection of humpback whales in Glacier Bay National Park and Preserve which was previously postponed until May 29, 1981. This rule was published in the **Federal Register** on December 30, 1980 (45 FR 85741), and was scheduled to become effective on January 29, 1981. On the day a memorandum was issued by the President which, among other things, directed executive agencies to postpone for 60 days the effective dates of regulations which had been issued but were scheduled to become effective during that 60-day period.

In a notice published February 17, 1981 (46 FR 12496), the National Park Service postponed the effective date of this rule until March 30, 1981. Executive Order 12291, issued by the President on February 17, 1981 (46 FR 13193) directed agencies to suspend or postpone the effective dates of all rules that had been promulgated in final form but not yet become effective to the extent necessary to permit reconsideration of the rules in accordance with the Executive Order.

The Department of the Interior on March 30, 1981 (46 FR 19233) and the National Park Service on April 30, 1981 (46 FR 24178) issued notices delaying the effective date of the Glacier Bay regulations.

The interim rule for small vessels entering Glacier Bay during whale season (June 1—August 31) published in the **Federal Register** on May 15, 1981 (45 FR 32234) restricts entries to 520 on the basis that this represented the small boat entry level in the 1976 season. As further explained in the May 15, 1981 **Federal Register**, 1976 small boat entry level are required for protection of humpback whales. The final rule published on December 30, 1980, revised this number to 339 on the basis of new information as to the 1976 entry level. Further inquiries indicate that this number may be inaccurate. Accordingly, in order to permit the National Park Service time to redetermine the 1976 entry level for small boats, the effective date of this regulation is further extended to July 15, 1981. The interim rule calling for the 520 entry level remains in effect until the rule is finalized.

In addition to the above, the National Park Service is still conducting its review of these regulations under the criteria of E.O. 12291.

DATES: The new effective date for these final rules is July 15, 1981. Comments on this new effective date and on the 1976 Glacier Bay small boat entry level must be received on or before June 30, 1981.

ADDRESS: Written comments should be sent to Associate Director, Management and Operations, National Park Service, Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Maureen Finnerty, Division of Ranger Activities and Protection, National Park Service, Washington, D.C. 20240. Telephone: 202–343–4874.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 81–16319 Filed 5–28–81; 9:30 am]

BILLING CODE 4310–70–M

LIBRARY OF CONGRESS

Copyright Office

37 CFR Part 201

[Docket RM 80–1]

General Provisions; Works Consisting of Sounds, Images, or Both: Advance Notice of Potential Infringement

AGENCY: Library of Congress, Copyright Office.

ACTION: Final regulation.

SUMMARY: This notice is issued to advise the public that the Copyright Office of the Library of Congress is adopting a new final regulation designed to implement paragraph (b) of section 411 of the Copyright Act of 1976, Title 17 of the United States Code, as amended by Pub. L. 94–553. This paragraph provides for the service of advance notices of potential infringement for the purpose of preventing the unauthorized use of certain works that are being transmitted "live" at the same time that they are being fixed in tangible form for the first time. The effect of the final regulation is to establish requirements governing the content and manner of service of the advance notices.

EFFECTIVE DATE: July 1, 1981.

FOR FURTHER INFORMATION CONTACT: Dorothy Schrader, General Counsel, Copyright Office, Library of Congress, Washington, D.C. 20559, (202) 287–8380.

SUPPLEMENTARY INFORMATION: Section 411(b) of the Copyright Act of 1976 [Act of October 19, 1976, 90 Stat. 2541] concerns the unauthorized use of works consisting of sounds, images, or both, that are fixed for the first time simultaneously with their transmission. It provides generally that the copyright owner may institute an action for infringement under section 501 of the Act, either before or after the first fixation takes place, and seek any or all of the remedies provided for by sections 502 through 506 and sections 509 and 510 of the Act so long as certain requirements are met.

In discussing the purpose of this provision, the Reports of the Judiciary Committees of the House of Representatives and the Senate [H.R.

Rep. 94–1476, 94th Cong., 2d Sess. (1976) at 157 and S. Rep. 94–473, 94th Cong. 1st Sess. (1975) at 140, respectively] state:

> Section 411(b) is intended to deal with the special situation presented by works that are being transmitted "live" at the same time they are being fixed in tangible form for the first time. Under certain circumstances, where the infringer has been given advance notice, an injunction could be obtained to prevent the unauthorized use of the "live" transmission.

Under the statute, this Advance Notice must be served on the person responsible for the potential infringement at least ten days but not more than thirty days before the first fixation of the work and must identify the work and specify the time and source of its first transmission. The Advance Notice must also include a declaration of "an intention to secure copyright in the work." Section 411(b) further provides that the Advance Notice must comply "with the requirements that the Register of Copyrights shall prescribe by regulation."

On July 31, 1980, the Copyright Office published in the **Federal Register** (45 FR 50823) a proposal to adopt a new regulation § 201.22 establishing requirements governing the content and manner of service of the Advance Notices. A total of six initial and reply comments were received in response to the Notice of Proposed Rulemaking.

A majority of these comments focused on the use of the Advance Notice procedure in connection with the rules of the Federal Communications Commission (FCC) governing retransmission by cable television systems of sports programing (47 CFR § 76.67). In general, under these FCC rules, the holder of broadcast rights to certain sporting events may request a cable television system to delete carriage of the event upon timely notification. The FCC rules require the notification to include: the name and address of the party requesting deletion, the date, time and expected duration of the sports event and, in some cases, the call letters of the television broadcast station(s) televising the event. Carriage by a cable television system in violation of these rules may be considered a violation of the system's compulsory license under section 111(c)(2)(A) of the copyright law possibly providing a basis for an infringement action under section 411 (a) or (b) of the Copyright Act. Section 111(c)(2) also provides, however, that the secondary transmission must be "willful or repeated" in order to give rise to copyright liability.

After careful consideration of all of the comments, and those comments concerning application of the provision in connection with the FCC sports exclusivity rules in particular, the Copyright Office has decided to adopt the proposed regulation with several changes. A discussion of the major substantive comments appears below.

1. Definition of Copyright Owner

Because section 411(b) requires the service of an Advance Notice before fixation of a work, no statutory copyright will exist at the time it must be served. As a result, the Copyright Office proposed in § 201.22(a)(2) to define a "copyright owner" in part as:

> The person who will be considered the author of the work upon its fixation (including, in the case of a work made for hire, the employer or other person for whom the work was prepared), or a person or organization that has obtained ownership of an exclusive right, initially owned by the person who will be considered the author of the work upon its fixation.

A comment submitted on behalf of a cable television system questioned the legitimacy of an Advance Notice served by a purported "copyright owner" as defined in the regulation. The comment suggested that the term "copyright owner" be limited to "all who have ownership in the work" and that reference to one who "has obtained ownership of an exclusive right" be eliminated.

The Copyright Office considers these suggestions contrary to the principles of copyright divisibility and ownership as set forth in sections 101 and 201 of the Copyright Act and, therefore, has not adopted them. Any questions arising as to the propriety of a particular Advance Notice should be resolved by the courts.

2. Authorship

Comments submitted on behalf of several professional sports leagues questioned the necessity of introducing the concept of authorship in the regulation on the ground that it complicates the advance notification procedure. While the Copyright Office is aware that questions of authorship and copyright ownership of televised sporting events have arisen between broadcasters and sports interests, the Office does not believe that identification of one author complicates the Advance Notice, and we have retained the requirement.

Under the Copyright Act, copyright vests initially in the author(s) of the work. Anyone who wishes to claim rights under the Act must be either the author or someone who obtains the rights from the author. Since section 411(b) requires that a copyright owner who brings an infringement action under that section make registration for the work within three months after its first transmission, it would ordinarily be necessary to identify the author at the time of registration. The Office therefore believes it is appropriate to include the information in the Advance Notice. However, the Office has modified paragraph (c)(1)(v) of the regulation to clarify that identification of "at least one person or entity that will be considered the author of the work upon its fixation" is sufficient.

3. Expected Duration of First Transmission

A comment submitted on behalf of a cable television system requested that an Advance Notice include the expected duration of the first transmission of a work. The comment notes that this information would permit a potential infringer closely to monitor its activities in order to reduce the possibility of unintentional infringements. The Copyright Office believes that a copyright owner should have within his or her knowledge the approximate duration of the first transmission of a work and should be able to include it in an Advance Notice without any burden; this is especially true with respect to copyright owners of sporting events since this information, as noted earlier, is required to be given as part of the FCC sports exclusivity notification procedure. Accordingly, the Office has accepted this request and has so revised paragraph (c)(1)(ii) of the regulation.

4. Identification of Primary Transmitters

A comment submitted on behalf of a cable television system proposed that an Advance Notice include the identity of the primary transmitter or transmitters of the work so that a potential infringer will be in a better position to comply with the Notice. This proposal was opposed by copyright owners of sporting events as being too burdensome; instead, they suggested that the identification of a particular network of stations to whom the rights have been sold should be sufficient.

The identification of a particular primary transmitter or transmitters could probably be justified as within the "identification of source" requirement of section 411(b)(1) and such identification is encouraged. However, the Copyright Office has decided not to require such specific identification at this time. If a potential infringer needs further information with respect to the particular transmitter or transmitters of the work subject to the Advance Notice, he or she may contact the copyright

owner or his or her duly authorized agent as identified in the notice.

5. Identification of the Copyright Owner

Paragraph (c)(1)(vi) of the proposed regulation requires an Advance Notice to include the identification of the copyright owner. A comment submitted on behalf of a cable television system suggested that this provision be amended to require in addition the address of the copyright owner, author, agent and primary transmitter of the work in order to facilitate clarification of a vague or incomplete notice.

The Copyright Office has not adopted this suggestion. Paragraph (d)(2) of the regulation specifies that an Advance Notice include the "full name, address, and telephone number" of the person signing the notice; this person either will be the copyright owner or his or her duly authorized agent. The Office believes that a potential infringer should be able to resolve any questions regarding a notice through this individual, particularly since the notice must be served at least ten days before a potential infringement.

6. Rights and Activities

Under paragraphs (c)(1)(vii) and (viii) of the proposed regulation, an Advance Notice had to describe the "nature of the rights" which might be infringed and the "relevant unauthorized activities" which would result in an infringement. A comment submitted on behalf of a cable televsion system urged that the regulation require that these descriptions be fully and precisely set forth. On the other hand, another commentator believed that the requirements as proposed place an unfair burden on copyright owners using the advance notification procedure and should be deleted.

The Copyright Office believes that general descriptions of the activities relating to a potential infringement are necessary and pertinent elements of an Advance Notice. The regulation, however, should not require such extensive and specific descriptions as to place an unfair burden on a copyright owner serving a notice. We have decided to delete clause (vii) as unnecessary and to retain and renumber clause (viii). If a potential infringer need further information with respect to the particular rights or activities addressed in an Advance Notice, he or she may contact the copyright owner or his or her duly authorized agent as identified in the notice. The Office intends that where the copyright owner gives a general description of potential infringing activities within his or her knowledge, any failure to specify other activities not within the copyright owner's knowledge will not constitute a waiver of such infringement claims.

7. Captioning

A comment submitted on behalf of a cable television system noted the large amounts of mail that cable television systems and other potential infringers ordinarily may receive. Because of this, the commentator proposed that an Advance Notice and the envelope containing an Advance Notice be captioned "ADVANCE NOTICE OF POTENTIAL INFRINGEMENT" so that the personnel of the potential infringer will be alerted to the importance of the notice and forward it promptly to the proper persons.

The Office agrees that such captioning would seem to be beneficial and has decided to require in paragraph (c)(1) of the final regulation that an Advance Notice be "clearly and prominenty captioned 'ADVANCE NOTICE OF POTENTIAL INFRINGEMENT'" so that it can be given prompt attention. Although similar captioning of the envelope containing a notice is strongly encouraged, the final regulations do not require it; since an envelope containing an Advance Notice must be served at least ten days before a potential infringement, a potential infringer should have adequate time to ascertain its contents.

8. Warning about unauthorized Activities

Under paragraph (c)(2)(i) of the proposed regulation, an Advance Notice must include a warning that "a failure to cease the unauthorized activities may subject the person responsible to further liability for copyright infringement." As discussion earlier, sports teams have declared an intention to use Advance Notices in connection with the FCC sports exclusivity notification procedure. Comments submitted on behalf of several sports leagues contend that when so used, it is difficult to impute "unauthorized activity" on the part of a cable system until a demand for protection under the FCC rules has been made; thus, they argue, it would be improper to address the consequences from a failure to "cease" these "unauthorized" activities.

The Copyright Office agrees that the reference to "unauthorized" activities raises unnecessary complications and has revised the warning to alert a potential infringer that the "relevant activities may, if carried out, subject the person responsible to liability for copyright infringement." Correspondingly, reference to "unauthorized" activities in paragraph (c)(1) of the regulation has been deleted.

9. Signature and Identification

Paragraph (d) of the proposed regulation requires an Advance Notice to contain the actual handwritten signature of the copyright owner or his or her duly authorized agent. Comments submitted on behalf of several professional sports leagues contend that this requirement creates an unfair, onerous burden since, they assert, a substantial number of Advance Notices are likely to be sent to various cable systems during the course of a team's playing season in connection with the FCC's sports exclusivity notification procedure. They further contend that this burden would be compounded if the regulation restricts an Advance Notice to one particular work.

Because of the important legal implications accompanying the filing of an Advance Notice and the greater assurance of validity provided by requiring an actual handwritten signature, the Copyright Office has decided to adopt paragraph (d) of the regulation as originally proposed. Moreover, the Office does not make the assumption that a substantial number of Advance Notices will be mailed each sports season. Another view is that section 411(b) constitutes an exceptional procedure that will be invoked sparingly. It clearly establishes an alternative procedure to 17 U.S.C. 411(a) for bringing a suit for copyright infringement. As such, the Office does not assume that section 411(b) will be invoked with greater frequency than section 411(a).

10. Types of Works Covered by the Advance Notice

Section 411(b) refers to "a work consisting of sounds, images or both." This concept has been incorporated in the definitions found in paragraph (a) of the proposed regulation. In the proposed rulemaking, the Office asked whether the regulation "should define more specifically the works that it covers, for example in terms of the types of works of authorship set forth in section 102(a) of the Copyright Act?" Several comments suggested that the regulation should be more specific in this respect; another comment felt that specificity would be useful for illustrative purposes only. In addition, comments submitted on behalf of sports leagues indicated that any list should include specific reference to copyrighted telecasts of live sporting events.

After careful consideration, the Copyright Office has decided not to

specify further the types of copyrighted works that may be the subject of an Advance Notice. In enacting section 411(b), Congress consciously determined that the Advance Notice provision should be applicable only to works "consisting of sounds, images, or both." The Office has concluded that further refinement of this term in particular situations should, if necessary, be left to the courts in infringement actions brought under this section. It should be noted, however, that the types of "live" transmissions that commonly will be the subject of an Advance Notice include sporting events, concerts, theatrical presentations and news and public affairs programs.

11. Multiple Works

Each Advance Notice, as contemplated in the proposed regulation, was limited to one particular work. Since it may be possible for a given transmission to contain multiple works, the Office asked whether the regulation should "permit an advance notice to accommodate more than one work, particularly where multiple copyright owners are involved?"

A comment submitted on behalf of a cable television system encouraged the Office to retain the singular work requirement as proposed. Comments submitted on behalf of sports interests, however, argued that the filing of a single notice covering multiple works not only would be beneficial to the particular copyright owner involved but also to potential infringers who otherwise might be inundated with notices. This contention, they asserted, is particularly true with respect to Advance Notices served in conjunction with the FCC sports exclusivity notification procedure. Furthermore, the sports interests argued that a singular work requirement would add enormous costs to the notification procedure and could render section 411(b) ineffective.

When the "multiple works" question was posited as part of the proposed rulemaking, the Copyright Office envisioned occasions where multiple works are included in a single transmission program rather than instances of multiple transmissions of different copyrighted works, such as different sporting event programs. The Copyright Office considers the Advance Notice procedure to be an important mechanism for protecting the rights of copyright owners whose works are first fixed simultaneously with their transmission. At the same time, the Office recognizes that this provision is unique and unprecedented in the copyright law. Under section 411(b) service of an Advance Notice of Potential Infringement is a prelude to court action and a probable request for an injunction to prohibit retransmission of programs in advance of their broadcast.

For these reasons, the Office believes that the regulation governing Advance Notices should permit service on reasonable terms but should not encourage indiscriminate service. The final regulation in paragraph (c)(1) modifies the proposed regulation by permitting service of a single notice with respect to all of the works of the copyright owner embodied in a specific "transmission program" using the definition of that term in 17 U.S.C. 101. However, separate Advance Notices must be served with respect to works embodied in different transmission programs.

12. Registration as a Condition Subsequent

In addition to service of an Advance Notice, section 411(b) further requires a copyright owner instituting an infringement action to make "registration for the work within three months after its first transmission." With respect to this requirement, the Copyright Office asked whether the mandate given the Register under section 411(b) authorizes him to compel registration for the work and/or provide certain penalties for a failure to register.

All of the comments responsive to this question urged the Office generally to forego imposition of penalties for failure to register. Comments submitted on behalf of the professional sports interests, for example, argued that the registration requirement is triggered only if the author or copyright owner proceeds to file an action for infringement. They indicated that they do not intend to register every work that is mentioned in an Advance Notice, but will of course register the works if an infringement action is brought. If registration is not made in such cases, they state the Register would have the authority to compel registration and to provide certain financial penalties for a failure to register timely.

The Copyright Office has decided not to promulgate any regulations on this point at this time. Since, under section 411(b), registration clearly is a condition subsequent to the institution of judicial proceedings, it is within the authority of the court to compel registration and/or provide certain penalties for a delay in meeting this statutory requirement.

The Office has therefore decided that it is not necessary to impose any penalties in a regulation and has also deleted the reference to registration in paragraph (c)(2)(ii) of the regulation.

This provision would have required the copyright owner to declare in an Advance Notice that he or she intends "to make registration of the copyright claim for the work within three months from the date of its first transmission." Under the regulation as adopted, however, the copyright owner will be required to declare that he or she "intends to secure copyright in the work upon its fixation." This declaration tracks the statutory language and is intended to assure that the copyright owner does not plan to place the work in the public domain.

Final Regulation

Part 201 of 37 CFR Chapter II is amended by adding a new § 201.22 to read as follows:

§ 201.22 Advance notices of potential infringement of works consisting of sounds, images, or both.

(a) *Definitions.* (1) An "Advance Notice of Potential Infringement" is a notice which, if served in accordance with section 411(b) of title 17 of the United States Code, and in accordance with the provisions of this section, enables a copyright owner to institute an action for copyright infringement either before or after the first fixation of a work consisting of sounds, images, or both that is first fixed simultaneously with its transmission, and to enjoy the full remedies of said title 17 for copyright infringement, provided registration for the work is made within three months after its first transmission.

(2) For purposes of this section, the "copyright owner" of a work consisting of sounds, images, or both, the first fixation of which is made simultaneously with its transmission, is the person or entity that will be considered the author of the work upon its fixation (including, in the case of a work made for hire, the employer or other person or entity for whom the work was prepared), or a person or organization that has obtained ownership of an exclusive right, initially owned by the person or entity that will be considered the author of the work upon its fixation.

(3) A "transmission program" is a body of material that, as an aggregate, has been produced for the sole purpose of transmission to the public in sequence and as a unit.

(b) *Form.* The Copyright Office does not provide printed forms for the use of persons serving Advance Notices of Potential Infringement.

(c) *Contents.* (1) An Advance Notice of Potential Infringement shall be clearly and prominently captioned "ADVANCE

NOTICE OF POTENTIAL INFRINGEMENT" and must clearly state that the copyright owner objects to the relevant activities of the person responsible for the potential infringement, and must include all of the following:

(i) Reference to title 17, U.S.C. section 411(b) as the statutory authority on which the Advance Notice of Potential Infringement is based;

(ii) The date, specific time, and expected duration of the intended first transmission of the work or works contained in the specific transmission program;

(iii) The source of the intended first transmission of the work or works;

(iv) Clear identification, by title, of the work or works. A single Advance Notice of Potential Infringement may cover all of the works of the copyright owner embodied in a specific transmission program. If any work is untitled, the Advance Notice of Potential Infringement shall include a detailed description of that work;

(v) The name of at least one person or entity that will be considered the author of the work upon its fixation;

(vi) The identity of the copyright owner, as defined in paragraph (a)(2) of this section. If the copyright owner is not the person or entity that will be considered the author of the work upon its fixation, the Advance Notice of Potential Infringement also shall include a brief, general statement summarizing the means by which the copyright owner obtained ownership of the copyright and the particular rights that are owned; and

(vii) A description of the relevant activities of the person responsible for the potential infringement which would, if carried out, result in an infringement of the copyright.

(2) An Advance Notice of Potential Infringement must also include clear and prominent statements:

(i) Explaining that the relevant activities may, if carried out, subject the person responsible to liability for copyright infringement; and

(ii) Declaring that the copyright owner intends to secure copyright in the work upon its fixation.

(d) *Signature and Identification.* (1) An Advance Notice of Potential Infringement shall be in writing and signed by the copyright owner, or such owner's duly authorized agent.

(2) The signature of the owner or agent shall be an actual handwritten signature of an individual, accompanied by the date of signature and the full name, address, and telephone number of that person, typewritten or printed legibly by hand.

(3) If an Advance Notice of Potential Infringement is initially served in the form of a telegram or similar communication, as provided by paragraph (e)(2)(iii) of this section, the requirement for an individual's handwritten signature shall be considered waived if the further conditions of said paragraph (e) are met.

(e) *Service.* (1) An Advance Notice of Potential Infringement shall be served on the person responsible for the potential infringement at least ten days but not more than thirty days before the first fixation and simultaneous transmission of the work as provided by 17 U.S.C. 411(b)(1).

(2) Service of the Advance Notice may be effected by any of the following methods:

(i) Personal service;

(ii) First-class mail; or

(iii) Telegram, cablegram, or similar form of communication, if: (A) the Advance Notice meets all of the other conditions provided by this section; and (B) before the first fixation and simultaneous transmission take place, the person responsible for the potential infringement receives written confirmation of the Advance Notice, bearing the actual handwritten signature of the copyright owner or duly authorized agent.

(3) The date of service is the date the Advance Notice of Potential Infringement is received by the person responsible for the potential infringement or by any agent or employee of that person (17 U.S.C. 411, 702).

Dated: May 18, 1981.

David Ladd,

Register of Copyrights.

Approved:

William J. Welsh,

Acting Librarian of Congress.

[FR Doc. 81-16052 Filed 5-28-81; 8:45 am]

BILLING CODE 1410-03-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 123

[SW-1-FRL 1831-4]

Hazardous Waste Management Program: Phase I Interim Authorization for Rhode Island

AGENCY: Environmental Protection Agency (EPA); Region I.

ACTION: Authorization of State hazardous waste program.

SUMMARY: The State of Rhode Island has applied for interim authorization of its hazardous waste program under Subtitle C of the Resource Conservation and Recovery Act and EPA guidelines for the approval of State hazardous waste programs (40 CFR Part 123). EPA has determined that the State's program meets all applicable statutory and regulatory requirements and is granting Phase I interim authorization to Rhode Island to operate a hazardous waste program in its jurisdiction in lieu of Phase I of the Federal hazardous waste program.

EFFECTIVE DATE: May 29, 1981.

FOR FURTHER INFORMATION CONTACT: Kenneth E. Wenger, Waste Management Branch, U.S.E.P.A., Region I, John F. Kennedy Federal Building, Boston, Massachusetts 02203; telephone (617) 223-5775.

SUPPLEMENTARY INFORMATION:

I. Introduction

Subtitle C of the Resource Conservation and Recovery Act of 1976, as amended (RCRA), requires EPA to establish a comprehensive Federal program to assure the safe management of hazardous waste. Once a Federal program is established, EPA is authorized under Section 3006 of RCRA to approve State hazardous waste programs to operate in lieu of the Federal program in their jurisdictions.

Two types of State program approvals are authorized under RCRA. The first, "final authorization," is a permanent approval which may be granted to States whose programs are "equivalent to" and "consistent with" the Federal program and provide adequate enforcement. The second, "interim authorization," is a temporary approval for States which cannot meet the requirements of final authorization but whose programs are "substantially equivalent" to the Federal program. RCRA contemplates that States receiving interim authorization will use the interim authorization period to make the changes in their regulations and statutes necessary to qualify for final authorization.

On May 19, 1980, EPA published the first phase of the Federal hazardous waste program (40 CFR Parts 260-263 and 265) and guidelines for authorizing State hazardous waste programs under Section 3006 of RCRA (40 CFR Part 123).

These guidelines set forth the requirements for interim authorization and the procedures which EPA will follow in acting on State applications for interim authorization. They also provide that EPA will grant interim authorization in two major phases (Phase I and Phase II), corresponding to the two major phases of the Federal program.

The State of Rhode Island submitted a draft application for Phase I interim authorization on August 22, 1980. In its comments on the draft application, EPA identified several issues in the State's program description, memorandum of agreement, and Attorney General's statement which required further clarification or amendment. Most of these issues were addressed in the final application submitted to EPA on December 17, 1980, and the application was determined to be complete on that date.

In accordance with EPA guidelines, EPA provided public notice of receipt of the State's application and opportunity for comment on it. [46 FR 2120 (January 8, 1981)]. A hearing was held on the application on February 12, 1981, at the Cannon Building Auditorium in Providence, Rhode Island. All timely comments, whether presented at the hearing or in writing, were considered in reaching a decision on Rhode Island's application.

II. Major Issues

None of the issues raised by commenters on Rhode Island's application were major. A discussion of these issues and EPA's response thereto is contained in EPA's responsiveness summary to comments received on the Rhode Island application. The responsiveness summary is available at the EPA Region I Office in Boston (see "For Further Information Contact", above) and at EPA Headquarters in Washington, D.C.

III. Decision

EPA has reviewed the State of Rhode Island's complete application for Phase I interim authorization and determined that the state program is "substantially equivalent" to the Phase I Federal program as defined in 40 CFR Part 123. In accordance with Section 3006(c) of RCRA, the State of Rhode Island is hereby granted interim authorization to operate a hazardous waste program in lieu of Phase I of the Federal hazardous waste program. The practical effect of this decision is that generators, transporters, and owners and operators of hazardous waste management facilities in Rhode Island will be subject to the State of Rhode Island hazardous waste management program in lieu of the Phase I Federal hazardous waste management program (40 CFR Parts 260–263 and 265) and will not again be subject to the Phase I Federal program unless (1) the state fails to obtain final authorization by the deadline specified in 3006(c) of RCRA and implementing regulations or (2) authorization is withdrawn for cause by EPA.

IV. Compliance With Executive Order 12291

Under Executive Order 12291, EPA must prepare a Regulatory Impact Analysis on "major regulations." A "major regulation" is defined 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 foreign-based enterprises in domestic or export markets.

EPA's decision to approve Rhode Island's Phase I hazardous waste program is not a major regulation because its effect is to suspend the applicability of certain Federal regulations in the State of Rhode Island. In the absence of this decision, persons handling hazardous waste in Rhode Island would have to comply with Parts 260–263 and 265 of Title 40 of the Code of Federal Regulations in addition to all Rhode Island hazardous waste management regulations. For this reason it is virtually inconceivable that this regulation would result in the significant impacts that characterize a "major regulation."

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

V. Authority

This notice is issued under the authority of Sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. §§ 6912(a), 6926, and 6974(b).

Dated: April 27, 1981.

Leslie A. Carothers,

Acting Regional Administrator.

[FR Doc. 81-16141 Filed 5-28-81; 8:45 am]

BILLING CODE 6560-38-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Public Land Order 5926

[CA-7804]

California; Revocation of Executive Order No. 9101

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order revokes an Executive Order which withdrew lands in aid of legislation affecting approximately 163.34 acres of which 160 acres are privately owned. This action will restore 3.64 acres to operation of the public land laws generally, and to nonmetalliferous mineral location under the mining laws.

EFFECTIVE DATE: June 23, 1981.

FOR FURTHER INFORMATION CONTACT: Celia Anderson, California State Office 916–484–4431.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. Executive Order No. 9101 of March 16, 1942, which withdrew the following described lands in aid of legislation, is hereby revoked in its entirety:

San Bernardino Meridian

T. 6 S., R. 22 E.,
Sec. 31, NE¼, that part of the NE¼SE¼ lying north of the north line of State Highway Route No. 64.

The area described aggregates approximately 163.64 acres in Riverside County.

2. Of the lands described in paragraph 1, the NE¼ (160 acres) is privately owned and not subject to disposition under the public land and mineral laws.

3. At 10 a.m. on June 23, 1981, the public land shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on June 23, 1981, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. At 10 a.m. on June 23, 1981, the land will be open to nonmetalliferous mineral location under the United States mining laws. The land has been open to applications and offers under the mineral leasing laws and to metalliferous mineral location under the United States mining laws.

Inquiries concerning the land should be addressed to the State Director, Bureau of Land Management, Room E-2841, Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

May 18, 1981.

[FR Doc. 81-16023 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Public Land Order 5927

[CA-3394]

California; Partial Revocation of Public Land Order No. 3342

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order will partially revoke a Public Land Order which withdrew lands in the Eldorado National Forest for use as administrative sites and campgrounds. The lands will be open to such forms of disposition as may by law be made of national forest lands.

EFFECTIVE DATE: June 23, 1981.

FOR FURTHER INFORMATION CONTACT: Marie M. Getsman, California State Office 916-484-4431.

By virtue of the authority contained in Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows: 1. Public Land Order No. 3342 of March 2, 1964, withdrawing certain national forest lands from prospecting, location, entry and purchase under the mining laws of the United States for the Department of Agriculture, Forest Service, is hereby revoked insofar as it affects the following described lands:

Eldorado National Forest

Mount Diablo Meridian

Administrative Sites

Haypress Meadows

T. 12 N., R. 17 E.,
Sec. 28, SW¼SE¼.

Stony Ridge

T. 13 N., R. 17 E.,
Sec. 18, SE¼NE¼.

Campground Areas

Crag Lake

T. 13 N., R. 16 E.,
Sec. 12, Lot 5.

Velma Lake

T. 13 N., R. 17 E.,
Sec. 31, Lot 9.

Firs Camp

T. 11 N., R. 18 E.,
Sec. 6, S½ of Lot 11.

Alpine

T. 11 N., R. 18 E.,
Sec. 17, S½NW¼SW¼, and N½SW¼SW¼.

The areas described aggregate approximately 195.88 acres in El Dorado County.

2. At 10 a.m., on June 23, 1981, the lands shall be open to such forms of disposition as may by law be made of national forest lands.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

May 18, 1981.

[FR Doc. 81-16024 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Public Land Order 5930

[CA 3589]

California; Revocation of Reclamation Project Withdrawal

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This order will revoke a Departmental Order which withdrew 4,132.15 acres of land for the Iron Canyon Project in California. This action will restore 3,534.75 acres of land to the operation of the public land laws generally, including the mining laws. In addition, 279.11 acres are being restored to the mining laws only as they remain segregated from the public land laws for Federal Energy Regulatory Commission Project 2041. Of the balance, 18.85 acres remain withdrawn from the operation of the public land laws and the mining laws by Public Land Order No. 2719 of July 6, 1962, for recreation purposes under the administrative jurisdiction of the Bureau of Land Management and 299.44 acres are in private ownership and are not affected by this action.

EFFECTIVE DATE: June 23, 1981.

FOR FURTHER INFORMATION CONTACT: Marie M. Getsman, California State Office, 916-484-4431.

By virtue of the authority contained in Section 204 of the Federal Land Policy and Management Act of October 21, 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. The Departmental Order of November 3, 1913, withdrawing lands for the Iron Canyon Project, is hereby revoked in its entirety.

Mount Diablo Meridian

T. 28 N., R. 2 W.,
Sec. 6, lots 1 to 7, SE¼NW¼, NE¼SW¼, NE¼SE¼, S½SE¼;
Sec. 8, NW¼SW¼, SE¼SW¼, SE¼SE¼;
Sec. 18, lots 1 and 3, NW¼NE¼, SE¼NE¼, SE¼NW¼, SE¼SW¼, NW¼SE¼, SE¼SE¼;
Sec. 20, NW¼NE¼, NW¼NW¼, SE¼NW¼, NW¼SW¼.
T. 29 N., R. 2 W.,
Sec. 18, S½SE¼;
Sec. 20, SE¼NE¼, N½NW¼, SE¼SW¼, SE¼;
Sec. 30, lots 3 and 4, SE¼NE¼, NE¼SW¼, N½SE¼.
T. 27 N., R. 3 W.,
Sec. 2, lot 1, NW¼NE¼, S½NE¼.
T. 28 N., R. 3 W.,
Sec. 10, N½NE¼, SW¼NE¼, and E½NW¼;
Sec. 12, lots 1 and 2, N½NE¼, SW¼NE¼, S½NW¼, SW¼, NW¼SE¼, S½SE¼;
Sec. 14, NE¼NE¼;
Sec. 16, lots 1, 2, and 3, and W½SE¼;
Sec. 20, SW¼NW¼;
Sec. 24, NW¼NE¼, SE¼NE¼, NW¼, NW¼SW¼, SE¼SW¼, SE¼;
Sec. 26, N½NE¼, SE¼NE¼;
Sec. 32, SW¼SW¼ and SE¼SE¼.
T. 29 N., R. 3 W.,
Sec. 10, lots 3 and 9 (Goat Island);
Sec. 12, S½NW¼;
Sec. 22, lot 7;
Sec. 24, NW¼NW¼, NE¼SE¼, S½SE¼;
Sec. 26, NW¼NE¼, SW¼, NW¼SE¼, S½SE¼.
T. 29 N., R. 4 W.,
Sec. 12, S½SW¼.

The area described aggregates 4,132.15 acres in Tehama and Shasta Counties.

2. At 10 a.m. on June 23, 1981, the following described lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on June 23, 1981, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Mount Diablo Meridian

T. 28 N., R. 2 W.,
Sec. 6, lots 1 to 7, SE¼NW¼, NE¼SW¼, NE¼SE¼, S½SE¼;
Sec. 8, NW¼SW¼, SE¼SW¼, SE¼SE¼;
Sec. 18, lots 1 and 3, NW¼NE¼, SE¼NE¼, SE¼NW¼, SE¼SW¼, NW¼SE¼, SE¼SE¼;
Sec. 20, NW¼NE¼, NW¼NW¼, SE¼NW¼, NW¼SW¼.
T. 29 N., R. 2 W.,
Sec. 18, S½SE¼;
Sec. 20, SE¼NE¼, N½NW¼, SE¼SW¼, SE¼;
Sec. 30, lot 4, NE¼SW¼, N½SE¼.
T. 27 N., R. 3 W.,
Sec. 2, lot 1, NW¼NE¼, S½NE¼.
T. 28 N., R. 3 W.,
Sec. 10, E½NW¼ and NW¼NE¼;
Sec. 12, lots 1 and 2, N½NE¼, SW¼NE¼, S½NW¼, SW¼, NW¼SE¼, S½SE¼;
Sec. 14, NE¼NE¼;
Sec. 24, NW¼NE¼, SE¼NE¼, NW¼, NW¼SW¼, SE¼SW¼, SE¼;

Sec. 26, E½NE¼;
Sec. 32, SW¼SW¼.
T. 29 N., R. 3 W.,
Sec. 12, S½NW¼;
Sec. 22, lot 7;
Sec. 24, NW¼NW¼, NE¼SE¼, S½SE¼;
Sec. 26, NW¼NE¼, NW¼SE¼, S½SE¼.
T. 29 N., R. 4 W.,
Sec. 12, S½SW¼.

The area described aggregates 3,534.75 acres.

3. At 10 a.m. on June 23, 1981, the lands described in paragraph 2 will be open to location under the United States mining laws. They have been and continue to be open to applications and offers under the mineral leasing laws.

4. The following described lands remain withdrawn from all forms of appropriation under the public land laws for Federal Power Project purposes. They will be open to location under the United States mining laws at 10 a.m. on June 23, 1981:

Mount Diablo Meridian

T. 29 N., R. 2 W.,
Sec. 30, lot 3 and SE¼NE¼.
T. 28 N., R. 3 W.,
Sec. 10, NE¼NE¼ and SW¼NE¼;
Sec. 20, SW¼NW¼;
Sec. 26, NW¼NE¼;
Sec. 32, SE¼SE¼.
T. 29 N., R. 3 W.,
Sec. 10, lot 3.

The area described aggregates 279.11 acres.

5. The following described lands remain withdrawn from all form of appropriation under the public land laws, including the mining laws, for recreation purposes by Public Land Order No. 2719 of July 6, 1962, and Federal Power Project purposes:

Mount Diablo Meridian

T. 29 N., R. 3 W.,
Sec. 10, lot 9 (Goat Island).

The area described aggregates 18.85 acres.

6. Of the lands described in paragraph 1, the following are privately owned and not subject to disposition under the public land laws:

Mount Diablo Meridian

T. 28 N., R. 3 W.,
Sec. 16, lots 1, 2, and 3, and W½SE¼.
T. 29 N., R. 3 W.,
Sec. 26, SW¼.

The area described aggregates 299.44 acres.

The lands described in paragraphs 4 and 5 have been and continue to be open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the Bureau of Land Management, Room E–2841 Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

May 18, 1981.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

[FR Doc. 81–16156 Filed 5–28–81; 8:45 am]

BILLING CODE 4310–84–M

43 CFR Public Land Order 5931

[CA 4006]

California; Revocation of Public Land Order No. 2724

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order

SUMMARY: This order will restore 650.50 acres of public lands to operation of the public land laws, including the mining laws.

EFFECTIVE DATE: June 23, 1981.

FOR FURTHER INFORMATION CONTACT: Marie Getsman, California State Office, 916–484–4431.

By virtue of the authority contained in Section 204 of the Federal Land Policy and Managment Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. Public Land Order No. 2724 of July 17, 1962, which withdrew the following described public lands for use by the Department of the Army for military training purposes, is hereby revoked:

San Bernardino Meridian

T. 5 S., R. 8 E.,
Sec. 6.

The area aggregates 650.50 acres in Riverside County.

2. At 10 a.m. on June 23, 1981, the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on June 23, 1981 shall be considered as simultaneously filed at the time. Those received thereafter shall be considered in order of filing.

3. The lands will be open to location under the United States mining laws at 10 a.m. on June 23, 1981. They have been open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands shall be addressed to the Bureau of Land Management, U.S. Department of the Interior, Room E–2841, Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

May 18, 1981.

[FR Doc. 81–16157 Filed 5–28–81; 8:45 am]

BILLING CODE 4310–84–M

43 CFR Public Land Order 5933

[S–2344]

California; Revocation of Public Land Order No. 1385

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order revokes a public land order which withdrew land for use by the Department of the Army as a radio station site. This action will restore the land to operation of the public land laws, including the mining and mineral leasing laws.

EFFECTIVE DATE: June 23, 1981.

FOR FURTHER INFORMATION CONTACT: Marie M. Getsman, California State Office 916–484–4431.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. Public Land Order No. 1385 of January 24, 1957, which withdrew the following described public land for use in connection with the U.S. Strategic Communications Command, CONUS Facility, Middletown, California, is hereby revoked in its entirety:

Mount Diablo Meridian

T. 11 N., R. 6 W.,
Sec. 27, Lot 1.

The area described contains 16.47 acres in Lake County.

2. At 10 a.m. on June 23, 1981, the land shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on June 23, 1981, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The land will be open to applications and offers under the mineral leasing laws and to location under the United States mining laws at 10 a.m. on June 23, 1981.

Inquiries concerning the land should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, Room E–2841

Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

May 18, 1981.

[FR Doc. 81-16026 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Public Land Order 5934

[CA 2455]

California; Revocation of National Forest Administrative Site Withdrawal

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This action revokes an Executive Order which withdrew public lands for use as a Forest Service ranger station and opens the lands to operation of the public land laws generally, including the mining laws.

EFFECTIVE DATE: June 23, 1981.

FOR FURTHER INFORMATION CONTACT: Marie M. Getsman, California State Office, 916-484-4431.

By virtue of the authority contained in Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. Executive Order No. 3412 of February 25, 1921, withdrawing public land as a Forest Service administrative site, is hereby revoked:

Hayden Hill Lookout; Mount Diablo Meridian

T. 37 N., R. 10 E.,
Sec. 31, Lots 2 and 3.

The area described aggregates 77.22 acres in Lassen County.

2. At 10 a.m., on June 23, 1981, the lands shall be open to location and entry under the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable law. All valid applications received at or prior to 10 a.m., on June 23, 1981, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. At 10 a.m., on June 23, 1981, the lands will be open to location under the United States mining laws. They have been and continue to be open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the Bureau of Land Management, U.S. Department of the Interior, Room E-2841, Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

May 18, 1981.

[FR Doc. 81-16158 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Public Land Order 5937

[CA-3718]

California; Partial Revocation of Public Water Reserve

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This order will partially revoke an Executive Order of January 24, 1914, withdrawing certain lands in California as Public Water Reserve No. 14.

EFFECTIVE DATE: May 29, 1981.

FOR FURTHER INFORMATION CONTACT: Marie Getsman, California State Office, 916-484-4431.

By virtue of the authority vested in the Secretary of the Interior pursuant to Section 204 of the Federal Land Policy and Management Act of October 21, 1976, 90 Stat. 2751 (43 U.S.C. 1714), it is ordered as follows:

1. The Executive Order of January 24, 1914, creating Public Water Reserve No. 14 is hereby revoked insofar as it affects the following described lands:

San Bernardino Meridian

T. 5 S., R. 20 E.,
Sec. 16, All land within one-quarter mile of McCoy Spring;
Sec. 17, All land within one-quarter mile of McCoy Spring.
T. 8 S., R. 17 E.,
Sec. 16, All land within one-quarter mile of Chuckwalla Spring.

The areas described aggregate 185 acres more or less in Riverside County.

Title to those portions of aforedescribed lands which lie within Section 16, T. 5 S., R. 20 E., and Section 16, T. 8 S., R. 17 E., S.B.M., shall immediately vest in the State of California.

The land in Section 17, T. 5 S., R. 20 E., continues to be segregated from disposition under the public land laws, including the mining laws, by Public Land Order No. 5224 of July 5, 1972.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

May 18, 1981.

[FR Doc. 81-16159 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Public Land Order 5938

[CA 4441]

California; Partial Revocation of Potash Reserve No. 2

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This order partially revokes Executive Order of February 21, 1913, which withdrew lands in California for Potash Reserve No. 2. Upon revocation, title will immediately vest in the State of California pursuant to the Act of May 2, 1932; 47 Stat. 140; 43 U.S.C. 870.

EFFECTIVE DATE: May 29, 1981.

FOR FURTHER INFORMATION CONTACT: Marie M. Getsman, California State Office, 916-484-4431.

By virtue of the authority contained in Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. The Executive Order dated February 21, 1913, creating Potash Reserve No. 2, is hereby revoked insofar as it affects the following described lands:

Mount Diablo Meridian

T. 26 S., R. 43 E.,
Sec. 16.

The area contains 640 acres in San Bernardino County.

2. Upon promulgation of this order, title to the lands shall vest in the State of California as school grant land pursuant to the Act of May 2, 1932; 47 Stat. 140; 43 U.S.C. 870.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

May 18, 1981.

[FR Doc. 81-15894 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Public Land Order 5939

[S 5574]

California; Revocation of Executive Order No. 6798

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This action will revoke an Executive Order which withdrew certain lands in California for use for lookout station purposes in connection with cooperative forest protection work. The lands will be opened to the mining laws; however, they remain segregated from the public land laws. The Bureau of Land Management will administer the

area as a part of the Clear Lake National Cooperative Land and Wildlife Management Area.

EFFECTIVE DATE: June 23, 1981.

FOR FURTHER INFORMATION CONTACT: Marie M. Getsman, California State Office, 916–484–4431.

By virtue of the authority contained in Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. Executive Order No. 6798 of July 27, 1934, which withdrew and reserved public land for lookout station purposes in connection with cooperative forest protection work, is hereby revoked.

Mount Diablo Meridian

T. 9 N., R. 3 W.,
Sec. 4, Lot 2.

The area aggregates 39.94 acres in Napa County.

The land is located on the west slope of Berryessa Peak in the Vaca Mountains on the central east side of Napa County and about 41 air miles west-northwesterly of Sacramento, California.

2. The lands are withdrawn from all forms of appropriation under the public land laws by Public Land Order No. 2693 of June 7, 1962, for the Clear Lake National Cooperative Land and Wildlife Management Area and will remain so withdrawn.

3. The lands will be open to location under the United States mining laws at 10 a.m., on June 23, 1981. They have been and will continue to be open to applications and offers under the mineral leasing laws.

Inquiries concerning the land should be addressed to the State Director, Bureau of Land Management, Room E–2841, Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

Garrey E. Carruthers,
Assistant Secretary of the Interior.
May 18, 1981.
[FR Doc. 81-15895 Filed 5-28-81; 8:45 am]
BILLING CODE 4310-84-M

43 CFR Public Land Order 5940

[CA 7442]

California; Revocation of Executive Order No. 7026

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order revokes a withdrawal affecting 40 acres of land withdrawn in connection with Federal and State cooperative forest-protection work. This action will restore the land to the operation of the public land laws, including the location of nonmetalliferous minerals under the mining laws.

EFFECTIVE DATE: June 23, 1981.

FOR FURTHER INFORMATION CONTACT: Celia Anderson, California State Office, 916–484–4431.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. Executive Order No. 7026 of April 30, 1935, which withdrew the following described lands from settlement, location, sale or entry, for use as a lookout station in connection with Federal and State cooperative forest-protection work, is hereby revoked in its entirety:

San Bernardino Meridian

T. 18 S., R. 3 E.,
Sec. 28, NW¼NW¼.

The area described contains 40 acres in San Diego County.

2. At 10:00 a.m., on June 23, 1981, the land shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10:00 a.m., on June 23, 1981, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. At 10:00 a.m., on June 23, 1981, the land will be open to nonmetalliferous mineral location under the United States mining laws. The land has been open to applications and offers under the mineral leasing laws and to metalliferous mineral location under the United States mining laws.

Inquiries concerning the land should be addressed to the Bureau of Land Management, Room E–2841, 2800 Cottage Way, Sacramento, California 95825.

Garrey E. Carruthers,
Assistant Secretary of the Interior.
May 18, 1981.
[FR Doc. 81-15896 Filed 5-28-81; 8:45 am]
BILLING CODE 4310-84-M

43 CFR Public Land Order 5941

[CA-7370]

California; Revocation of Executive Order No. 4202

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This order revokes an Executive Order which withdrew lands in aid of legislation. The action will restore approximately 2,113 acres of land to the operation of the public land laws generally, including location of nonmetalliferous minerals under the mining laws.

EFFECTIVE DATE: June 23, 1981.

FOR FURTHER INFORMATION CONTACT: Celia Anderson, California State Office, 916–484–4431.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. Executive Order No. 4202 of April 14, 1925, which withdrew the following described lands pending enactment of proposed legislation, is hereby revoked in its entirety:

San Bernardino Meridian

T. 7 N., R. 3 E.,
Sec. 2, lots 3 and 4, S½NW¼.
T. 17 S., R. 9 E.,
Sec. 32, S½.
T. 18 S., R. 9 E.,
Sec. 4, all;
Sec. 5, all;
Sec. 8, lots 3 to 6, inclusive, N½N½;
Sec. 9, lots 1 to 4, inclusive.

The area described aggregates 2,113.42 acres in Imperial and San Bernardino Counties.

2. At 10 a.m. on June 23, 1981, the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on June 23, 1981, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. At 10 a.m. on June 23, 1981, the lands will be open to nonmetalliferous mineral location under the United States mining laws. They have been open to applications and offers under the mineral leasing laws and to metalliferous mineral location under the United States mining laws.

Inquiries concerning the lands should be addressed to the Bureau of Land Management, Room E–2841, 2800 Cottage Way, Sacramento, California 95825.

Garrey E. Carruthers,
Assistant Secretary of the Interior.
May 18, 1981.
[FR Doc. 81-15897 Filed 5-28-81; 8:45 am]
BILLING CODE 4310-84-M

43 CFR Public Land Order 5942

[CA-4706]

California; Modification of Public Land Order No. 431 to Make Lands Available for Leasing Under the Geothermal Steam Act of 1970

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order modifies Public Land Order No. 431 which withdrew lands for the China Lake Naval Weapons Center by making lands available for leasing of geothermal steam and associated geothermal resources under the provisions of the Geothermal Steam Act of 1970. This order also identifies those lands withdrawn by Executive Order No. 6206 which are and have been open to geothermal leasing on both a competitive and noncompetitive bid basis.

EFFECTIVE DATE: May 29, 1981.

FOR FURTHER INFORMATION CONTACT: Walt Holmes, California State Office 916-484-4431.

By virtue of the authority contained in Section 204 of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2751, 43 U.S.C. 1714), it is ordered as follows:

1. Public Land Order No. 431 of December 19, 1947, withdrew public lands from appropriation under the public land laws, including the mining and mineral leasing laws, for use of Navy as a naval ordnance testing center and proving range. That order is hereby modified, but only to the following extent: the hereinafter described lands are restored and opened to leasing of the geothermal steam and associated geothermal resources under the provisions of the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.) and the Act of February 28, 1958 (43 U.S.C. 155 et seq.). Such leasing will be only upon terms and conditions agreed to by the Secretary of the Interior and the Secretary of the Navy. The lands shall otherwise remain withdrawn from appropriation under all other public land laws including, but not limited to, the mining and remaining mineral leasing laws, for use by the Department of the Navy.

Navy Weapons Testing Center and Proving Range

China Lake, California

Mount Diablo Meridian

T. 21 S., R. 38 E.,
Sec. 24, All;
Sec. 25, All.
T. 22 S., R. 38 E.,
Secs. 1 through 4;
Secs. 9 through 15;
Secs. 21 through 28;
Secs. 33 through 35.
T. 23 S., R. 38 E.,
Secs. 1 through 4;
Secs. 9 through 12.
T. 21 S., R. 39 E.,
Secs. 19 through 21;
Sec. 22, W½;
Sec. 27, W½;
Secs. 28 through 32;
Sec. 33, NE¼, W½, N½SE¼, and SW¼SE¼.
T. 22 S., R. 39 E.,
Sec. 4, Lots 2, 3, and 4;
Sec. 5, Lots 1, 2, 3, and 4, S½N½, and N½S½;
Sec. 6, Lots 1 through 7, S½NE¼, SE¼NW¼, NE¼SW¼, and N½SE¼;
Sec. 7, Lots 1 through 4 and E½W½;
Sec. 18, W½;
Sec. 19 through 21;
Sec. 22, W½;
Sec. 27, W½;
Secs. 28 through 33;
Sec. 34, W½.
T. 23 S., R. 39 E.,
Secs. 5 through 7.
Aggregating approximately 37,228 acres.

2. Executive Order No. 6206 of July 16, 1933, withdrew public lands from settlement, sale, location, or entry in aid of legislation for the protection of the water supply of the city of Los Angeles. The lands described below which were withdrawn by this Executive Order have always been and will continue to be open to applications and offers for the leasing of the geothermal steam and associated geothermal resources under the provisions of the Geothermal Steam Act of 1970.

T. 21 S., R. 37 E.,
Sec. 25, All;
Sec. 26, E½E½;
Sec. 27, NW¼NW¼, S½N½, and S½;
Secs. 34 and 35.
T. 22 S., R. 37 E.,
Sec. 1, All;
Sec. 2 Lots 1 and 2 of NE¼, Lots 1 and 2 of NW¼, and SW¼;
Sec. 3 Lots 1 and 2 of NE¼, Lots 1 and 2 of NW¼, and E½SW¼, and SE¼;
Secs. 11 through 13;
Sec. 24, All;
Sec. 25, N½, N½S½, SW¼SW¼, and SE¼SE¼;
Sec. 36, E½NE¼, W½NW¼, and S½.
T. 21 S., R. 38 E.,
Sec. 21, All;
Secs. 27 through 35.
T. 22 S., R. 38 E.,
Secs. 1 through 5;
Sec. 6, Lots 1 and 2 of NE¼, E½ of Lots 1 and 2 of NW¼, Lots 1 of SW¼, and SE¼;
Sec. 7 through 15;
Sec. 17, All;
Sec. 19, S½ of Lots 1 and 2 of NW¼, Lots 1 and 2 of SW¼, and SE¼;
Sec. 20, N½, N½S½, SE¼SW¼, and S½SE¼;
Secs. 21 through 35.
T. 23 S., R. 38 E.,
Secs. 1 through 4;
Sec. 5, Lots 1, 2, 3, and 4, S½N½, E½SW¼, and SE¼;
Secs. 9 through 12.
Aggregating approximately 20,373.89 acres.

3. Of the lands heretofore identified in paragraphs 1 and 2, the following described lands are situated within the limits of the Coso Hot Springs Known Geothermal Resources Area (KGRA). The Geothermal Steam Act specifies that public lands within a KGRA shall be leased by competitive bidding under regulations formulated by the Secretary of the Interior (43 CFR 3220). Those portions of the following described lands which are identified in paragraph 1 are hereby opened to such competitive bid leasing. Those portions of the following described lands which are identified in paragraph 2 have been and will continue to be open to such competitive bid leasing.

T. 21 S., R. 37 E.,
Sec. 27, NW¼NW¼, S½N½, and S½;
Secs. 34 and 35.
T. 22 S., R. 37 E.,
Sec. 1, All;
Sec. 2, Lots 1 and 2 of NE¼, Lots 1 and 2 of NW¼, and SW¼;
Sec. 3, Lots 1 and 2 of NE¼, Lots 1 and 2 of NW¼, and E½SW¼, and SE¼;
Sec. 12, All;
Sec. 25, N½, N½S½, SW¼SW¼, and SE¼SE¼;
Sec. 36, E½NE¼, W½NW¼, and S½.
T. 21 S., R. 38 E.,
Sec. 21, All;
Sec. 24, All;
Sec. 25, All;
Secs. 27 through 35.
T. 22 S., R. 38 E.,
Secs. 1 through 5;
Sec. 6, Lots 1 and 2 of NE¼, E½ of Lots 1 and 2 of NW¼, Lot 1 of SW¼, and SE¼;
Secs. 8 through 15;
Sec. 17, All;
Sec. 19, S½ of Lots 1 and 2 of NW¼, Lots 1 and 2 of SW¼, and SE¼;
Sec. 20, N½, N½S½, SE¼SW¼, and S½SE¼;
Secs. 21 through 35.
T. 23 S., R. 38 E.,
Secs. 1 through 4;
Sec. 5, Lots 1, 2, 3, and 4, S½N½, E½SW¼, and SE¼;
Secs. 9 through 12.
T. 21 S., R. 39 E.,
Secs. 19 through 21;
Sec. 22, W½;
Sec. 27, W½;
Secs. 28 through 32;
Sec. 33, NE¼, W½, N½SE¼, and SW¼SE¼.
T. 22 S., R. 39 E.,
Sec. 4, Lots 2, 3, and 4;
Sec. 5, Lots 1, 2, 3, and 4, S½N½, and N½S½;
Sec. 6, Lots 1 through 7, S½NE¼, SE¼NW¼, NE¼SW¼, and N½SE¼;

Sec. 7, Lots 1 through 4 and E½W½;
Sec. 18, W½;
Secs. 19 through 21;
Sec. 22, W½;
Sec. 27, W½;
Secs. 28 through 33;
Sec. 34, W½.
T. 23 S., R. 39 E.,
Secs. 5 through 7.

Inquiries concerning these lands should be addressed to the Bureau of Land Management, Room E-2841, Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

May 18, 1981.

[FR Doc. 81-16028 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Public Land Order 5924

[M-41590]

Montana; Partial Revocation of Public Water Reserve No. 76

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order revokes an Executive Order in part as to 40 acres of land withdrawn as a public water reserve. This action will restore the land to operation of the public land laws generally, including nonmetalliferous minerals under the mining laws.

EFFECTIVE DATE: June 23, 1981.

FOR FURTHER INFORMATION CONTACT: Roland F. Lee, Chief, Branch of Lands and Minerals Operations, Montana State Office, 406-657-6291.

By virtue of the authority vested in the Secretary of the Interior, by Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. Executive Order dated June 14, 1921, which withdrew certain lands for public water reserve purposes is hereby revoked insofar as it affects the following described land:

Public Water Reserve No. 76

Principal Meridian

T. 7 S., R. 11 W.,
Sec. 19, NW¼SE¼.
The area described contains 40 acres in Beaverhead County.

2. At 10 a.m. on June 23, 1981, the land shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on June 23, 1981, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in order of filing.

3. The land will be open to nonmetalliferous mineral location under the United States mining laws at 10 a.m. on June 23, 1981. It has been and continues to be open to metalliferous mineral location under the United States mining laws and to applications and offers under the mineral leasing laws.

Inquiries concerning the land should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, P.O. Box 30157, Billings, Montana 59107.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

May 18, 1981.

[FR Doc. 81-16027 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Public Land Order 5882

[OR-20234-A]

Oregon; Partial Revocation of Public Water Reserve No. 87

AGENCY: Bureau of Land Management.

ACTION: Public land order.

SUMMARY: This order revokes an Executive Order in part as to 160 acres of public land withdrawn as a public water reserve. This action will restore the lands to operation of the public land laws generally, including nonmetalliferous mineral location under the mining laws.

EFFECTIVE DATE: June 23, 1981.

FOR FURTHER INFORMATION CONTACT: Champ C. Vaughan, Jr., Oregon State Office, 503-231-6905.

By virtue of the authority contained in Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. The Executive Order of November 9, 1923, which withdrew certain lands for public water reserve purposes is hereby revoked so far as it affects the following described lands:

Willamette Meridian

Public Water Reserve No. 87

T. 34 S., R. 42 E.,
Sec. 14, NW¼SW¼.
T. 35 S., R. 44 E.,
Sec. 26, NE¼NW¼.
T. 37 S., R. 44 E.,
Sec. 17, SE¼NW¼ and NE¼SW¼.
The areas described aggregate 160 acres in Malheur County.

2. At 10 a.m., on June 23, 1981, the public lands described above shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m., on June 23, 1981, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. At 10 a.m., on June 23, 1981, the public lands described above will be open to nonmetalliferous mineral location under the United States mining laws. The lands have been and continue to be open to metalliferous mineral location under the United States mining laws and to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the State Director, Bureau of Land Management, P.O. Box 2965, Portland, Oregon 97208.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

May 18, 1981.

[FR Doc. 81-16029 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Public Land Order 5889

[ORE-05274]

Oregon; Revocation of Public Land Order No. 1442

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order revokes a public land order which withdrew 40 acres of land for use by the U.S. Air Force. The land and mineral estate have been determined to be unsuitable for return to the public domain and have been reported to the General Services Administration for disposition as excess property.

EFFECTIVE DATE: May 29, 1981.

FOR FURTHER INFORMATION CONTACT: Champ C. Vaughan, Jr., Oregon State Office 503-231-6905.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. Public Land Order 1442 of July 5, 1957, which withdrew the following described land for use by the U.S. Air Force is hereby revoked:

Willamette Meridian

Falcon Heights, Kingsley Field

T. 39 S., R. 9 E.,
Sec. 34, SW¼NW¼.
The area described contains 40 acres in Klamath County.

2. The land described above has been reported to the General Services Administration for disposition as excess property and will not be restored to operation of the public land laws, including the mining and mineral leasing laws.

Inquiries concerning the land should be addressed to the State Director, Bureau of Land Management, P.O. Box 2965, Portland, Oregon 97208.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

May 18, 1981.

[FR Doc. 81-16003 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

43 CFR Public Land Order 5890

[OR-20236-B]

Oregon; Partial Revocation of Public Water Reserve No. 91

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order revokes an Executive Order in part as to 339.89 acres of lands withdrawn as a public water reserve. This action will restore 279.89 acres to operation of the public land laws generally, including nonmetalliferous mineral location under the mining laws. Sixty acres remain segregated from operation of the public land laws, including the mining laws.

EFFECTIVE DATE: June 23, 1981.

FOR FURTHER INFORMATION CONTACT: Champ C. Vaughan, Jr., Oregon State Office, 503-231-6905.

By virtue of the authority contained in Section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714, it is ordered as follows:

1. The Executive Order of June 13, 1925, which withdrew certain lands for public water reserve purposes, is hereby revoked so far as it affects the following described public lands:

Willamette Meridian

Public Water Reserve No. 91

T. 18 S., R. 39 E.,
Sec. 14, NW¼SW¼;
Sec. 18, SW¼SE¼;
Sec. 19, NW¼NE¼ and NE¼NW¼.
T. 28 S., R. 44 E.,
Sec. 21, NW¼SW¼ and N½SW¼SW¼.
T. 31 S., R. 43 E.,
Sec. 6, SE¼NW¼.
T. 34 S., R. 45 E.,
Sec. 7, Lots 10 and 11.

The areas described aggregate 339.89 acres in Malheur County.

2. The public land in T. 28 S., R. 44 E., is included in proposed protective withdrawal ORE 017370 and remains segregated from operation of the public land laws generally, including the United States mining laws.

3. At 10 a.m., on June 23, 1981, the public lands described in paragraph 1, except as provided in paragraph 2, will be open to operation of the public lands laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m., on June 23, 1981, will be considered as simultaneously filed at that time. Those received thereafter will be considered in the order of filing.

4. At 10 a.m., on June 23, 1981, the public lands described in paragraph 1, except as provided in paragraph 2, will be open to nonmetalliferous mineral location under the United States mining laws. The public lands described in paragraph 1, except as provided in paragraph 2, have been and continue to be open to metalliferous mineral location under the United States mining laws. All the lands have been and continue to be open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the State Director, Bureau of Land Management, P.O. Box 2965, Portland, Oregon 97208.

May 18, 1981.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

[FR Doc. 81-16030 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

FEDERAL MARITIME COMMISSION

46 CFR Part 503

[General Order 22; Amdt. 11]

Public Observation of Federal Maritime Commission Meetings and Public Access to Information Pertaining to Commission Meetings; Public Information

AGENCY: Federal Maritime Commission.

ACTION: Final rule.

SUMMARY: This amendment eliminates the current two week advance request requirement applicable to agency personnel for closure of items to be scheduled for "Sunshine" meetings. This change will provide greater flexibility to scheduling meetings, while still conforming to the notice requirements of the Sunshine Act.

EFFECTIVE DATE: May 29, 1981.

FOR FURTHER INFORMATION CONTACT: Francis C. Hurney, Secretary, Federal Maritime Commission, 1100 L St. NW., Washington, D.C. 20573, (202) 523-5725.

SUPPLEMENTARY INFORMATION: The Commission's current rule regarding requests by agency personnel to close items to be scheduled for a "Sunshine" meeting requires such requests to be submitted to the Secretary not later than two weeks prior to the Commencement of the meeting (46 CFR 503.74(a)). The purpose of the requirement is to allow the Secretary to schedule and accomplish a vote by the Commission on any such request to close in sufficient time to publish notice of the meeting within the seven day time restriction imposed by the Sunshine Act. Experience under this rule has shown that the two week advance request requirement is unnecessarily long and unduly restricts agency flexibility in scheduling items for meetings and in determining whether items can be closed to public observation.

To remedy this situation the Commission has determined to amend this rule to eliminate the rigid two-week requirement and to provide a more flexible procedure. Notice and public participation on this amendment are not required because the rule in question pertains solely to internal agency procedures, not affecting the public. For the same reason the requirements of the Regulatory Flexibility Act do not apply.

Therefore, pursuant to 5 U.S.C. 533(b)(A), paragraph (a) of § 503.74, Title 46 CFR is revised to read as follows:

§ 503.74 Procedures for closing a portion or portions of a meeting or a portion or portions of a series of meetings on agency initiated requests.

(a) Any member of the agency, the Managing Director, or the General Counsel of the agency may request that any portion or portions of a meeting or any portion or portions of a series of meetings be closed to public observation for any of the reasons provided in § 503.73 of this Subpart by submitting such request in writing to the Secretary of the agency in sufficient time to allow the Secretary to schedule a timely vote on the request pursuant to paragraph (b) of this section.

* * * * *

By the Commission May 13, 1981.[1]

Joseph C. Polking,

Acting Secretary.

[FR Doc. 81-16023 Filed 5-28-81; 8:45 am]

BILLING CODE 6730-01-M

[1] *Commissioner Daschbach dissenting.* Closure of agenda items deprives the public of its right to view the deliberations leading to agency actions which have a significant impact upon the public interest. Agenda items should therefore be closed only under *exceptional* circumstances, and provisions permitting such closures should be tightened rather than relaxed.

Proposed Rules

Federal Register
Vol. 46, No. 103
Friday, May 29, 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 Ch. IX

[Docket No. AO-379]

Carrots Grown in the Forty-Eight Contiguous States; Termination of Proceedings on Proposed Marketing Agreement and Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This document terminates the proposed marketing agreement and order for carrots grown in the 48 contiguous States. The proposal would primarily have authorized regulation of consumer-sized carrot bags and master containers. Considering the lapse of time, the record is so dated that there is no clear showing of a need for the program and its various provisions.

FOR FURTHER INFORMATION CONTACT: Charles W. Porter, Chief, Vegetable Branch, F&V, AMS, USDA, Washington, D.C. 20250 (202) 447-2615.

SUPPLEMENTARY INFORMATION: Prior documents in this proceeding:

Notice of Hearing—Issued September 13, 1976, and published September 16, 1976 (41 FR 39772)

Notice of Recommended Decision—Issued November 30, 1977, and published December 6, 1977 (42 FR 61599)

Preliminary Statement

A public hearing was held upon a proposed marketing agreement and order for carrots grown in the forty-eight contiguous States at Los Angeles, California, November 2, 1976, and continued at Dallas, Texas, on November 10, 1976.

The hearing was held pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.) and the applicable rules of practice (7 CFR Part 900). The Notice of Recommended Decision was issued November 30, 1977, and published December 6, 1977 (42 FR 61599).

However, because of the extensive time that has elapsed since the hearings and apparent lack of interest on the part of much of the industry, the Secretary hereby finds that the proposed marketing agreement and order are currently not in the public interest, and the proceedings are hereby terminated.

Signed at Washington, D.C., on May 22, 1981.

C. W. McMillan,

Assistant Secretary for Marketing and Transportation Services.

[FR Doc. 81-16149 Filed 5-28-81; 8:45 am]

BILLING CODE 3410-02-M

Food Safety and Quality Service

7 CFR Part 2851

[Docket No. 81-022N]

U.S. Standards for Grades of Shelled Peanuts; Withdrawal of Proposed Rule

AGENCY: Food Safety and Quality Service, USDA.

ACTION: Notice of withdrawal of proposed rule.

SUMMARY: This notice withdraws a December 14, 1979, notice of proposed rulemaking which would have combined the three current U.S. grade standards for shelled Virginia, Runner, and Spanish type peanuts into a single U.S. Standard for Grades of Shelled Peanuts. The proposed U.S. grade standards include additional kernel size classifications and changes in various tolerances for split kernels, defects, undersize and oversize kernels, and provisions to facilitate export trading. A Solicitation of Information, published Februrary 3, 1981, in the **Federal Register**, sought information from the public concerning several technical points of industry disagreement on the proposed U.S. standards for shelled peanuts.

The Agency received comments from the four major peanut sheller associations, the candy and peanut butter manufacturers' association, and individual manufacturers, shellers, and international brokers. The comments indicate the original areas of disagreement have not been resolved and the Food Safety and Quality Service (FSQS) alternate proposals presented are not acceptable to the shelled peanut industry. Therefore, FSQS has determined to withdraw the proposed U.S. Standards for Grades of Shelled Peanuts.

The Agency will consider proposing U.S. standards for shelled peanuts at another time if it receives a request to do so by a group representative of all segments of the peanut industry.

EFFECTIVE DATE: May 29, 1981.

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

SUPPLEMENTARY INFORMATION: On December 14, 1979, the Agency published in the **Federal Register** (44 FR 72599-72602) a proposed rule, U.S. Standards for Grades of Shelled Peanuts. The Southeastern Peanut Association, the Southwestern Peanut Sheller Association, and the Virginia-Carolina Peanut Association requested revision of the standards to bring them in line with current marketing practices and to promote uniformity of requirements in the standards. The comments received differed widely among various industry sheller associations and manufacturer associations on the proposed rule and on alternate proposals presented in a Solicitation of Information, published in the **Federal Register** February 3, 1981 (46 FR 10498). Although considerable effort has been made by associations representing different segments of the industry, peanut shellers and the candy and peanut butter manufacturers, all parties remain in disagreement on several technical details. Therefore, the current standards, U.S. Standards for Grades of Shelled Runner Type Peanuts, U.S. Standards for Grades of Shelled Spanish Type Peanuts, and U.S. Standards for Grades of Shelled Virginia Type Peanuts, will remain in effect.

In consideration of the foregoing, the proposed U.S. Standard for Grades of Shelled Peanuts, published in the **Federal Register** on December 14, 1979, (44 FR 72599-72602), is hereby withdrawn.

Done in Washington, DC, on May 20, 1981.

Donald L. Houston,

Administrator, Food Safety and Quality Service.

[FR Doc. 81-15679 Filed 5-28-81; 8:45 am]

BILLING CODE 3410-DM-M

Animal and Plant Health Inspection Service

9 CFR Part 92

Importation of Horses

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed Rule.

SUMMARY: This proposal would permit the importation of mares over 731 days of age into the United States from countries affected with contagious equine metritis (CEM) when specific requirements to prevent their introducing CEM into the United States are met. This action is needed to provide an additional means of importing such mares into the United States from CEM-affected countries when this can be done without undue risk to livestock of the United States. The effect of this action would be to permit the importation of mares over 731 days of age into the United States from CEM-affected countries when specified requirements are met.

DATE: Comments on or before July 28, 1981.

ADDRESSES: Written comments to Deputy Administrator, USDA, APHIS, VS, Room 870, Federal Building, Hyattsville, MD 20782.

FOR FURTHER INFORMATION CONTACT: Dr. D. E. Herrick, USDA, APHIS, VS, Federal Building, Room 815, Hyattsville, MD 20782, (301) 436-8170.

SUPPLEMENTARY INFORMATION: This proposed rule has been reviewed in conformance with Executive Order 12291, and has been determined to be not a "major rule" because, if this proposed rule is adopted, the annual effect on the economy would be less than $100 million and should result in no increase in costs to consumers, individual industries, Federal, State or local governmental agencies or geographic regions. This action should have no adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Additionally, Dr. Harry C. Mussman, Administrator of the Animal and Plant Health Inspection Service, has determined that this action will not have a significant economic impact on a substantial number of small entities. If finalized, the proposal would lift restrictions that were imposed in the fall of 1977 on the importation of certain horses from France, Ireland, and the United Kingdom, as well as restrictions added later on Australia, Belgium, Italy, the Federal Republic of Germany, and Japan. During that period of time any mares originating in any one of these countries had to spend at least one year in a CEM-free country in order to enter the United States.

It is anticipated that from 50 to 200 importers will bring in an additional 1 to 4 mares annually, making a maximum of 800 horses per year. There will probably be an initial heavy influx of mares in the fall in order for them to be acclimated prior to next spring's breeding season. The total number of horses of all classes imported into the United States from all countries during Fiscal Year 1980 was 14,666.

To the best of our knowledge, through the years the number of small entities involved in the importation of mares from the countries involved has been extremely limited because of factors such as the volume of animals sold; stallion fees ranging from $5,000 to $50,000; stallions syndicated up to $32,000,000 and the international operations involved. The average cost to import a horse is from $5,000 to $7,000, including preembarkation testing and treatment, the cost of transportation and post entry quarantine. Further, this rule would not affect many other small entities which import mares from other countries not affected by the rule.

Notice is hereby given in accordance with the Administrative procedure provisions in 5 U.S.C. 553, that, pursuant to section 2 of the Act of February 2, 1903, as amended; and sections 2, 3, 4, and 11 of the Act of July 2, 1962 (21 U.S.C. 111, 134a, 134b, 134c, and 134f), the Animal and Plant Health Inspection Service is considering amending Part 92, Title 9, Code of Federal Regulations.

Section 92.2(i)(1) of the regulations prohibits the importation of certain horses into the United States from the countries of Australia, Belgium, Ireland, Italy, Federal Republic of Germany, France, Japan, the United Kingdom, and the Isle of Man, because of the existence of CEM in these countries.

Sections 92.2(i)(2)(ii), 92.2(i)(2)(iii), 92.2(i)(2)(iv) and 92.2(i)(2)(v) of the regulations provide for the importation into United States from countries in which CEM exists, of certain horses under certain specified conditions. Presently, the importation for permanent entry into the United States of mares over 731 days of age from countries in which CEM exists is prohibited.

The Department has conducted studies of horses affected with CEM organisms which have included the development and evaluation of surgical removal of the clitoral sinuses (clitoral sinusectomy) of mares over 731 days of age, swabbing and culture techniques, serological tests, and the effectiveness of treatment. These studies are available by contacting Dr. R. C. Knowles, USDA, APHIS, VS, Federal Building, Room 739, Hyattsville, MD 20782. Based on these studies, the Department believes that clitoral sinusectomy and certain topical treatments would be effective in freeing mares over 731 days of age from the contagion of CEM. Therefore, this proposal would provide a method for the importation into the United States of such mares under specified conditions which the Department believes will prevent the introduction of CEM into the United States.

This proposal would redesignate § 92.2(i)(2)(v) as § 92.2(i)(2)(vi) and would designate the requirements for the importation of mares over 731 days of age from countries in which CEM exists in this proposal as § 92.2(i)(2)(v) to provide better continuity and readability of the regulations regarding the importation of horses from CEM-affected countries.

Specifically, proposed § 92.2(i)(2)(v) would provide for the importation of any mare over 731 days of age if such mare is accompanied by an import permit as required in § 92.4 and if such mare is accompanied by a certificate which contains the information required by § 92.17, and is signed by a salaried veterinary officer of the national government of the country of origin. In addition, the certificate would state: (1) that all of the procedures which would be required by proposed § 92.2(i)(2)(v), discussed below, have been conducted under the direct supervision of the salaried veterinary officer of the national government of the country of origin who is signing the certificate; (2) the dates on which the surgery, treatment and cultures required by § 92.2(i)(2)(v) are performed; (3) the results of all cultures required by § 92.2(i)(2)(v) and the name of the laboratory conducting such cultures, and (4) that, except as provided in proposed § 92.2(i)(2)(v)(G), all specimens required to be cultured are found negative for CEM. This information would be required so that the Department can be assured that the procedures considered necessary to assure that mares over 731

days of age do not introduce CEM into the United States have been performed.

Experience in England and the United States has shown that the clitoral sinuses and the clitoral fossae are the most common sites for harboring CEM bacteria after the acute disease has subsided. Due to the minute size of the clitoral sinuses, it is difficult to obtain satisfactory specimens for culturing by swab, as well as difficult to adequately treat such areas for CEM. However, the Department believes that there will not be risk of spread of CEM by the importation of mares over 731 days of age if the clitoral sinuses are removed and their external genitalia and vaginal vestibule and clitoral fossa are cleaned and washed and treated as discussed below.

Proposed § 92.2(i)(2)(v)(D) would require that for 5 consecutive days, beginning the seventh day after removal of the clitoral sinuses, a licensed veterinarian shall clean and wash (scrub) the external genitalia and vaginal vestibule including the clitoral fossa with a solution of not less than 2 percent chlorhexidine in a detergent base. The clitoral fossa shall be filled and the external genitalia and vaginal vestibule shall be coated (packed) with an ointment of not less than 0.2 percent nitrofurozone. The 5 consecutive days postsurgical treatment is necessary to remove any contamination or possible spread of the CEM organism during the surgical procedure, and such treatment should provide reasonable assurance that the mare so treated will be free of the contagion of CEM. The postsurgical treatment must be postponed until 7 days after surgery to allow the mare to heal.

In addition, certain tests would be required to assure that the mare is free of CEM before it is imported into the United States.

Proposed § 92.2(i)(2)(v)(B) would require that a specimen (swab) be collected by a licensed veterinarian from the clitoral sinus of the mare within two hours prior to the removal of the clitoral sinuses and submitted by the licensed veterinarian to a laboratory approved to culture for CEM by the National Veterinary Service of the country of origin. The collection of these specimens and their culture appears to be necessary to identify those mares which are still harboring the CEM bacteria and which would, therefore, not be eligible to be exported to the United States.

Proposed § 92.2(i)(2)(v)(E) would require postsurgical cultures to provide further evidence that the mare is free of CEM. After an interim of 7 days following the fifth consecutive day of scrubbing the external genitalia and vaginal vestibule and filling the clitoral fossa, 3 separate specimens would be required to be collected by a licensed veterinarian from the clitoral fossa, at intervals of not less than 7 days between the collection of each set of specimens, and each such specimen would be required to be submitted by a licensed veterinarian to a laboratory approved to culture for CEM by the National Veterinary Service of the country of origin.

Proposed § 92.2(i)(2)(v)(E) would require that for nonpregnant mares an additional specimen also shall be collected by a licensed veterinarian from the endometrium of the uterus during estrus and all specimens shall be submitted by the veterinarian to a laboratory approved to culture for CEM by the National Veterinary Service of the country of origin.

Mares with any positive culture for CEM of specimens collected pursuant to these procedures would not be certified for export to the United States, except as provided in proposed § 92.2(i)(2)(v)(G). A negative finding for all of the specimens is necessary because any positive result would indicate that the mare is affected with CEM. Proposed § 92.2(i)(2)(v)(G) does provide a procedure whereby mares with one or more positive cultures may be imported into the United States. The Department believes that this procedure would insure that even those mares which have had one or more positive cultures are free of CEM. To import such mares into the United States, a licensed veterinarian would be required to collect three additional separate sets of specimens from the clitoral fossa at not less than 7 day intervals, with the first set collected not less than one year from the date of the last positive culture. One set shall be collected from the endometrium of the uterus during estrus and the last set shall be collected within 30 days prior to the date of export. If the three additional sets of specimens are found negative for CEM, at a laboratory approved to culture for CEM by the National Veterinary Services of the country of origin, the mare may be certified for export to the United States.

Experience has shown that many mares will cleanse themselves of the CEM organism, and this one year time period from the date of the last positive culture has generally been found to be sufficient to free the mare of CEM.

The Department would impose the requirement that the test be performed in a laboratory approved to culture for CEM by the National Veterinary Service of the country of origin to ensure the accuracy of the tests.

Intervals of not less than 7 days between the topical treatment and the first collection of specimens and between each set of specimens are necessary to allow any CEM organisms which may exist to grow, so that they may be detected. The department is requiring 3 separate sets of specimens because swabbing to collect specimens is not a precise technique. The experience of equine practitioners in Kentucky who have tested horses affected with CEM indicates that 3 separate sets of specimens collected from the prescribed anatomical areas at an interval of at least seven days between each set provide a sufficient diversity of specimens so that a test of such specimens for CEM is considered accurate.

Proposed § 92.2(i)(2)(v)(E) would require that the last of the 3 sets of specimens, which would be required by this procedure to be collected, be cultured negative within 30 days of the date of export of the mare to the United States. This requirement would be imposed to reduce the likelihood of a mare becoming affected with CEM after the last test and prior to exportation. The Department believes that requiring exportation within 30 days of the last test for CEM provides an importer with a reasonable time in which to arrange for the importation and does not constitute a great risk that the mare may become affected with CEM since the date of the last test.

Proposed § 92.2(i)(2)(v)(F) would require that a mare not be bred from the time the treatment described in § 92.2(i)(2)(v) was begun through the date of export. This requirement would ensure that the mare does not become affected with CEM by such breeding at any time from the start of the required procedures through the date of exportation.

As stated above, the certificate accompanying the mare must, among other things, state that the salaried veterinary officer of the National Government of the country of origin directly supervise the surgery, topical treatment and specimen collection procedures set forth in § 92.2(i)(2)(v); the Department intends that such veterinary officer be physically present to supervise the clitoral sinusectomy, topical treatment and specimen collection procedures as required. The Department would require this certification to ensure that the procedures in § 92.2(i)(2)(v) have in fact been complied with.

Section 92.17 of the regulations requires, among other things, that horses imported from any part of the world be

accompanied by a certificate showing that such horses have not been in any country listed in § 92.2(i)(1) as affected with CEM during the 12 months immediately prior to their importation into the United States. Horses which are imported from countries listed in § 92.2(i)(1) under the exemptions in §§ 92.2(i)(2) (i), (ii), (iii) and (iv) are presently exempt from that requirement.

This proposal would provide that mares over 731 days of age imported from countries listed in § 92.2(i)(1) for permanent entry under the exemptions in proposed § 92.2(i)(2)(v) would also be exempt from the requirement that the certificate accompanying them show that the horses have not been in any country listed in § 92.2(i)(1) during the last 12 months immediately prior to their importation into the United States.

The reason that such horses should be exempt from that requirement is that they appear to present no risk of introducing CEM into the United States. Therefore, there does not appear to be any reason for prohibiting the importation of such mares on the grounds that the certificate accompanying them indicates that they have been in a country listed in § 92.2(i)(1) during the last 12 months immediately prior to their importation into the United States.

As in the case of stallions over 731 days of age imported from CEM-affected countries, (see 9 CFR section 92.4(a)(5), (6), and (7); 45 FR 1003–1006), this amendment would provide additional procedures for mares over 731 days of age following their importation from CEM-affected countries into the United States. These procedures which are described below, are believed necessary to provide further assurance that CEM will not be disseminated in the United States.

Proposed § 92.4(a)(8) would also require that any mare over 731 days of age from a CEM-affected country, for which a permit is requested pursuant to § 92.2(i)(2)(v) of the regulations, must be consigned to a State which the Deputy Administrator of Veterinary Services, Animal and Plant Health Inspection Service, has approved to receive such mares. Import permits would only be issued for such mares if such a State is indicated as the place to which the mare is consigned. Proposed § 92.4(a)(8)(ii) would list those States which have been approved to receive mares over 731 days of age pursuant to § 92.2(i)(2)(v). Proposed § 92.4(a)(9) would require the State to have laws or regulations in effect to require additional inspection, treatment and testing of such mares to further insure their freedom from CEM. This proposal would establish the minimum standards which a State must meet in order to be approved to receive mares over 731 daysof age imported from CEM-affected countries for permanent entry. These standards contain treatment, testing and handling procedures which are believed necessary to ensure that such mares being imported into the United States are free of the contagion of CEM.

For a State to be approved to receive mares from CEM-affected countries pursuant to § 92.2(i)(2)(v) the State would be required to enter into a written agreement with the Deputy Administrator, Veterinary Services, whereby the State would agree to enforce State laws and regulations to control contagious equine metritis and to abide by the conditions of approval established by the regulations in Part 92.

This procedure is believed necessary to provide added assurance that a State will control the movement of mares over 731 days of age imported from CEM-affected countries to ensure that CEM is not disseminated in the United States.

Further, to be approved, the State would be required to quarantine mares over 731 days of age from CEM affected countries imported pursuant to § 92.2(i)(2)(v) of the regulations until the mare has been treated and found free of CEM in accordance with the provisions of proposed § 92.4(a)(9). The quarantine of such mares is deemed to be necessary to ensure that the mares, if infected with CEM, do not transmit this disease to other horses in the United States. To be approved, a State would be required to have laws and regulations to ensure that mares over 731 days of age from CEM affected countries imported pursuant to § 92.2(i)(2)(v) of the regulations are treated as follows: on 5 consecutive days, an accredited veterinarian shall aseptically clean and wash the external genitalia, vaginal vestibule and clitoral fossa, with a solution of not less than 2 percent chlorhexidine in a detergent base and then coat the external genitalia and vaginal vestibule with an ointment of not less than 0.2 percent nitrofurozone insuring that the clitoral fossa is filled. After an interim of 7 days following the fifth consecutive day of scrubbing the external genitalia and vaginal vestibule and filling the clitoral fossa, for pregnant mares, an accredited veterinarian would collect 3 separate specimens from the clitoral fossa at intervals of not less than 7 days between the collection of each set of specimens. The specimens would then be submitted to a State or Federal animal disease diagnostic laboratory for culture. Seven days after foaling, an accredited veterinarian would be required to collect one specimen from the endometrium of the uterus of the mare and one specimen from the foal. If the foal is female, this specimen would be collected from the vaginal vestibule; and, if a male, the specimen would be collected from the prepuce. Each of these specimens would be required to be submitted to a State or Federal animal disease diagnostic laboratory for culture.

For nonpregnant mares, an accredited veterinarian would be required to collect 3 separate sets of specimens from the clitoral fossa at an interval of not less than 7 days between the collection of each set of specimens with one additional specimen collected from the endometrium of the uterus during estrus. All such specimens would be required to be submitted to a State or Federal animal disease diagnostic laboratory for culture.

If any specimen required by proposed § 92.4(a)(9) were positive for CEM the mare would not be released from quarantine. To obtain release from quarantine, three additional sets of negative cultures on specimens collected from the clitoral fossa by an accredited veterinarian at an interval of not less than 7 days would be required. The first set of cultures would be required to be collected not less than one year from the date of the last positive culture, and one additional set of specimens would be collected during estrus from the endometrium of the uterus. Experience has shown that many mares will cleans themselves of the CEM organism and this one-year time period is believed to be a necessary adjunct to antibiotic therapy.

Proposed § 92.1 (x) and (y) would define the terms "accredited veterinarian" and "licensed veterinarian" to clarify the meaning of those two terms as used in this proposal and Part 92.

Accordingly, Part 92, Title 9, Code of Federal Regulations, would be amended in the following respects:

1. The authority citation for Part 92 would be amended to read as follows:

Authority: Sec. 203, 60 Stat. 1087, as amended, secs. 6, 7, 8, 10, 26 Stat. 416, as amended, 417, sec. 2, 32 Stat. 792, as amended, sec. 306, 46 Stat. 689, as amended, secs. 2, 3, 4, 5, 11, 76 Stat. 129, 130, 132, sec. 1, 84 Stat. 202, (7 U.S.C. 1622, 19 U.S.C. 1306, 21 U.S.C. 102–105, 111, 134a, 134b, 134c, 134d, 134f and 135).

2. In § 92.1, new paragraphs (x) and (y) would be added to read:

§ 92.1 Definitions.

* * * * *

(x) *Accredited Veterinarian.* A veterinarian approved by the Deputy Administrator in accordance with the provisions of Part 161 of the title to perform functions specified in Parts 1, 2, 3, and 11 of Subchapter A, and Subchapters B, C, and D of this chapter, and to perform functions required by cooperative State-Federal disease control and eradication programs.

(y) *Licensed veterinarian.* Any person licensed by any country or political subdivision thereof to practice veterinary medicine.

3. In § 92.2, paragraph (i)(2)(v) would be redesignated (i)(2)(vi) and a new paragraph (i)(2)(v) would be added to read:

* * * * *

§92.2 General prohibitions; exceptions.

(i) * * *

(2) * * *

(v) Any mare over 731 days of age imported, if:

(A)(*1*) The mare is accompanied by an import permit as required in § 92.4, and

(*2*) The mare is accompanied by a certificate, which contains the information required by § 92.17, is signed by a salaried veterinary officer of the national government of the country of origin and, in addition, states:

(*i*) That the salaried veterinary officer of the national government of the country of origin directly supervised the surgery, topical treatment and specimen collection required by paragraphs (i)(2)(v)(B), (i)(2)(v)(C), (i)(2)(v)(D), (i)(2)(v)(E) and (i)(2)(v)(G) of this section.

(*ii*) The dates on which the surgery, treatment and cultures required by paragraphs (i)(2)(v)(B), (i)(2)(v)(C) (i)(2)(v)(D) (i)(2)(v)(E) and (i)(2)(v)(G) of this section were performed.

(*iii*) The results of all cultures required by paragraph (i)(2)(v) of this section and the name of the laboratory that conducted such cultures.

(*iv*) That, except as provided in paragraph (i)(2)(v)(E) of this section, all specimens required to be cultured have been found negative for CEM; and

(B) A licensed veterinarian collects a specimen from the clitoral sinus of the mare within two hours prior to surgery required by paragraph (i)(2)(v)(C) of this section, and submits such specimen to a laboratory approved to culture for CEM by the National Veterinary Service of the country of origin; and

(C) A licensed veterinarian removes surgically the clitoral sinuses of the mare and submits such clitoral sinuses to a laboratory approved to culture for CEM by the National Veterinary Service of the country of origin; and

(D) For 5 consecutive days, beginning the seventh day after removal of the clitoral sinuses, a licensed veterinarian aseptically cleans and washes (scrubs) the external genitalia and vaginal vestibule, including the clitoral fossa with a solution of not less than 2 percent chlorhexidine in a detergent base and then fills the clitoral fossa and coats the external genitalia and vaginal vestibule with an ointment of not less than 0.2 percent nitrofurozone; and

(E) After an interim of 7 days following the 5th consecutive day of scrubbing the external genitalia and the vaginal vestibule and filling the clitoral fossa, a licensed veterinarian collects three separate specimens from the clitoral fossa, at an interval of not less than 7 days between the collection of each specimen, and each specimen is cultured with negative results for CEM at a laboratory approved to culture for CEM by the National Veterinary Service of the country of origin. For any nonpregnant mare, a licensed veterinarian collects an additional specimen during estrus from the endometrium of the uterus and the specimen is cultured with negative results for CEM at a laboratory approved to culture for CEM by the National Veterinary Service of the country of origin. The last of the three sets of specimens collected during this procedure is collected within 30 days of the date of export of the mare described on the certificate; and

(F) The mare described on the certificate is not bred from the time treatment required by this paragraph was begun through the date of export; and

(G) Any specimen required by paragraphs (i)(2)(v)(B), (i)(2)(v)(C), (i)(2)(v)(D), or (i)(2)(v)(E) of this section is found to be positive for CEM, and a licensed veterinarian collects three additional separate sets of specimens from the clitoral fossa at not less than 7 day intervals, with the first set collected not less than 1 year from the date of the last positive culture and each additional specimen is cultured with negative results at a laboratory approved to culture for CEM by the National Veterinary Services of the country of origin. One set shall be collected from the endometrium of the uterus during estrus and the last set shall be collected within 30 days prior to the date of export.

4. In § 92.4, new paragraphs (a)(8) and (a)(9) would be added to read:

§92.4 Import permits for ruminants, swine, horses from countries affected with CEM, poultry, poultry semen, animal semen, birds, and for animal specimens for diagnostic purposes.

(a) * * *

* * * * *

(8)(i) For mares over 731 days of age from countries listed in § 92.2(i)(1) and for which a permit is requested pursuant to § 92.2 (i)(2)(v), a permit will be issued only if the mare for which the permit is to be issued is consigned to a State which the Deputy Administrator, Veterinary Services, has approved to receive mares over 731 days of age in accordance with the provisions of paragraphs (a)(9) of this section.

(ii) The following States have been approved to receive mares over 731 days of age pursuant to § 92.2(i)(2)(v):

(9) In order for a State to be approved to receive mares over 731 days of age pursuant to § 92.2(i)(2)(v), the following conditions must be met:

(i) The State must enter into a written agreement with the Deputy Administrator, Veterinary Services, whereby the State agrees to enforce its laws and regulations to control contagious equine metritis and to abide by the conditions of approval established by the regulations in this part; and

(ii) The State must agree to quarantine all mares over 731 days of age imported from countries listed in § 92.2(i)(1), pursuant to § 92.2 (i)(2)(v), until such mares have been treated in accordance with the provisions of this paragraph; and

(iii) The State must have laws and regulations to insure that mares over 731 days of age imported from countries listed in § 92.2(i)(1), pursuant to § 92.2(i)(2)(v), have been treated and handled in the following manner:

(A) For 5 consecutive days, an accredited veterinarian shall aseptically clean and wash (scrub) the external genitalia and vaginal vestibule, including the clitoral fossa with a solution of not less than 2 percent chlorhexidine in a detergent base and then fill the clitoral fossa and coat the external genitalia and vaginal vestibule with an ointment of not less than 0.2 percent nitrofurozone.

(B) After an interim of 7 days following the 5th consecutive day of scrubbing the external genitalia and vaginal vestibule and filling the clitoral fossa:

(*1*) For any pregnant mare over 731 days of age, an accredited veterinarian shall collect three separate specimens from the clitoral fossa, at an interval of not less than 7 days between the

collection of each set of specimens, and shall submit each specimen to a State or Federal animal disease diagnostic laboratory for culture. Seven days after foaling, an accredited veterinarian shall collect one specimen from the endometrium of the uterus of the mare and one specimen from the foal, and each specimen shall be submitted by the accredited veterinarian to a State or Federal animal disease diagnostic laboratory for culture. If the foal is female, this specimen shall be collected from the vaginal vestible; and, if male, the specimen shall be collected from the prepuce.

(*2*) For any nonpregnant mare over 731 days of age, an accredited veterinarian shall collect three separate sets of specimens from the clitoral fossa, at an interval of not less than 7 days between the collection of each set of specimens, with one additional specimen collected from the endometrium of the uterus during estrus, and shall submit each specimen to a State or Federal animal disease diagnostic laboratory for culture.

(C) If any specimen required by this section is found to be positive for CEM, the mare shall not be released from State quarantine except as provided in this paragraph. For such mare, an accredited veterinarian shall collect three additional separate sets of specimens from the clitoral fossa at not less than 7 day intervals between each set, with the first set collected not less than 1 year from the date of the last positive culture; and, one additional set of specimens shall be collected from the endometrium of the uterus during estrus. If the additional sets of specimens are negative for CEM, the mare may be released from quarantine.

5. In § 92.17, that part of the first sentence after the fourth semicolon and before the fifth semicolon would be amended to read:

§ 92.17 Horses, certification, and accompanying equipment.

* * *; and, except as provided in § 92.(i)(2) (i), (ii), (iii), (iv), and (v), the horses have not been in any country listed in § 92.2(i)(1) as affected with CEM during the 12 months immediately prior to their importation into the United States; * * *

All written submissions made pursuant to this proposed rule will be made available for public inspection at the Federal Building, 6505 Belcrest Road, Room 870, Hyattsville, MD., during regular hours of business (8 a.m. to 430 p.m., Monday to Friday, except holidays) in a manner convenient to the public business (7 CFR 1.27(b)).

Comments submitted should bear a reference to the date and page number of this issue in the **Federal Register.**

Done at Washington, D.C., this 22d day of May 1981.

C. W. McMillan,

Assistant Secretary for Marketing and Transportation Services.

[FR Doc. 81-16147 Filed 5-28-81; 8:45 am]

BILLING CODE 3410-34-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Parts 1910 and 1918a

[Docket No. S-506]

Marine Terminals; Extension of Comment Period

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Extension of time for submission of comments.

SUMMARY: This notice extends the period for written comments concerning the rulemaking proceeding for marine terminals (29 CFR Part 1918a). In response to the requests made by several parties attending the public meeting on April 28, 1981 to have the comment period extended, OSHA has decided to grant an extension of time, until August 15, 1981.

As provided in the notice of January 16, 1981, interested persons may also file objections to the proposal and request that OSHA hold an informal public hearing to discuss these objections.

DATES: Written comments and any requests for a hearing must be postmarked on or before August 15, 1981.

ADDRESS: Written comments and requests for a hearing should be submitted to the Docket Officer, Docket No. S-506, Occupational Safety and Health Administration, Room S-6212, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, (202) 523-7894.

FOR FURTHER INFORMATION CONTACT: Mr. Basil Needham, Director, Office of Maritime Safety Standards, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Room N3471, Washington, D.C. 20210, (202) 523-7234.

SUPPLEMENTARY INFORMATION: The Occupational Safety and Health Administration published a Notice of Proposed Rulemaking concerning the establishment of a new Part 1918a, for safety and health regulations covering marine terminals, on January 16, 1981 (46 FR 4182). Interested persons were given until May 15, 1981, to submit comments with respect to the proposal and to file objections and request a hearing. OSHA also provided these persons with the opportunity to attend informal public meetings in Washington, D.C. from April 28-30, 1981, to express their views on the contents of the proposal.

Several parties present at the public meeting held on April 28, 1981 indicated that they needed more time to analyze the proposal and submit their comments to the Agency. OSHA believes that the length and complexity of the proposal warrants approval of the requested extension. Therefore, OSHA has decided to extend the comment period until August 15, 1981.

As provided in the Notice of Proposed Rulemaking, interested persons may, in addition to submitting written comments also file objections to the proposal and request an informal public hearing with respect to those objections, in accordance with the following conditions:

(1) The objections must include the name and address of the objector;

(2) The objections must be postmarked on or before August 15, 1981, and submitted to the Docket Office;

(3) The objections must specify with particularity the provisions of the proposed rule to which objection is taken, and must state the ground therefor;

(4) Each objection must be separately stated and numbered; and

(5) The objections must be accompanied by a detailed summary of the evidence proposed to be adduced at the requested hearing.

All written comments and requests for a hearing must be postmarked on or before August 15, 1981, and submitted to the Docket Officer, Docket No. S-506, Room S-6212, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

This document was prepared under the direction of Thorne G. Auchter, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

(Sec. 6, Pub. L. 91-596, 84 Stat. 1593 (29 U.S.C. 655), Sec. 41, 44 Stat. 1444 (33 U.S.C. 941); 29 CFR Part 1911, and Secretary of Labor's Order No. 8-76 (41 FR 25059))

Signed at Washington, D.C. this 21st day of May, 1981.

Thorne G. Auchter,

Assistant Secretary of Labor.

[FR Doc. 81-16160 Filed 5-28-81; 8:45 am]

BILLING CODE 4510-26-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Chs. I, V, VI, and VII

33 CFR Ch. II

36 CFR Ch. III

Improving Government Regulations; Semiannual Agenda of Regulations

AGENCY: Department of Defense.

ACTION: Publication of the Department's semiannual agenda of regulations under review or development by the Department of Defense and its components.

SUMMARY: The Department of Defense is publishing its sixth semiannual agenda of regulations for public information and comments. Initiated under E.O. 12044 in November of 1978 and voluntarily implemented throughout the Department under the DoD Regulatory Improvement Plan, this agenda continues the intent and purposes of those original objectives now part of the Department's rulemaking process. This agenda is the first under the new E.O. 12291, "Federal Regulations," and contains many of the provisions and objectives of the previous E.O. It also incorporates those objectives determined applicable under the new E.O. As experience is gained and the scope of the new E.O. broadened, future agendas may be modified to include additional rulemaking areas deemed relevant and appropriate to the revised objectives. Although the next agenda's official publication date under E.O. 12291 is scheduled for October of 1981, a supplemental, separate, or combined agenda may be published earlier if determined significant and relevant.

FOR FURTHER INFORMATION CONTACT: For information concerning the overall DoD Regulatory Improvement and general semiannual agenda information, contact Colonel Peter H. Karalus, telephone 202-695-4281 or write: Directorate for Organizational and Management Planning, OASD(C), Pentagon, Washington, D.C. 20301.

SUPPLEMENTARY INFORMATION: This consolidated agenda is composed of the regulatory status reports from the Office of the Secretary of Defense and the Departments of the Army, Navy and Air Force. As in previous agendas the regulations contained herein are not major regulations that impact significantly upon the public, the economy, nor state or private institutions as defined under the E.O. The regulations selected for publication were chosen to increase public knowledge of DoD actions in common areas of interest and allow for comment and participation in the Department's rulemaking process. This initial agenda under E.O. 12291, while continuing the review and comment process originated under the previous E.O., also contains additional items desired under the new E.O. Its format has also been modified to allow each DoD Component to incorporate the desired rulemaking information into their administrative reporting process. Each DoD Component's report should generally include the following information:

- Proposed regulations they have issued or expect to issue.
- Current effective rules under review pursuant to E.O. 12291, if applicable.
- Summary and nature of each rule being considered.
- Objectives and legal basis for issuance of each rule.
- Approximate schedule for completing action.
- List of existing regulations to be reviewed.
- Name and telephone number of knowledgeable official for rules published.
- Statement indicating whether the rule is major.

Although not a regulatory agency, the Department will continue to participate in regulatory initiatives designed to reduce economic costs and unnecessary burdens upon the public. Comments and recommendations are invited and should be addressed to the DoD Component representatives published in each section.

Individual component reporting variations of the above agenda requirements may be found within each section due to the separate mission, functions and responsibilities of the reporting components.

Included in this agenda is the initial regulatory report from the US Army, Corps of Engineers, whose civil works functions fall under the reporting requirements of the new E.O. Their agenda will reflect these requirements and be followed by further reporting actions determined necessary under the E.O.

This agenda is published voluntarily by the Department of Defense, consistent with Executive Order No. 12291, Federal Regulation, February 17, 1981, for the guidance and the interest of the public, notwithstanding the inapplicability of section 553 of title 5, United States Code, or any other legal requirement for such publication. The provisions of the Regulatory Flexibility Act, Pub. L. No. 96-354, 94 Stat. 1164, therefore, do not apply.

D. O. Cooke,

Deputy Assistant Secretary of Defense.

May 27, 1981.

Office of the Secretary—Improving Government Regulations: Semiannual Agenda

ACTION: Semiannual Agenda of Regulatory and Procedural Documents Under Development or published by the Office of the Secretary of Defense (OSD).

SUMMARY: The charts below list the DoD policy documents that were published during the period December 1, 1980 through May 29, 1981. This is the sixth semiannual agenda and the first submitted under E.O. 12291.

FOR FURTHER INFORMATION CONTACT: Where a contact official is indicated, contact that individual. For other information on the Agenda, contact Mrs. Margarete S. Healy, telephone 202-697-4111, or write to Directives Division, C&D, WHS, Room 2A286, Pentagon, Washington, D.C. 20301.

SUPPLEMENTARY INFORMATION: The impact and philosophy of E.O. 12291 as compared with E.O. 12044 have changed the direction of government regulation agenda requirements. Whereas E.O. 12044 focused on improving government regulations, strengthening agency head oversight, and providing opportunities for public participation in general terms, E.O. 12291 is specific in addressing the more far-reaching effect federal regulations may have on the U.S. economy.

In our previous agenda preambles, we maintained that the regulatory documents issued by the Office of the Secretary of Defense (OSD) are defense mission-directed, that the OSD is not considered a regulatory agency, and that OSD is largely exempt from the provisions of E.O. 12044. We agreed voluntarily, however, to participate in the effort to increase public knowledge on DoD implementation of laws and statutes.

In this agenda, we continue to list OSD regulatory documents, proposed and final, that were issued during the period December 1, 1980, and May 29, 1981.

None of the regulatory documents is a "major rule", nor does the Regulatory

Flexibility Act of 1980 apply; the documents have been published to comply with the provisions of 5 U.S.C. 552 and subsection (b) of 5 U.S.C. 553.

No major rules are presently under development.

Office of the Secretary Defense Regulations Published During Period Dec. 1, 1980, Through Apr. 30, 1981

CFR No.	Title	DOD directive/ instruction	Comments
32 CFR Part 41	Enlisted Administrative Separations	1332.14	Published 46 FR 9571, January 29, 1961, this was a reissuance of this Part (41 FR 9088), and incorporates 2 changes. Another revision of this part is now in coordination within the Department and will be published in the FEDERAL REGISTER as a proposed rule in June 1981. Contact official: LTC R. F. Baker, OASD(MRA&L) MPP, Washington, D.C. 20301, 202-697-9525.
32 CFR Part 46	Federal Voting Assistance Program	1000.4	Published 45 FR 84766, December 23, 1980. This rule implements E.O. 10646, The Federal Voting Assistance Act of 1955 and the Overseas Citizens Voting Rights Act of 1975. Contact official: Mr. H. Valentino, FVAP, WHS, Washington, D.C. 20301, 202-695-9300.
32 CFR Part 57	Hearings Required by the Education for All Handicapped Children Act of 1975.	6060.xx	This Part was published as an interim rule with request for comments, 46 FR 25440, May 7, 1981, pending issuance of a proposed rule to implement the Education for All Handicapped Children Act of 1975, and the Defense Dependents' Education Act of 1978. Contact official: Mr. Paul S. Koffsky, OGC, DoD, Washington, D.C. 20301, 202-695-3657.
32 CFR Part 59	Voluntary Military Pay Allotments	7330.1	Published 46 FR 10908, February 5, 1981, this reissuance updates policies that implement 37 U.S.C. Chapter 13 and governs voluntary allotments of pay and allowances for active duty and retired members. Contact official: Mr. J. Jasinski, OASD(C), Washington, D.C. 20301, 202-697-0536.
32 CFR Part 62a	Education and Training in Alcohol and Drug Abuse Prevention.	1010.5	Published 45 FR 84995, December 24, 1980, this rule establishes the DoD education and training policy in execution of 32 CFR Part 62, "Alcohol and Drug Abuse by DoD Personnel," which, in turn, implements standards in Pub. L. 92-255, as amended; 91-616, as amended; 92-129, as amended; and the FPM Sup. 792-2, February 1980. Contact official: Dr. John F. Mazzuchi, OASD(HA), Washington, D.C., 202-695-6800.
32 CFR Part 142	DoD Policy on Organizations That Seek to Represent or Organize Members of the Armed Forces in Negotiation or Collective Bargaining.	1354.1	Published 45 FR 84055, December 22, 1980, this reissuance incorporates the provisions of 10 U.S.C. 976, Pub. L. 95-610. A proposed rule (45 FR 43438) was published June 27, 1980, and comments solicited. Contact official: Colonel J. L. Fugh, OASD(MRA&L) MPP, Washington, D.C. 20301, 202-697-9283.
32 CFR Part 159	DoD Information Security Program	5200.1, 5200.1-R	Published 45 FR 79759, December 2, 1980, this regulation supplements Part 159 (5200.1)(44 FR 12670) published March 8, 1979, and implements section 5-402 of E.O. 12065. Contact official: Mr. Arthur F. Van Cook, ODUSDP, Washington, D.C., 202-695-2289.
32 CFR Part 166	Defense Contracting Reporting Procedure on Defense Related Employment.	7700.15	An amendment to this rule published 45 FR 83486, December 19, 1980, is the FY 80 update of the section listing DoD contractors receiving negotiated contract awards of $10 million or more, in compliance with provisions of Section 410, Pub. L. 91-121. Contact official: Ms. C. V. Springer, ODIO&R, WHS, Washington, D.C., 202-694-5614.
32 CFR Part 199	Implementation of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS).	6010.8, 6010.8-R	A statement of policy published 46 FR 19818, April 1, 1981, gives public notice of a benefit policy decision on radial keratotomy, a surgical procedure to correct nearsightedness (myopia), as an experimental procedure. A technical change and statement of policy published 46 FR 21992, April 15, 1981, deletes the definition of conjoint therapy from the regulation, and announces a policy for payment of claims for collateral visits and conjoint therapy. Contact official: Ms. Lorraine F. Carpenter, OASD (HA), Washington, D.C. 20301, 202-697-5185.
32 CFR Part 201	Sale of Surplus Military Equipment to State and Local Law Enforcement and Firefighting Agencies.	4160.23	Published 46 FR 12494, February 17, 1981, this reissuance updates DoD policy and procedures governing the sale of certain DoD-owned surplus personal property to state and local law enforcement and firefighting agencies pursuant to title 10, U.S.C., Section 2576 (Pub. L. 90-500). Contact official: Mr. J. Marcus, OASD(MRA&L), Washington, D.C. 20301, 202-697-9196.
32 CFR Part 286	DoD Freedom of Information Act Program	5400.7, 5400.7-R	Published 45 FR 80502, this regulation supplements and revises Part 286 (5400.7) (45 FR 28323) published April 29, 1980, and prescribes uniform procedures in implementing the Freedom of Information Act (5 U.S.C. 552). Contact official: Colonel R. Farris, OASD(PA), Washington, D.C. 20301, 202-697-1180.

Department of the Army—Regulatory Agenda

AGENCY: Department of the Army.

ACTION: Publication of the Department of the Army's regulatory agenda of regulations as required by Pub. L. 96-354.

SUMMARY: The Department of the Army continues to receive and evaluate the need for existing regulations and to improve the quality of those deemed necessary. The Regulatory Agenda is a summary of regulations proposed or published by the Department during the last six months. The Regulatory Review List is a semiannual summary of existing or proposed regulations under internal review and coordination for revocation or revision. This review, however, is a continuing process under Army's directives management program; independent of Pub. L. 96-354; and only reflects those rules affecting the public.

SUPPLEMENTARY INFORMATION: The Agenda and Review List include regulations, which support the National Defense effort as well as the civil works activities of the Corps of Engineers, published in Titles 32 and 33 of the Code of Federal Regulations. The Agenda and Review List reflect the Department's efforts to conform with the spirit and intent of new legislation and an Executive Order recently promulgated.

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) requires the designation of those regulations for which a regulatory flexibility analysis is prepared which would have an effect on a substantial number of small entities. With the exception of the civil works activities of the Corps of Engineers, Department of the Army regulations are essentially procedural and administrative and do not impose substantial requirements or costs on small entities or substantially alter their legal rights.

Review List

The Review List provided by the Army contains no regulation which would have a significant economic impact on small entities.

DEPARTMENT OF THE ARMY—SEMIANNUAL AGENDA

(Period December 1, 1980–April 30, 1981)

Part I—Status of Regulations Reviewed (Agenda November 30, 1980)

CFR No.	Title	Public comments	Status	Contact officer
32 CFR Parts 552.30 thru 552.38.	Acquisition of Real Property and Interests Therein (AR 405–10). 43 USC. 315q and r 10 USC 2331, 2237, 3038.		Proposed Rule, 43 FR 59328, Dec. 19, 1978. No date for publication of Final Rule has been established.	Mr. Deimens, COE, Tel. (202) 272–0492.
32 CFR Part 553	Visitors Rules for Arlington National Cemetery, 24 USC Ch 7.	Two comments were received and considered.	Final Rule published. Item will be deleted from next Agenda.	Major J. P. King, Tel. (202) 695–0482.

Part II—Army Regulations Under Development

Description	Citation	Additional information
Obtaining Information from Financial Institutions (AR 190-xx).	32 CFR 504	*Summary.* To establish policy and procedures governing access to and disclosure of financial records maintained by financial institutions during the conduct of Army investigations or inquiries. It specifies that it is Department of the Army policy to seek consent of the customer in order to obtain a customer's financial records from a financial institution unless doing so would compromise or harmfully delay a legitimate law enforcement inquiry. If obtaining consent is not possible or if the customer declines to grant access, the proposed regulation details alternate means by which Army investigative elements may seek such access under the law. *Objective.* To comply with the Right to Financial Privacy Act of 1978. *Legal Basis.* 12 U.S.C. 3401. *Knowledgeable Official.* Major Hackett, DCSPER, Tel. (703) 756–1697. *Status.* Proposed Rule published February 10, 1981 (46 FR 11672) with a Final Rule to be published by mid-1981.
Private Organizations on Department of Army Installations.	32 CFR 556	*Summary.* Proposal to implement DoD Instruction 1000.15, "Private Organizations on Military Installations." This regulation would be applicable to all private organizations on Army installations except those under special Department of Defense sanction as set forth in separate agreements or regulations. *Objective.* To clarify the issues that private organizations are private and self-sustaining; are not officially affiliated with the United States Government or its instrumentalities; and are subject to state and local ordinances. *Legal Basis.* 10 U.S.C. 3102. *Knowledgeable Official.* Ms Terri Slocomb, TAGO, Tel. (202) 325–9370. *Status.* Proposed Rule published January 15, 1981 (46 FR 3561) with a Final Rule to be published by mid-1981.

Part III—Army Regulations Under Review

Summary: The following 10 Army Directives will be reviewed for elimination, consolidation, simplification, or addition to 32 CFR with the spirit of the Regulatory Flexibility Act and EO 12291.

Objective: To provide the Department of the Army staff and field operating agencies policies and procedures for implementing the captioned planning activity. These are non-significant regulations which impose no regulatory burden and are internal procedural documents. To keep requirements operationally current, only the CFR part, Army regulation number, summary (caption), and the identity of a contact officer are listed.

Description	Regulation	Summary (caption)	Knowledgeable official
32 CFR (new part, number unassigned)	AR 1-xx	Administering Appointed and Contracted Consultants and Experts for Supporting Army Studies.	Dr. Metzger, Tel. (202) 697–0026.
32 CFR (new part, number unassigned)	AR 190–24	Armed Forces Disciplinary Control Boards and Off-Installation Military Enforcement Service.	MAJ Case, Tel. (703) 756–1896.
32 CFR 518.51	AR 310–4	Publication of Rules Affecting the Public	Mr. Roach, Tel. (202) 325–6163.
32 CFR 518.1	AR 340–17	Release of Information and Records from Army Files	Mr. Walker, Tel. (202) 325–6163.
32 CFR 552.30 thru 552.74	AR 405–10	Acquisition of Real Property and Interests Therein	Mr. Deimens, Tel. (202) 272–0492.
32 CFR (new part, number unassigned)	AR 405–20	Fedeal Legislative Jurisdiction	Mr. Piscacek, Tel. (202) 272–0523.
32 CFR 645	AR 405–25	Real Estate Annexation	Mr. Piscacek, Tel. (202) 272–0523.
32 CFR 643	AR 405–80	Granting Use of Real Estate	Mr. Piscacek, Tel. (202) 272–0523.
32 CFR 652	AR 420–74	Natural Resources: Land, Forest, and Wildlife Management	Mr. Bandel, Tel. (202) 272–0592.
32 CFR 644	EP 405–1–2 Chapters 8 and 10.	Real Estate Handbook	Mr. Piscacek, Tel. (202) 272–0523.

Department of the Army—Corps of Engineers—Regulatory Agenda

AGENCY: U.S. Army Corps of Engineers.

SUMMARY: In response to Public Law 96–354, the "Regulation Flexibility Act," and Executive Order 12291, "Federal Regulation," the Army is publishing for public information a list of regulations pertaining to civil functions of the Department. These Civil Works regulations are either under development or under review.

FOR FURTHER INFORMATION CONTACT: The person designated as knowledgeable official at the telephone number listed, or write the official c/o Civil Works Directorate, Office of the Chief of Engineers, Washington, D.C. 20314. Inquiries can also be directed to Major (P) James Paul King, Office of the Assistant Secretary of the Army (Civil Works), telephone (202) 695–0482.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act (RFA) and E.O. 12291 require semiannual publication, in April and October, of an agenda of regulations that are "likely to have a significant economic impact on a substantial number of small entities" and "major" regulations, respectively. The RFA and E.O. 12291 also require agencies to include in their agenda currently effective rules that are (or, in the case of the RFA after July 1, 1981, will be) under agency review. The following is the first semiannual agenda, for its Civil Works program, to be published by Army under the RFA and E.O. 12291. None of the regulations listed meet the standards required of a "major" regulation specified in E.O. 12291 or the economic impact specified in RFA.

Part I—Civil Works Regulations Under Development

Description	Citation	Additional information
Proposal to Amend Permit Regulations of the U.S. Corps of Engineers.	33 CFR 320-330	*Summary.* Proposal is to amend permit regulations published July 19, 1977, for controlling certain activities in waters of the United States, as required by law. Regulations were revised to reduce unnecessary regulatory burdens on the public by significantly expanding the nationwide permit program and to simplify procedures. *Objective.* Update to conform to laws, Executive Orders and judicial decisions which have occurred since current regulations were published (42 FR 37122-37164) and add section on nation-wide permits (33 CFR 330). *Legal Basis.* 33 USC 401 et seq., 33 USC 1344, 33 USC 1413. *Knowledgeable Official.* Mr. Goode, (202) 272-0200. *Status.* Proposed rules published September 19, 1980 (45 FR 62732-62777). Public comments received through December 1, 1980, and are under review. Final regulations scheduled to be published in late 1981 or early 1982.
Modification of Completed Projects.	(Proposed)	*Summary.* Will coalesce policy on use of existing authorities for study and accomplishment of modifications to completed projects. *Objective.* Simplify existing guidance. *Legal Basis.* Sec. 216, P.L. 91-611. *Knowledgeable Official.* Mr. Teeters, (202) 272-0116. *Status.* Proposed rule scheduled for publication September 1981.
Implementation of E.O. 11990: Protection of Wetlands.	33 CFR 235	*Summary.* Provides instructions for implementing wetland protection (Engineer Regulation 1165-2-401). *Objective.* Clarifies Presidential guidance. *Legal Basis.* E.O. 11990. *Knowledgeable Official.* Mr. Teeters, (202) 272-0116. *Status.* Proposed rule published June 10, 1980. Comment period closed July 24, 1980. Final Rule scheduled for publication May 1981.
Use of Nonstructural Measures in Planning for Flood Damage Reduction.	(Proposed)	*Summary.* Will provide policies on formulation of plans incorporating nonstructural measures (Engineer Regulation 1165-2-122). *Objective.* Promote consistent formulation. *Legal Basis.* 33 USC 701b-11. *Knowledgeable Official.* Mr. Teeters, (202) 272-0116. *Status.* Proposed rule scheduled for publication August 1981.
Establishment of Wetlands in Connection with Dredging.	33 CFR 232	*Summary.* Provides guidance on establishing wetlands at water resources projects (Engineer Regulation 1165-2-27). *Objective.* Achieve uniform implementation. *Legal Basis.* Sec. 150, P.L. 94-587. *Knowledgeable Official.* Mr. Teeters, (202) 272-0116. *Status.* Proposed rule published October 24, 1979. Comments received to December 31, 1979. Final rule scheduled for publication June 1981.
Requirements for Local Participation	(Proposed)	*Summary.* Will set forth policies and procedures for ascertaining requirements of local cooperation to recommend to Congress (Engineer Regulation 1165-2-29). *Objective.* Achieve consistency from reporting officers. *Legal Basis.* 33 USC 547. *Knowledgeable Official.* Mr. Teeters, (202) 272-0116. *Status.* Proposed rule scheduled for publication July 1981.
Appendix C, Procedures for the Protection of Historic and Cultural Properties.	33 CFR 325	*Summary.* This appendix, jointly drafted by the Corps of Engineers and the President's Advisory Council on Historic Preservation was published for comment on April 3, 1980 (45 CFR 22112). Twenty-four letters of comment were received. The Corps and the Advisory Council will jointly draft the final regulation. *Objective.* To insure consistency in Corps' planning. *Legal Basis.* 16 USC 469. *Knowledgeable Official.* Mr. Goode, (202) 272-0200. *Status.* Currently on hold. Final rule to be published late 1981.

PART II—Civil Works Regulations Under Review

The following 22 Corps of Engineers' Engineer Regulations (ERs) appearing in 33 CFR will be reviewed for elimination, consolidation, or simplification within the spirit of E.O. 12291. For all of them, the following items of additional information apply:

Objective: Provide to Corps of Engineers' field operating agencies policies and procedures for implementing the captioned planning activity. The ERs are not regulations which themselves impose regulatory burdens. They are internal procedure documents.

Legal Basis: 10 USC 3036.

Knowledgeable Official: Dr. Wolff (202) 272-0146.

Description	Regulation	Summary (caption)
33 CFR 305	ER 1105-2-11	Identification and Administration of Cultural Resources.
33 CFR 252	ER 1105-2-14	Framework and River Basin Study Programs (Level A and Level B Studies).
33 CFR 264	ER 1105-2-22	Urban Studies Program.
33 CFR 263	ER 1105-2-50	Continuing Authorities Program.
33 CFR 265	ER 1105-2-81	Planning Assistance to States.
33 CFR 266	ER 1105-2-82	Project Deauthorization Review Program.
33 CFR 275	ER 1105-2-180	Wastewater Collection and Treatment Policy.
33 CFR 290	ER 1105-2-200	Planning Process: Multiobjective Planning Framework.
33 CFR 291	ER 1105-2-210	Planning Process: Plan Development Stages.
33 CFR 292	ER 1105-2-220	Planning Process: Problem Identification (TASK 1).
33 CFR 293	ER 1105-2-230	Planning Process: Evaluation of Alternatives (TASK 2).
33 CFR 294	ER 1105-2-240	Planning Process: Impact Assessment (TASK 3).
33 CFR 295	ER 1105-2-250	Planning Process: Evaluation (TASK 4).
33 CFR 341	ER 1105-2-351	Evaluation of Beneficial Contributions to National Economic Development for Flood Plain Management Plans.
33 CFR 209	ER 1105-2-502	Public Meetings.
33 CFR 380	ER 1105-2-800	Public Involvement: General Policies.
33 CFR 384	ER 1105-2-811	A-95 Clearinghouse Coordination.
33 CFR 393	ER 1105-2-921	Feasibility Reports: System of Accounts.
33 CFR 257	ER 1105-2-32	Approval of Phase I General Design Memorandum.
33 CFR 271	ER 1105-2-111	Flood Damage Prevention: Level of Protection for Urban Areas.
33 CFR 278	ER 1105-2-166	Separable Recreation Lands: Completed Lake Projects.
33 CFR 279	ER 1105-2-165	Resources Use: Establishment of Objectives.

Department of the Navy—Improving Government Regulations; Semiannual Agenda

ACTION: Semiannual agenda of regulatory information under review or development by the Navy Department as required by the DoD plan for Improving Government Regulations.

SUMMARY: The Department of the Navy published its first regulatory agenda in November 1978, and subsequent agendas thereafter, in compliance with Executive Order 12044 and the DoD plan for Improving Government Regulations. This agenda provides status of regulations that were previously reported under that Executive Order.

The Department of the Navy has no major regulations under development which meet the criteria of the new Executive Order 12291. Since Navy regulations are primarily directed toward supporting the Navy mission and its people, they do not normally impact upon the public directly.

The Navy will continue to voluntarily apply regulatory reform actions, including the agenda, to the regulatory process in compliance with Executive Order 12291.

FOR FURTHER INFORMATION CONTACT: Where a contact official is indicated, contact the specified individual. For general information contact Ms. Alcinda P. Wenberg, telephone 202–695–1921, or write to Chief of Naval Operations, OP–09B15, Department of the Navy, Washington, D.C. 20350.

Part I. Status of Regulations Previously Reviewed (Agenda Nov. 30, 1978)

Department of the Navy—*Regulatory Agenda*

[Nov. 30, 1980 through May 30, 1981]

CFR No.	Title	Status	Contact officer
32 Part 725	Disposition of cases Involving Physical Disability.	Under revision due to change in basic requirements. Will be forwarded to the Office of Federal Register by 1 September 1981*.	LCDR M. W. Kirkpatrick, NCPB, Tel: 696–4366.
32 Part 730	Administrative Discharges and Related Matters Concerning Separations from the Naval Service.	Awaiting issuance of DOD Directive, same subject. To be forwarded to the Office of Federal Register by 1 March 1981*.	Mr. Minick, NMPC, Tel: 694–3613.

Status of regulations previously under development (agenda Nov. 30, 1979)

CFR No.	Title	Status	Contact officer
32 Part 701.1	Availability to the Public of Department of the Navy Records.	Being revised to implement a DOD Regulation. Will be forwarded to the Office of Federal Register by 1 December 1981*.	Mr. Donald Carr, OPNAV, Tel: 697–2004.
32 Part 701.100	Personal Privacy and Rights of Individuals Regarding Their Personal Records.	To be forwarded to the Office of Federal Register by 1 August 1981*	Ms. Gwen Rhoads, OPNAV, Tel: 694–2004.

*Approximate completion date.

Part II. Regulations Under Development

The Department of the Navy has no major regulations under development that meet the criteria of the new Executive Order 12291.

Part III

The Department of the Navy has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to these Rules and that the provisions under subsection (b) of section 553 of title 5 of the United States Code does apply.

Department of the Air Force—Semiannual Agenda

December 1, 1980–May 30, 1981

ACTION: Publication of the Department of the Air Force sixth semiannual agenda of regulations under review.

SUMMARY: The agenda is submitted to voluntarily comply with Executive Order 12291, Federal Regulations, and contains the information formerly required by Executive Order 12044, Improving Government Regulations, and the DOD Implementation Plan. The agenda lists those regulations under review within the Department of the Air Force and the status of those regulations previously reported. These regulations are not "Major Rules" as expressed in Executive Order 12291 but are "in-house" in nature, and are listed to voluntarily comply with the Executive Order. There are no existing regulations to be reviewed as of this date; any forthcoming regulations will be listed in future agendas. The Department of the Air Force has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 do not apply to these rules and that the provisions under subsection (b) of section 553 of Title 5 of the United States Code do apply.

FOR FURTHER INFORMATION CONTACT:
Where a contact person is indicated, contact that individual. For other information concerning the agenda, contact Mrs. Carol M. Rose, telephone (202) 697–1861 or write, Department of the Air Force, AS/DASJR, Pentagon, Washington, DC 20330.

Part I—Status of Regulations Previously Reported

Department of the Air Force Semiannual Agenda

[Dec. 1, 1980–May 30, 1981]

CFR No.	Title	Status	Approximate schedule for completing action
32 CFR 803	Disposition of Personal Property	Revision in draft status	January 1982.
32 CFR 806	Air Force Freedom of Information Act Program.	First coordination completed; expected to go to editors in early June	October 1981.
32 CFR 822	Information Audiovisual (AV) Activities	Revision in draft status	Fall 1982.
32 CFR 827a	Release of Information on Accidents	Revision in draft status	Fall 1982.
32 CFR 837	Support of Nongovernment Groups	Revision in draft status	Fall 1982.
32 CFR 842	Claims Manual	Revision in draft status	May 1982.
32 CFR 865 (Subpart B)	Personnel Review Boards (AF Discharge Review Board).	Awaiting publication of DOD Directive 1332.28	Cannot estimate until DOD Directive is out.
32 CFR 892	Part-Time Career Employment	Published in the FR as proposed rule 21 March 1980 (45 FR 18405). Final manuscript being processed.	July 1981.
32 CFR 954	Acquisition of Information Concerning Persons and Organizations not Affiliated with the Department of Defense.	Revision in coordination process	Awaiting determination/interpretation of policy issues by OSD.
32 CFR 989	Environmental Impact Analysis Process	Published in the FR as proposed rule 26 July 1979 (44 FR 44119). Due to various changes, rule will go in FR again as proposed.	July 1981.
32 CFR (Part No. not assigned).	Real Property Management, Acquisition of Real Property.	Due to limited applicability to the general public, this regulation will not be published in the FR.	
32 CFR 834	Selecting Architect Firms for Professional Service by Negotiated Contracts.	Revision in coordination process	December 1981.
32 CFR 851	The United States AF Resources Protection Program.	Air Staff coordination completed; expected to go to editors by end of May	October 1981.
32 CFR 855	Use of USAF Installations by other than US DOD Aircraft.	Revision in coordination process	February 1982.
32 CFR (Part No. Not Assigned).	Environmental Impact Analysis Process (EIAP) Overseas.	Regulation in final review stages	July 1981.
32 CFR 860	Contractor's Flight Operations	Joint Regulation-services have not yet met to review need for revision—temporarily removing from the Agenda until revision gets underway.	
32 CFR 888e	Disposition of Conscientious Objectors	Revision in coordination process	November 1981.

Part II—Regulations Under Review

[Dec. 1, 1980–May 30, 1981]

CFR No.	Title	Purpose	Legal basis	Approximate schedule for completing action	Contact person
32 CFR 802	Air Force Technical Order System	Revision replaces the TO Council Charter for centralized Technical Order Management Group; clarifies job site criteria for critical tasks as nucler or conventional weapon delivery systems; redefines JNWPs management; and explains the relationship.	10 U.S.C. 8012	October 1981	Mr. W. J. Stiegmann, AF/LEYE, 697-9179.
32 CFR 890	Filling Positions	Sets basic AF policy for filling positions, and specifies the priorities and restrictions that must be observed.	5 U.S.C. 301	December 1981	Mr. Peter Sharp, AF/MPKS, 694-2579.

The Department of the Air Force has no regulations under review which would require a Regulatory Impact Analysis since the Department does not normally promulgate Major Rules under the criteria expressed in E.O. 12291.

[FR Doc. 81-16209 Filed 5-28-81; 8:45 am]

BILLING CODE 3810-70-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-3-FRL 1829-3]

State of Maryland; Proposed Revision of the Maryland State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The State of Maryland has submitted a proposed revision of its State Implementation Plan (SIP) for sulfur content limitations for fuels and sulfur content limitations for coke ovens. This revision is a result of action by the Maryland Legislature removing the authority of the Secretary of Health and Mental Hygiene to establish more restrictive standards for pollutants for which National Ambient Air Quality Standards already exist. In addition, existing regulations were required to be amended to be no more restrictive than necessary to attain and maintain ambient air quality standards, provided that there is no conflict with Federal Requirements. A previous **Federal Register** notice proposed changes to the ambient air quality standards, total suspended particulate regulations, and other changes. This notice deals with the changes to the sulfur content in fuel regulations only. The following regulations have been amended by the State and proposed to EPA for inclusion in the State Implementation Plan:

Control and Prohibition of Gas and Vapor Emissions
(COMAR 10.18.02, .03, .06, .07)
(COMAR 10.18.04, .05)

This revision was accompanied by a demonstration from the State intended to show that National Ambient Air Quality Standards for sulfur oxides will not be violated as a result of these amendments and describing the techniques used in making this demonstration.

DATE: Comments must be submitted on or before June 29, 1981.

ADDRESSES: Copies of the proposed SIP revision and the accompanying support documents are available for inspection during normal business hours at the following offices:

U.S. Environmental Protection Agency, Air Programs Branch, Curtis Building, 6th & Walnut Streets, Philadelphia, PA 19106, Attn: Patricia Sheridan.

Air Quality Programs, State of Maryland, 201 W. Preston Street, Baltimore, MD 21201, Attn: Mr. George Ferreri, Administrator.

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

All comments on the proposed revision submitted on or before 30 days from the publication of this notice will be considered and should be directed to: Mr. James E. Sydnor, Chief, DC, MD, VA Section, Air Programs Branch (3AH11), Air, Toxics and Hazardous Materials Division, U.S. Environmental Protection Agency, 6th & Walnut Streets, Philadelphia, PA 19106, Attn: AH023bMD.

FOR FURTHER INFORMATION CONTACT: Gregory Ham (3AH12), U.S. Enviromental Protection Agency, Region III, 6th & Walnut Streets, Philadelphia, PA 19106, tel. no. (215) 597-2745.

SUPPLEMENTARY INFORMATION: On October 24, 1979, Governor Harry Hughes submitted to EPA, Region III the proposed amendments to the Maryland Air Quality Control Regulations. Hearings were held on June 4, 5, and 8, 1979, and the regulations were adopted on October 9, 1979.

Description of the Regulation Changes

The Department of Health and Mental Hygiene (DHMH) has proposed amendments to Regulation .04, Control and Prohibition of Gas and Vapor Emissions in Areas I through VI. These changes are discussed in the following paragraphs.

For Areas I, II, V, and VI, Section B, Sulfur Content Limitations for Fuel, Subsection (2) has been changed to allow use of residual fuel oil with a sulfur content by weight not to exceed 2.0 percent. The previous federally approved regulation limited sulfur content to 1.0 percent.

Section D, Exceptions, Subsection (5), has been added, which sets emission standards of 1.8 lbs/mmBtu actual heat input per hour for solid fuel-burning sources, or limits sulfur content in residual oil to 1.0 percent by weight, for those sources in Area I which the Department determines would otherwise cause or exacerbate a violation of the National Ambient Air Quality Standards or Prevention of Significant Deterioration of Air Quality increments under the revised regulations. This is the level at which these sources are currently operating. The Department has indentified five sources to which this exception will apply. These sources are:

Celanese Corporation
Kelly-Springfield Tire Company
Potomac Edison Company
Fairchild Republic
Mack Trucks, Inc.

Any changes occurring in this list must be submitted to EPA as a revision to the Maryland SIP.

For Areas III and IV, the requirement in Regulation .04, Section B, Sulfur Content Limitations of Fuel, Subsection (4), that sulfur content in residual fuel be limited to 0.5 percent by weight on and after July 1, 1980, has been deleted. This allows a continuation of the existing limitations of 1 percent sulfur by weight in residual oil.

Subsection (5), Sulfur Content Limitations for Coke Ovens, has been renumbered Subsection (4) and has been changed to delete the requirement for a plant-wide average in any 2-hour period of the sulfur content by weight of coke oven gas used as fuel from coke ovens constructed before the effective date of this regulation not to exceed that permitted in residual fuel oils. This requirement was to have begun after June 30, 1983. Therefore, existing regulations remain in effect after this date.

The demonstration of air quality impacts resulting from this regulation consisted of developing concentration estimates using emission rates based on the proposed emission limitations. Because of the large area affected by this revision, several methods were used in this demonstration. The impact analyses for isolated sources were performed according to the *Guidelines for Air Quality Maintenance and Planning*, Vol. 10, Sec. 4.3. For most of the premises where more than one source was emitting, a modified CRSTER model was used. In addition, four sources had previously been modeled using the Valley model, and these results were adopted for this demonstration. Multi-source models capable of evaluating multisource interaction in urban areas were used in areas of high source density, and nearby major sources were included. One of

these models was the State's Multiple Source Dispersion Model, used for Frederick and Hagerstown. A version of EPA's model, C9M3D, was used for the Cumberland analysis. Major sources identified in the screening procedure used in this analysis as potentially causing or contributing to a violation of National Ambient Air Quality Standards or PSD increments under the revised regulations will be required to remain at emission levels required under existing regulations. Five sources are to be included in this exception for sulfur oxides. One major power plant is included in this exception. This is the only source to which the CEI evaluation criteria might apply. As this source is not included in this revision, EPA has determined that the CEI evaluation criteria does not apply to this revision. Concentrations resulting from other major sources and smaller interacting sources were estimated at levels less than those causing or exacerbating air quality standards or increments.

The modeling approach used in this demonstration has been reviewed by the Regional Office and was found to be consistent with modeling guidelines. Modeling in accordance with EPA's Modeling Guideline shows that these emission limits would not cause or contribute to a violation of the NAAQS for sulfur dioxide and would not cause significant degradation of air quality, in any other State. This emission limit, therefore, meets the requirements of Section 110(a)(2)(E) of the Clean Air Act, 42 U.S.C. 7410(a)(2)(E).

The State of Maryland submitted proof that public hearings were held in Hagerstown, Baltimore, and Salisbury, Maryland, on June 4, 5, and 8, 1979, respectively, in accordance with the requirements of 40 CFR 51.4.

Based on the foregoing, it is the tentative decision of the Administrator to approve the proposed revision of the Maryland SIP.

The public is invited to submit to the address above comments on whether the amendments of the State's regulations should be approved as a revision of the Maryland State Implementation Plan.

The Administrator's decision to approve or disapprove the proposed revision will be based on the comments received and on a determination of whether the amendment meets the requirements of Section 110(a)(2) of the Clean Air Act and 40 CFR Part 51, Requirements for Preparation, Adoption, and Submittal of State Implementation Plans.

Pursuant to the provisions of 5 U.S.C. 605(b) the Administrator has certified that SIP approvals under Sections 110 and 172 of the Clean Air Act will not have a significant economic impact on a substantial number of small entities (46 FR 8709 (January 27, 1981)). The attached rule, if promulgated, would constitute a SIP approval under Sections 110 and 172 within the terms of the January 27 certification. 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 also must judge whether a regulation is "major" and therefore subject to the requirement of a regulatory impact analysis. This rule is not "major" because it will not have an annual effect of $100 million or more or any other adverse impact on the economy. To the contrary, as noted above, this action will relieve financial burdens. Moreover, under the Clean Air Act, federal inquiry into the economic reasonableness of State SIP changes would serve no practical purpose and could well be improper.

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

(42 U.S.C. 7401–642)

Dated: March 11, 1981.

Jack Schramm,

Regional Administrator.

[FR Doc. 81-16144 Filed 5-28-81; 8:45 am]

BILLING CODE 6560-38-M

---

40 CFR Part 81

[A-6-FRL-1826-7]

Designation of Areas for Air Quality Planning Purposes; State of Texas

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: This notice proposes to reaffirm the attainment designation for ozone (O_3) for McLennan County. This proposal is necessitated by the decision of the U.S. Court of Appeals for the Fifth Circuit remanding to EPA its (EPA's) redesignation of McLennan County from nonattainment to attainment for ozone. This proposed action, if made final, will reaffirm the ozone attainment designation for McLennan County. EPA solicits public comment on the proposed reaffirmation.

DATE: Comments must be submitted within on or before June 29, 1981.

ADDRESSES: Comments should be directed to Estela S. Wackerbarth, Chief, Implementation Plan Section, Air and Hazardous Materials, Environmental Protection Agency, Region 6, Dallas, Texas 75270, (214) 767–1518.

Information pertinent to the proposed designation is available for public inspection during normal business hours at the EPA Region VI office and at the following location: Publication Information Reference Unit, Room 2404 (EPA Library), 401 M Street SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Estela Wackerbarth, Chief, Implementation Plan Section, Air and Hazardous Materials Division, Environmental Protection Agency, Region 6, Dallas, Texas 75270, (214) 767–1518.

SUPPLEMENTARY INFORMATION:

Introduction

Section 107(d)(1) of the Clean Air Act required the States to submit to the Administrator a list identifying, among other things, all air quality control regions, or portions thereof, that had not attained the National Ambient Air Quality Standards (NAAQS). Section 107(d)(2) required the Administrator to promulgate this list with such modifications as he deemed necessary. On March 3, 1978 (43 FR 9037) the Administrator promulgated designations for the State of Texas, including a nonattainment designation for ozone for McLennan County, Texas. These designations were effective immediately and public comment was solicited. On September 11, 1978 (43 FR 40412), in response to comments received, the Administrator revised certain of the original designations. The Administrator did not revise at that time the ozone nonattainment designation for McLennan County.

Pursuant to Section 107(d)(5), on April 6, 1979, the State of Texas submitted revisions to its original designation list to EPA. On October 12, 1979, (44 FR 58922), EPA proposed to revise the ozone designations for Travis and McLennan Counties from nonattainment to attainment in response to the State's request. EPA solicited public comment on this proposal. No comments were received, and by order signed April 8, 1980, EPA took final action modifying these two ozone designations to attainment (45 FR 25063, April 14, 1980).

However, on June 26, 1980, the United States Court of Appeals for the Fifth Circuit set aside the nonattainment ozone designation for McLennan County promulgated by EPA on March 3, 1978. The Court found that EPA had violated the notice and comment requirements of

the Administrative Procedure Act, 5 U.S.C. 553 (d) and (c), by failing to provide notice and opportunity to comment prior to taking final action on the original McLennan County nonattainment designation. The court also found that the revision to attainment promulgated on April 8, 1980, did not necessarily moot the controversy because, on the basis of the record before it, it could not find that a further redesignation of McLennan County to nonattainment was not imminent.

EPA believes that the ozone attainment designation promulgated on April 8, 1980, accurately reflects the most recent available ozone monitoring data for McLennan County. In addition, EPA complied with notice and comment requirements prior to promulgating this designation. Consequently, EPA believes that this April 8, 1980, designation moots the case before the Fifth Circuit. However, to satisfy the Court's remand order, EPA is today proposing to reaffirm the ozone attainment designation for McLennan County and is soliciting comments on this proposal.

Technical Basis for Designation

In February 1979, EPA relaxed the ozone NAAQS from 0.08 parts per million (ppm), maximum hourly average concentration, to 0.12 ppm (44 FR 8218, Feb. 8, 1979). EPA also promulgated a new method for determining violations of the O_3 standard. In this method, EPA averages the number of exceedances of the standard recorded at a particular monitoring site during the most recent three calendar years. As long as the average remains less than or equal to 1, the area is considered to be in compliance with the ozone standard. (See Appendix H to 40 CFR 50 (1979)). An exceedance is any monitored hourly average reading of over 0.12 ppm. If there are gaps in the daily data for a particular year or ozone season, the missing data can be estimated from existing data through the use of a mathematical formula.

To determine the status of McLennan County, EPA examined the most recent data submitted by Texas in support of its redesignation request. This data consisted of incomplete data for the calendar years 1977 and 1978.[1] EPA estimated the O_3 readings for the missing dates. For purposes of clarity in the following chart, the term "exceedance" is used to describe a daily maximum hourly average ozone measurement that is greater than the level of the standard. Therefore, the expected number of days with maximum hourly average ozone concentrations above the level of the standard may be simply stated as the "expected number of exceedances." The expected exceedances relate to accounting for incomplete sampling and the expected number is basically an arithmetic average.

Year	Highest reading (ppm)	2d highest reading (ppm)	Expected exceedances
1977	0.126	0.117	1.2
1978	120	120	0

EPA then averaged the number of exceedances for the two years to arrive at an average expected exceedance value of 0.6. Because this value is less than 1, EPA believes that McLennan County should properly be designated as attainment for ozone under the relaxed 0.12 ppm standard.

Proposed Action

EPA hereby proposes to reaffirm the ozone attainment status designation for McLennan County, Texas. EPA solicits public comment on this proposal.

EPA has determined that a thirty day comment period is sufficient because EPA has already provided an earlier thirty day comment period for consideration of these issues and this data. *See* 44 FR 58922 (October 12, 1979).

Pursuant to the provisions of 5 U.S.C. 605(b), EPA hereby certifies that the attached rule will not, if promulgated, have a significant economic impact on a substantial number of small entities. This action imposes no regulatory requirements but only reaffirms an area air quality designation. Any regulatory requirements which may become necessary as a result of this action will be dealt with in a separate action.

Under Executive Order 12291, EPA must judge whether a regulation is Major and therefore subject to the requirement of a Regulatory Impact Analysis. This regulation is not Major because it merely proposes to approve State actions. It imposes no new regulatory requirements. This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291. Any comments from OMB to EPA and any EPA response to those comments are available for public inspection at The Environmental Protection Agency, Region 6, Dallas, Texas 75270.

(Sec. 107(d), 171(2), and 301(a) of the Clean Air act, as amended, 42 U.S.C. 7407(d), 7501(2) and 7601(a))

Dated: April 8, 1981.

Frances E. Phillips,

Acting Regional Administrator.

[FR Doc. 81-16142 Filed 5-28-81; 8:45 am]

BILLING CODE 6560-38-M

[1] Texas did not supply EPA with O_3 data for 1979. Convinced that McLennan County had attained the standard, Texas relocated the McLennan County O_3 monitor to another area of the state for which additional monitoring data was needed.

40 CFR Part 434

[WH-FRL 1814-8]

Coal Mining Point Source Category, Effluent Limitations Guidelines and New Source Performance Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Changes to proposed rulemaking; notice of availability of development documents; initiation of the comment period; and corrections to the proposed regulation.

SUMMARY: On January 13, 1981, the EPA proposed regulations under the Clean Water Act to limit the discharge of effluents to waters of the United States from coal mining and preparation facilities (46 FR 3136).

Copies of the *Development Document for Proposed Effluent Limitations Guidelines, New Source Performance Standards and Pretreatment Standards for the Coal Mining Point Source Category* and *Economic Impact Analysis of Proposed Effluent Limitations Guidelines, New Source Performance Standards* and *Pretreatment Standards for the Coal Mining Point Source Category* are available from EPA on request.

One substantive change to the January 13, 1981 publication and corrections to typographical and grammatical errors are identified below.

DATE: Comments on the proposed regulation for the coal mining point source category must be submitted to the EPA by July 28, 1981.

ADDRESS: Send comments on all aspects of the proposed regulation to: Mr. William A. Telliard, Effluent Guidelines Division (WH-552), Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460. Attention: EGD Docket Clerk, Coal Mining. The supporting information and all comments on this proposal will be available for inspection and copying at the EPA Public Information Unit, Room 2922 (EPA Library). The EPA public information regulation (40 CFR Part 2) provides that a reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Technical information and copies of technical documents may be obtained from Mr. William A. Telliard at the above address, (202) 426-2724. The economic analysis documents may be

obtained from Ms. Sandra Jones, Office of Analysis and Evaluation (WH–586), Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460, (202) 426–2617.

SUPPLEMENTARY INFORMATION: On January 13, 1981, EPA proposed effluent limitations guidelines and new source performance standards under the Clean Water Act, 33 U.S.C. 1251 et seq, for the coal mining point source category, 40 CFR Part 434, 46 FR 3136. These proposed limitations contain alternate effluent limitations that apply during precipitation events. See, *e.g.*, § 434.63. Since proposal of the regulation, the Agency has reconsidered the treatment facility design volume necessary to qualify for alternate effluent limitations during precipitation events. The storm exemption language in the January 13 proposal (*e.g.*, 434.63(c)(1)) required that treatment facility design, construction, operation, and maintenance be based upon water volumes from all surface water draining into it, including waters from the undisturbed (virgin) area and inactive (reclaimed) area, in addition to the active mining area. Today's proposal modifies the basis for the design volume by excluding from consideration waters from undisturbed areas which drain into the treatment facility. The Agency has received information that significant additional capital and operating costs are incurred in sizing a treatment facility to contain drainage from undisturbed areas and that such costs are unwarranted. Furthermore, safety considerations may preclude the sizing and placement of a facility large enough to contain all surface drainage, especially in steep-slope mining areas.

The Agency proposed to retain the requirement that in order to obtain the alternate limitations for the storm exemption the treatment facility must be designed to contain water volumes from the active and reclaimed mining areas. Collected drainage from the reclaimed area is often a source of significant amounts of sediment. A pond designed to contain drainage from the active and reclaimed areas assures adequate detention time for the sedimentation process and reasonable storage capacity for the entrained sediment.

In addition, the commingling provision, which has been rewritten for purposes of clarity in the January 13, 1981 proposal, explicitly includes coverage of drainage collected from reclamation areas (*e.g.*, § 434.61). For instance, commingled drainage from reclamation areas and acidic drainage from an active mining area would be subject to effluent limitations as follows:

Dry weather	Precip. <10 yr [1]	Precip. >10 yr [1]
(Base) condition	24 hr event	24 hr event
TSS, 35 mg/l avg	SS 0.5 ml/l max	pH 6 to 9.
Fe, 3.5 mg/l avg	pH 6 to 9	
Mn, 2.0 mg/l avg		
pH, 6 to 9		

[1] Where the treatment facility is designed, constructed, operated and maintained to contain the volume of water from the 10-year, 24-hour event draining from active mining areas and reclamation areas. Otherwise, effluent limitations for dry weather conditions apply.

For the purpose of regulating a commingled discharge, limitations for settleable solids need not be imposed when TSS limitations are applicable, as in the "Dry Weather" example above.

Regulatory Flexibility Analysis and Regulatory Impact Analysis: The Regulatory Flexibility Act, 5 U.S.C. 601 et seq., requires that EPA prepare an Initial Regulatory Flexibility Analysis for all proposed regulations that have a significant impact on a substantial number of small entities.

In addition, Executive Order 12291 requires that EPA prepare a Regulatory Impact Analysis for each major rule. The Order defines a "major rule" as any regulation that is likely to result in:

- An annual effect on the economy of $100 million or more;
- A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or
- Significant adverse effects on competition, employment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

These analyses may be done in conjunction with or as a part of any other analysis conducted by the Agency.

This notice merely corrects errors in the January 13, 1981 proposed regulation and, by reducing the volume of water which a facility must contain in order to qualify for the 10-year, 24-hour storm exemption, *decreases* any burden which earlier regulation may have imposed on industry. Therefore, this notice does not have a significant impact on a substantial number of small entities and is not a major rule. Accordingly, it does not trigger the requirements for a Regulatory Flexibility Analysis or Regulatory Impact Analysis.

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

Solicitation of Comments

EPA invites and encourages public participation in this rulemaking. The Agency asks that any deficiencies in the record supporting this proposal be pointed to with specificity and that suggested revisions or corrections be supported by data or other relevant information.

For the purpose of clarity, the entire January 13, 1981 proposed regulation is being published as part of today's notice. However, a substantial portion of the BPT requirements remain unaffected by today's proposal and are not being reproposed today; accordingly, comments addressed to these requirements are not appropriate to this rulemaking. EPA solicits comments only on those portions of BPT which change the prior BPT regulation—that is, the proposals covering post-mining discharges, the revised storm provision and the inclusion of western mines.

EPA is particularly interested in receiving comments and data on the following issues:

(1) Industry and other sources are invited to submit any data from pilot or commercial scale studies of the performance of flocculant addition or granular media filtration, particularly on the effectiveness of toxic metals removal. Although the Agency has undertaken a variety of treatability studies to address these technologies, EPA is aware of the possible variation of technology performance given the diverse characteristics of raw wastewaters extant in the coal mining industry.

(2) The Agency solicits comments on its proposal to establish national regulations until bond release, and on the need for establishing national regulations for existing and new mines beyond bond release.

(3) The Agency invites comments on the revised storm exemption language, particularly the requirement that treatment facility design be based upon water volumes from active mining areas and reclamation areas but not the undisturbed or virgin areas draining into the treatment facility. The Agency is interested in receiving additional case-specific examples which demonstrate the feasibility or infeasibility of designing a treatment facility to accommodate all such waters, i.e., active, reclaimed and undisturbed, with respect to containing the water volume from a 10-year, 24-hour precipitation event. This includes site-specific information on:

- Land availability for locating and constructing such a facility;
- Size of the total drainage area involved for the treatment facility;
- Ratios (or other similar expressions) of undisturbed areas, reclamation areas, and active mining areas comprising the total drainage area;
- Wastewater treatment capital and operating cost comparisons assuming:

(1) water volumes for only the active mining area; (2) water volumes from reclamation areas and active mining areas; and (3) water volumes from the entire drainage area;

- Capital and operating costs and benefits associated with diversion ditching/diking to eliminate or minimize commingling of waters from undisturbed areas with waters from active mining areas and reclamation areas;
- Effluent reduction benefits attributable to treatment facilities sized to accommodate the entire drainage area;
- Safety Safety considerations in construction and operation of the treatment facility to contain waters from the entire drainage area;
- Local geographical and geological factors affecting the location, design, performance and operation of the treatment facility; and
- Planned life of the treatment facility for: (1) the active mining phase and (2) the reclamation phase.

In order to properly assess the economic impacts of any such case-specific examples, the Agency would appreciate receiving the following related information:

- Present drainage diversion efforts;
- Current yearly production;
- Identification of market (contract or spot);
- Estimated remaining life of the mine;
- Age of the mine;
- Total annual mine operating costs, exclusive of wastewater treatment;
- Total annual wastewater treatment costs;
- F.O.B. price per short ton of coal; and
- Number of employees at the mine.

Corrections

Referring to the preamble in the January 13, 1981 **Federal Register** Notice (46 FR 3136):

1. Page 3139, column 2, line 63, "regional state" is corrected to read "regional and state".
2. Page 3140, column 1, line 20, "miles" is corrected to read "mines".
3. Page 3140, column 1, line 46, "will continue" is corrected to read "continued".
4. Page 3140, column 1, line 53, "estblish" is corrected to read "establish".
5. Page 3149, column 1, line 32, "prtovision" is corrected to read "provision".

Numerous typographical errors appeared in the regulation section of the January 13, 1981 publication. Most notably, the concentration units in the effluent limitations tables were incorrect. Additionally, a grammatical error in § 434.63, paragraph (c)(2) resulted in an incorrect reference to effluent limitations. These and numerous other typographical errors are corrected in the regulation appearing below.

Dated: May 20, 1981.

Walter C. Barber,

Acting Administrator.

It is hereby proposed to revise Part 434 of Title 40 as follows:

PART 434—COAL MINING POINT SOURCE CATEGORY, BPT, BAT, BCT LIMITATIONS AND NEW SOURCE PERFORMANCE STANDARDS

Subpart A—General Provisions

Sec.

434.10 Applicability.
434.11 General Definitions.

Subpart B—Coal Preparation Plants and Coal Preparation Plant-Associated Areas

434.20 Applicability.
434.21 [Reserved]
434.22 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available [BPT].
434.23 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable [BAT].
434.24 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology [BCT].
434.25 New Source Performance Standards [NSPS].

Subpart C—Acid or Ferruginous Mine Drainage

434.30 Applicability; description of the acid or ferruginous mine drainage subcategory.
434.31 [Reserved]
434.32 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT).
434.33 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).
434.34 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).
434.35 New Source Performance Standards (NSPS).

Subpart D—Alkaline Mine Drainage

434.40 Applicability; description of the alkaline mine drainage subcategory.
434.41 [Reserved]

Sec.

434.42 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT).
434.43 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).
434.44 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).
434.45 New Source Performance Standards [NSPS].

Subpart E—Post-Mining Areas

434.50 Applicability.
434.51 [Reserved]
434.52 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT).
434.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).
434.54 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).
434.55 New Source Performance Standards (NSPS).

Subpart F—Miscellaneous Provisions

434.60 Applicability.
434.61 Commingling of Waste Streams.
434.62 Alternate Effluent Limitations for pH.
434.63 Effluent Limitations During Precipation Events.
Appendix—Determination of Settleable Solids.

Authority: Sections 301, 304(b), (c), (e), and (g), 306(b) and (c), 307(b) and (c), and 501 of the Clean Water Act (the Federal Water Pollution Control Act Amendments of 1972, as amended by the Clean Water Act of 1977), (the "Act"); 33 U.S.C. 1311, 1314(b), (c), (e), and (g), 1316(b) and (c), 1317(b) and (c), and 1361; 86 Stat. 816, Pub. L. 92–500; 91 Stat. 1567, Pub. L. 95–217.

Subpart A—General Provisions

§ 434.10 Applicability.

This part applies to discharges from any coal mine at which the extraction of coal is taking place or is planned to be undertaken.

§ 434.11 General definitions.

(a) The term "acid or ferruginous mine drainage" means mine drainage which, before any treatment, either has a pH of less than 6.0 or a total iron concentration equal to or more then 10 mg/l.

(b) The term "active mining area" means the areas, on and beneath land,

used or disturbed in activity related to the extraction, removal, or recovery of coal from its natural deposits. This term excludes coal preparation plants, coal preparation plant-associated areas and post-mining areas.

(c) The term "alkaline mine drainage" means mine drainage which, before any treatment, has a pH equal to or more than 6.0 and a total iron concentration of less than 10 mg/l.

(d) The term "bond release" means the time at which the appropriate regulatory authority returns a reclamation or performance bond based upon its determination that reclamation work (including, in the case of underground mines, mine sealing and abandonment procedures) has been satisfactorily completed.

(e) The term "coal preparation plant" means a facility where coal is crushed, screened, sized, cleaned, dried, or otherwise prepared and loaded for transit to a consuming facility.

(f) The term "coal preparation plant—associated areas" means the coal preparation plant yards, immediate access roads, coal refuse piles, and coal storage piles and facilities.

(g) The term "coal preparation plant water circuit" means all pipes, channels, basins, tanks, and all other structures and equipment that convey, contain, treat, or process any water that is used in coal preparation processes within a coal preparation plant.

(h) The term "mine drainage" means any drainage, and any water pumped or siphoned, from an active mining area or a post-mining area.

(i) The abbreviation "ml/l" means milliliters per liter.

(j) The term "new source coal mine" means a coal mine (excluding coal preparation plants and coal preparation plant-associated areas):

(1) The construction of which is commenced after May 29, 1981; or

(2) Which is determined by the EPA Regional Administrator to constitute a "major alteration." In making this determination, the Regional Administrator shall take into account the occurrence of one or more of the following events, in connection with the mine for which the NPDES permit is being considered, after the date of proposal of applicable new source performance standards:

(i) A mine operation initiates extraction of a coal seam not previously extracted by that mine;

(ii) A mine operation discharges into a drainage area not previously affected by wastewater discharges from the mine;

(iii) A mine operation causes extensive new surface disruption;

(iv) A mine operation initiates construction of a new shaft, slope, or drift;

(v) A mine operation acquires additional land or mineral rights;

(vi) A mine operation makes significant capital investment in additional equipment or additional facilities; and

(vii) Such other factors as the Regional Administrator deems relevant.

(k) The term "post-mining area" means: (1) a reclamation area or (2) the underground workings of an underground coal mine after the extraction, removal, or recovery of coal from its natural deposit has ceased and prior to bond release.

(l) The term "reclamation area" means the surface area of a coal mine which has been returned to required contour and on which revegetation (specifically, seeding or planting) work has commenced.

(m) The term "settleable solids" is that matter measured by the volumetric method specified in the Appendix.

(n) The term "10-year, 24-hour precipitation event" means the maximum 24-hour precipitation event with a probable recurrence interval of once in ten years as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U.S.," May 1961, or equivalent regional or rainfall probability information developed therefrom.

(o) The terms "treatment facility" and "treatment system" mean all stuctures which contain, convey, and as necessary, chemically treat coal mine drainage, coal preparation plant process wastewater, or drainage from coal preparation plant associated areas, which remove pollutants regulated by this Part from such waters. This includes all pipes, channels, ponds, basins, tanks and all other equipment serving such structures.

Subpart B—Coal Preparation Plants and Coal Preparation Plant-Associated Areas

§ 434.20 Applicability.

The provisions of this Subpart are applicable to discharges from coal preparation plants and coal preparation plant-associated areas, as indicated, including discharges which are pumped, siphoned, or drained from the coal preparation plant water circuit and coal storage, refuse storage, and ancillary areas related to the cleaning or beneficiation of coal of any rank including, but not limited to, bituminous, lignite, and anthracite.

§ 434.21 [Reserved]

§ 434.22 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT).

(a) Except as provided in 40 CFR 125.30–125.32, and sections 434.61, 434.62 and 434.63 of this Part 434, the following limitations establish the concentration or quality of pollutants which may be discharged by any existing coal preparation plant and coal preparation plant-associated areas subject to the provisions of this Subpart after application of the best practicable control technology currently available if discharges from such point sources normally exhibit a pH of less than 6.0 prior to treatment:

BPT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
Iron, total	7.0	3.5
Manganese, total	4.0	2.0
TSS	70	35
pH—Within the range of 6.0 to 9.0 at all times.		

(b) Except as provided in 40 CFR 125.30–125.32, and §§ 434.61 and 434.63 of this Part 434, the following limitations establish the concentration or quality of pollutants which may be discharged by any existing coal preparation plant and coal preparation plant-associated areas subject to the provisions of the subpart after application of the best practicable control technology currently available if discharges from such point sources normally exhibit a pH equal to or greater than 6.0 prior to treatment:

BPT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
Iron, total	7.0	3.5
TSS	70	35
pH—Within the range of 6.0 to 9.0 at all times.		

§ 434.23 Effluent limitations guidelines representing the degree of effluent reduction attainable by the appliction of the best available technology economically achievable (BAT).

(a) Except as provided in 40 CFR 125.30–125.32, and §§ 434.61, 434.62 and 434.63 of this Part 434, the following

limitations establish the concentration or quality of pollutants which may be discharged by any existing coal preparation plant and coal preparation plant-associated areas subject to the provisions of the Subpart after application of the best available technology economically achievable if discharges from such point sources normally exhibit a pH of less than 6.0 prior to treatment:

BAT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
Iron, total	7.0	3.5
Manganese, total	4.0	2.0

(b) Except as provided in 40 CFR 125.30–125.32, and §§ 434.61 and 434.63 of this Part 434, the following limitations establish the concentration or quality of pollutants which may be discharged by any existing coal preparation plant and coal preparation plant-associated areas subject to the provisions of this Subpart after application of the best available technology economically achievable if discharges from such point sources normally exhibit a pH equal to or greater than 6.0 prior to treatment:

BAT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
Iron, total	7.0	3.5

§ 434.24 Effluent limitations guidelines representing the degee of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30–125.32, and §§434.61, 434.62 (in the case of discharges normally exhibiting a pH of less than 6.0 prior to treatment) and 434.63, the following limitations establish the concentration or quality of pollutants which may be discharged by any existing coal preparation plant and coal preparation plant-associated areas subject to the provisions of this Subpart after application of the best conventional pollutant control technology (BCT):

BCT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
TSS	70.0	35.0
pH—Within the range 6.0 to 9.0 at all times.		

§ 434.25 New Source Performance Standards (NSPS).

The following new source performance standards (NSPS) shall be achieved by any new source coal preparation plant and coal preparation plant-associated areas, as indicated:

(a) For new source coal preparation plants, there shall be no discharge of process wastewater pollutants from the coal preparation plant water circuit to surface waters.

(b) Except as provided in sections 434.61, 434.62 and 434.63 of this Part 434, the following new source performance standards shall apply for discharges from new source coal preparation plant-associated areas:

NSPS Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
Iron, total	7.0	3.5
Manganese	4.0	2.0
TSS	70.	35.
pH—Within the range 6.0 to 9.0 at all times.		

Subpart C—Acid or Ferruginous Mine Drainage

§ 434.30 Applicability; description of the acid or ferruginous mine drainage subcategory.

The provisions of this subpaart are applicable to acid or ferruginous mine drainage from an active mining area resulting from the mining of coal of any rank including, but not limited to, bituminous, lignite, and anthracite.

§ 434.31 [Reserved]

§ 434.32 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT).

Except as provided in 40 CFR 125.30–125.32, and §§ 434.61, 434.62 and, with respect to mine drainage from surface areas of a coal mine but not drainage from the underground workings of underground mines, § 434.63 of this Part 434, the following limitations establish the concentration or quality of pollutants which may be discharged by a point source subject to the provisions of this Subpart after application of the best practicable control technology currently available:

BPT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
Iron, total	7.0	3.5
Manganese	4.0	2.0
TSS	70.	35.
pH—Within the range 6.0 to 9.0 at all times.		

§ 434.33 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30–125.32, and §§ 434.61, 434.62 and, with respect to mine drainage from surface areas of a coal mine but not drainage from the underground workings of underground mines, § 434.63 of this Part 434, the following limitations establish the concentration or quality of pollutants which may be discharged by a point source subject to the provisions of this Subpart after application of the best available technology economically achievable:

BAT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
Iron, total	7.0	3.5
Manganese, total	4.0	2.0

§ 434.34 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30–125.32, and §§ 434.61 434.62 and, with respect to mine drainage from surface areas of a coal mine but not drainage from the underground workings of underground mines, § 434.63 of this Part 434, the following limitations establish the concentration or quality of pollutants which may be discharged by

a point source subject to the provisions of this Subpart after application of the best conventional pollutant control technology (BCT):

BCT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/1	
TSS	70.0	35.0
pH—Within the range 6.0 to 9.0 at all times.		

§ 434.35 New Source Performance Standards (NSPS).

Except as provided in §§ 434.61, 434.62 and, with respect to mine drainage from surface areas of a coal mine but not drainage from the underground workings of underground mines, § 434.63 of this Part 434, the following new source performance standards shall be achieved for any discharge from a new source subject to this Subpart:

NSPS Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/1	
Iron, total	7.0	3.5
Manganese, total	4.0	2.0
TSS	70.	35.
pH—Within the range 6.0 to 9.0 at all times.		

Subpart D—Alkaline Mine Drainage

§ 434.40 Applicability; description of the alkaline mine drainage subcategory.

The provisions of the Subpart are applicable to alkaline mine drainage from an active mining area resulting from the mining of coal of any rank including, but not limited to, bituminous, lignite, and anthracite.

§ 434.41 [Reserved]

§ 434.42 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT).

Except as provided in 40 CFR 125.30–125.32, § 434.61 and, with respect to mine drainage from surface areas of a coal mine but not drainage from the underground workings of underground mines, § 434.63 of this Part 434, the following limitations establish the concentration or quality of pollutants which may be discharged by a point source subject to the provisions of this Subpart after application of the best practicable control technology currently available:

BPT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/1	
Iron, total	7.0	3.5
TSS	70.	35.
pH—Within the range 6.0 to 9.0 at all times.		

§ 434.43 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30–125.32, § 434.61 and, with respect to mine drainage from surface areas of a coal mine but not drainage from the underground workings of underground mines, § 434.63 of this Part 434, the following limitations establish the concentration or quality of pollutants which may be discharged by a point source subject to the provisions of this Subpart after application of the best available technology economically achievable:

BAT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
Iron, total	7.0	3.5

§ 434.44 Effluent limitatios guidelines representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).

Except as provided in 40 CFR 125.30–125.32, § 434.61 and, with respect to mine drainage from surface areas of a coal mine but not drainage from the underground workings of underground mines, § 434.63 of this Part 434, the following limitations establish the concentration or quality of pollutants which may be discharged by a point source subject to the provisions of this Subpart after application of the best conventional pollutant control technology (BCT):

BCT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/1	
TSS	70.0	35.0
pH—Within the range 6.0 to 9.0 at all times.		

§ 434.45 New Source Performance Standards (NSPS).

Except as provided in § 434.61 and, with respect to mine drainage from surface areas of a coal mine but not drainage from the underground workings of underground mines, § 434.63 of this Part 434, the following new source performance standards shall be achieved for any discharge from a new source subject to this Subpart:

NSPS Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
Iron, total	7.0	3.5
TSS	70.	35.
pH—Within the range 6.0 to 9.0 at all times.		

Subpart E—Post-Mining Areas.

§ 434.50 Applicability.

The provisions of this subpart are applicable to discharges from post-mining areas.

§ 434.51 [Reserved]

§ 434.52 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT).

(a) Reclamation Areas

The limitations in this subsection apply to discharges from reclamation areas until bond release.

(1) Except as provided in 40 CFR 125.30–125.32, and § 434.61 of this Part 434, the following limitations establish the concentration or quality of pollutants which may be discharged by a point source subject to the provisions of this subsection after application of the best practicable control technology currently available:

BPT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Settleable solids	0.5 ml/l	
pH—Within the range 6.0 to 9.0 at all times.		

(2)(i) Any overflow, increase in volume of a discharge or discharge from a bypass system caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations instead of the limitations set forth in paragraph (a)(1) of this section:

BPT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
pH—Within the range 6.0 to 9.0 at all times.		

(ii) The alternate limitations provided in paragraph (a)(2)(i) of this section shall apply only if:

(A) The treatment facility is designed, constructed, operated and maintained to contain the volume of water which would drain into the treatment facility from active mining areas and reclamation areas during a 10-year, 24-hour or larger precipitation event (or snowmelt of equivalent volume);

(B) The treatment facility is designed, constructed, operated and maintained to achieve the effluent limitations set forth in paragraph (a)(1) of this section at all times except during precipitation events greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume); and

(C) The pH in the final effluent remains in the range of 6.0 to 9.0 during the precipitation event (or snowmelt).

The operator shall have the burden of proof that the preceding conditions have been met in order to qualify for the alternate limitations in paragraph (a)(2)(i) of this section.

(b) Underground Mine Drainage.

The limitations in this subsection apply to discharges from the underground workings of underground mines until bond release.

(1) Except as provided in 40 CFR 125.30–125.32, and §§ 434.61 and 434.62 of this Part 434, the following limitations establish the concentration or quality of pollutants in acid or ferruginous mine drainage subject to the provisions of this subsection after application of the best practicable control technology currently available:

BPT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
Iron, total	7.0	3.5
Manganese, total	4.0	2.0
TSS	70.	35.
pH—Within the range 6.0 to 9.0 at all times.		

(2) Except as provided in 40 CFR 125.30–125.32, and § 434.61 of this Part 434, the following limitations establish the concentration or quality of pollutants in alkaline mine drainage subject to the provisions of this subsection after application of the best practicable control technology currently available:

BPT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
Iron, total	7.0	3.5
TSS	70.	35.
pH—Within the range 6.0 to 9.0 at all times.		

§ 434.53 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

(a) Reclamation Areas.

The limitations of this subsection apply to discharges from reclamation areas until bond release.

(1) Except as provided in 40 CFR 125.30–125.32, and § 434.61 of this Part 434, the following limitations establish the concentration or quality of pollutants which may be discharged by a point source subject to the provisions of this subsection after application of the best available technology economically achievable:

BAT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Settleable solids	0.5 ml/l	
pH—Within the range 6.0 to 9.0 at all times.		

(2)(i). Any overflow, increase in volume of a discharge or discharge from a bypass system caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations instead of the limitations set forth in paragraph (a)(1) of this section:

BAT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
pH—Within the range 6.0 to 9.0 at all times.		

(ii) The alternate limitations provided in paragraph (a)(2)(i) of this section shall apply only if:

(A) The treatment facility is designed, constructed, operated and maintained to contain the volume of water which would drain into the treatment facility from active mining areas and reclamation areas during a 10-year, 24-hour or larger precipitation event (or snowmelt of equivalent volume);

(B) The treatment facility is designed, constructed, operated and maintained to achieve the effluent limitations set forth in paragraph (a)(1) of this section at all times except during precipitation events greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume); and

(C) The pH in the final effluent remains in the range of 6.0 to 9.0 during the precipitation event (or snowmelt).

The operator shall have the burden of proof that the preceding conditions have been met in order to qualify for the alternate limitations in paragraph (a)(2)(i) of this section.

(b) Underground Mine Drainage

The limitations in this subsection apply to discharges from the underground workings of underground mines until bond release.

(1) Except as provided in 40 CFR 125.30–125.32, and §§ 434.61 and 434.62 of this Part 434, the following limitations establish the concentration or quality of pollutants in acid or ferruginous mine drainage subject to the provisions of this subsection after application of the best available technology economically achievable:

BAT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
Iron, total	7.0	3.5
Manganese, total	4.0	2.0

(2) Except as provided in 40 CFR 125.30–125.32, and § 434.61 of this Part 434, the following limitations establish the concentration or quality of

pollutants in alkaline mine drainage subject to the provisions of this subsection after application of the best available technology economically achievable:

BAT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
Iron, total	7.0	3.5

§ 434.54 effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best conventional pollutant control technology (BCT).

(a) Reclamation Areas. The limitations of this subsection apply to discharges from reclamation areas through bond release. Except as provided in 40 CFR 125.30–125.32 and § 434.61 of the Part 434, the following limitations establish the concentration or quality of pollutants which may be discharged by a point source subject to the provisions of this subsection after application of the best conventional pollutant control technology (BCT):

BCT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
pH—Within the range 6.0 to 9.0 at all times.		

(b) Underground Mine Drainage. The limitations of this subsection apply to discharges from the underground workings of underground mines until bond release. Except as provided in 40 CFR 125.30–125.32, and §§ 434.61 and 434.62 of this Part 434, the following limitations establish the concentration or quality of pollutants which may be discharged by a point source subject to the provisions of this subsection after application of the best conventional pollutant control technology:

BCT Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
TSS	70.0	35.0
pH—Within the range 6.0 to 9.0 at all times.		

§ 434.55 New Source Performance Standards (NSPS).

The following new source performance standards shall apply to the post-mining areas of all new source coal mines:

(a) *Reclamation Areas.* The standards of this subsection apply to discharges from reclamation areas at new source coal mines until bond release. (1) Except as provided in § 434.61 of this Part 434, the following new source performance standards shall be achieved for a discharge subject to the provisions of this subsection:

NSPS Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Settleable solids	0.5 ml/l	
pH—Within the range 6.0 to 9.0 at all times.		

(2)(i). Any overflow, increase in volume of a discharge or discharge from a bypass system caused by precipitation within a 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations instead of the limitations set forth in paragraph (a)(1) of this section:

NSPS Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
pH—Within the range 6.0 to 9.0 at all times.		

(ii) The alternate limitations provided in paragraph (a)(2)(i) of this section shall apply only if:

(A) The treatment facility is designed, constructed, operated and maintained to contain the volume of water which would drain into the treatment facility from active mining areas and reclamation areas during a 10-year, 24-hour or larger precipitation event (or snowmelt of equivalent volume);

(B) The treatment facility is designed, constructed, operated and maintained to achieve the effluent limitations set forth in paragraph (a)(1) of this section at all times except during precipitation events greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume); and

(C) The pH in the final effluent remains in the range of 6.0 to 9.0 during the precipitation event (or snowmelt).

The operator shall have the burden of proof that the preceding conditions have been met in order to qualify for the alternate limitations in paragraph (a)(2)(i) of this section.

(b) *Underground Mine Drainage.* The standards in this subsection apply to discharges from the underground workings of new source underground mines until bond release.

(1) Except as provided in §§ 434.61 and 434.62 of this Part 434, the following new source performance standards shall be achieved for the discharge of any acid or ferruginous mine drainage subject to this subsection:

NSPS Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
Iron, total	7.0	3.5
Manganese, total	4.0	2.0
TSS	70.	35.
pH—Within the range 6.0 to 9.0 at all times.		

(2) Except as provided in § 434.61 of this Part 434, the following new source performance standards shall be achieved for the discharge of any alkaline mine drainage subject to this subsection:

NSPS Effluent Limitations

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
	Concentration in mg/l	
Iron, total	7.0	3.5
TSS	70.	35.
pH—Within the range 6.0 to 9.0 at all times.		

Subpart F—Miscellaneous Provisions

§ 434.60 Applicability.

The provisions of this Subpart F apply to this Part 434 as specified in Subparts B, C, D and E.

§ 434.61 Commingling of Waste Streams.

Where waste streams from any facility covered by this Part are combined for treatment or discharge with waste streams from another facility, the concentration of each pollutant in the combined discharge may not exceed the most stringent limitations for the pollutant applicable to any component waste stream of the discharge.

§ 434.62 Alternate Effluent Limitation for pH.

Where the application of

neutralization and sedimentation treatment technology results in inability to comply with the otherwise applicable manganese limitations, the permit issuer may allow the pH level in the final effluent to exceed 9.0 to a small extent in order that the manganese limitations can be achieved.

§ 434.63 Effluent Limitations During Precipitation Events.

(a) Any overflow, increase in volume of a discharge or discharge from a bypass system caused by precipitation within any 24-hour period less than or equal to the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations instead of the otherwise applicable limitations:

Effluent Limitations During Precipitation

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
Settleable solids	0.5 ml/l	
pH—Within the range of 6.0 to 9.0 at all times.		

(b) Any overflow, increase in volume of a discharge or discharge from a bypass system caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations instead of the otherwise applicable limitations:

Effluent Limitations During Precipitation

Pollutant or pollutant property	Maximum for any 1 day	Average of daily values for 30 consecutive days
pH—Within the range of 6.0 to 9.0 at all times.		

(c) The alternate limitations provided in paragraphs (a) and (b) of this section shall apply only if:

(1) The treatment facility is designed, constructed, operated and maintained to contain at a minimum the volume of water which would drain into the treatment facility from active mining areas and reclamation areas during the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume);

(2) The treatment facility is designed, constructed, operated and maintained to consistently achieve the effluent limitations set forth in § 434.22 (a), § 434.22 (b), § 434.23 (a), § 434.23 (b), § 434.24 (a), § 434.25 (b), § 434.32 (a), § 434.33 (a), § 434.34 (a), § 434.35 (a), § 434.42 (a), § 434.43 (a), § 434.44 (a), or § 434.45 (a) of this Part during periods of no precipitation (or snowmelt); and

(3) The pH in the final effluent remains in the range of 6.0 to 9.0 during the precipitation event (or snowmelt).

The operator shall have the burden of proof that the preceding conditions have been met in order to qualify for the alternate limitations in paragraphs (a) and (b) of this section:

Appendix—Determination of Settleable Solids

The following procedure is used to determine settleable solids:

Fill an Imhoff cone to the one-liter mark with a thoroughly mixed sample. Allow to settle undisturbed for 45 minutes. Gently stir along the inside surface of the cone with a stirring rod. Allow to settle undisturbed for 15 minutes longer. Record the volume of settled material in the cone as milliliters per liter. Where a separation of settleable and floating materials occurs, do not include the floating material in the reading.

[FR Doc. 81-16053 Filed 5-28-81; 8:45 am]

BILLING CODE 6560-29-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Parts 13 and 21

Deletion of the Permit Requirement To Import or Export Migratory Birds

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed Rule.

SUMMARY: The Service would amend 50 CFR Part 21, which is promulgated under authority of the Migratory Bird Treaty Act, to delete the import and export permit requirement found at 50 CFR 21.21. Importers and exporters of lawfully possessed migratory birds, including parts and products, would no longer be required to obtain a permit from the Service, but still would have to comply with other applicable provisions of State and Federal law. The import and export permit requirement was established in 1961, before a number of statutes were enacted which collectively restrict or prohibit the importation or exportation of most migratory birds. Also, the possession of migratory birds is now highly regulated. The combined effect on migratory birds of the other import and export controls and the Service's own enforcement of the possession prohibitions enables the Service to maintain effective enforcement of the Migratory Bird Treaty Act without the import and export permit requirement.

DATES: Comments on the proposed rule must be received on or before June 29, 1981.

ADDRESSES: The policy of the Department of the Interior is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed regulations. Comments may be mailed to Director (LE), Fish and wildlife Service, P.O. Box 28006, Washington, D.C. 20005, or delivered weekdays to the Division of Law Enforcement, Fish and Wildlife Service, 3rd Floor, 1375 K Street, N.W., Washington, D.C. 20005, between 7:45 a.m. and 4:15 p.m. Comments should bear the identifying notation REG 21-02-12. All materials received may also be inspected weekdays during normal business hours at the Service's Division of Law Enforcement, 3rd Floor, 1375 K Street, N.W., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: John T. Webb, Branch of Investigations, Division of Law Enforcement, Fish and Wildlife Service, U.S. Department of the Interior, P.O. Box 28006, Washington, D.C. 20005, telephone: (202) 343-9242.

SUPPLEMENTARY INFORMATION:

Background

Among the various wildlife laws enforced by the Service is the Migratory Bird Treaty Act, 16 U.S.C. 703-712. The purpose of the Migratory Bird Treaty Act (hereinafter "MBTA") is to implement four bilateral treaties which the United States has signed with Canada, Mexico, Japan, and the Soviet Union for the conservation of migratory birds. Section 2 of the MBTA (16 U.S.C. 703) lists the comprehensive prohibitions developed to implement those treaties, and reads in part as follows:

Unless and except as permitted by regulations made as hereinafter provided in this subchapter, *it shall be unlawful at any time, by any means or in any manner, to* pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, *import*, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, *or export any migratory bird*, any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof * * * [Emphasis added.]

In response to these prohibitions, Federal regulations have been promulgated to authorize activities with migratory birds which otherwise are prohibited. These regulations now appear in 50 CFR Parts 20 and 21, and initially were published under the authority of 16 U.S.C. 704, but now are also published under the authority of 16 U.S.C. 712. These regulations authorize a number of activities without a Service permit, such as migratory game bird hunting. However, since 1918 a permit has been required to import or export all but a few migratory birds which are not killed while hunting. Until 1961 authority to import or export migratory birds was routinely authorized by standard form permits issued for propagating and scientific collecting. A separate permit to import or export migratory birds distinct from the other standard form permits was not created until November 29, 1961 (26 FR 11247). This import and export permit requirement is now found at 50 CFR 21.21. The other standard form permits found in 50 CFR Part 21 no longer routinely authorize import and export of migratory birds.

Need for the Amendment

Rules appearing at 50 CFR Part 21 now require a Service permit issued under 50 CFR 21.21 to import or export lawfully possessed migratory birds. The term "migratory bird" is broadly defined by 50 CFR 10.12 as follows:

> "Migratory bird" means any bird, whatever its origin and whether or not raised in captivity, which belongs to a species listed in 10.13, or which is a mutation or a hybrid of any such species, including any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof.

This permit requirement, which is not mandated by the MBTA, would be eliminated in favor of other existing controls which regulate the importation or exportation of certain species of migratory birds. For instance, Service regulations promulgated under authority of the Endangered Species Act of 1973 (50 CFR Part 17), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (50 CFR Part 23), and the Eagle Protection Act (50 CFR Part 22) would continue to restrict or prohibit the importation or exportation of particular species of migratory birds. Further, Department of Agriculture regulations (9 CFR Parts 92 and 94) would continue to regulate the importation of live poultry (which includes some migratory birds) and other live birds (which includes the remaining migratory birds), and the importation of the carcasses, parts, products, and eggs of poultry, game birds, and other birds. Finally, the Tariff Classification Act of 1962 (16 U.S.C. 1202) would continue to prohibit the importation of most migratory bird feathers and skins.

The Service's enforcement effort under the MBTA would also remain effective. It now concentrates upon the taking, possession, and commercial use of migratory birds, and not upon their importation or exportation. Of these, reliance upon the Service's regulation of possession would be an effective substitute for the import/export permit. Generally, a valid permit is required to lawfully possess a migratory bird. Exceptions to this requirement include the possession of: (1) migratory game birds taken while hunting, (2) migratory birds lawfully acquired prior to the effective date of Federal protection under the Migratory Bird Treaty Act, and (3) captive-reared and properly marked mallard ducks and other migratory waterfowl. While no figures are available on the number of possession permits outstanding, during 1980 only 92 import or export permits were issued under 50 CFR 21.21. Even some of these permits were joint permits issued under the authority of both the MBTA and the Convention on International Trade in Endangered Species of Wild Fauna and Flora. Because there is now little enforcement value to the migratory bird import/export permit, this requirement has been identified by the Department as excessive, unnecessary, and burdensome.

Description of the Proposed Rule

Where necessary the Service would amend 50 CFR Part 21 to allow the importation or exportation of lawfully possessed migratory birds (as defined by 50 CFR 10.12) without an import or export permit issued by the Service under 50 CFR 21.21. This action would not affect the other prohibitions applicable to migratory birds. Therefore, in most instances a permit is still required to lawfully possess any migratory bird. Also, it would not affect the restrictions, conditions, or requirements placed by 50 CFR Part 20 on the importation or exportation of migratory game birds taken while hunting.

Determinations of Effects

Executive Order 12291 "Federal Regulation"—Is this a "major" rule?

This action would have no economic effect and no expected increases in costs or prices for consumers, individual industries, Federal, State, or local governments, agencies, or geographic regions. The commercial use of migratory birds is severely limited by regulations promulgated under the Migratory Bird Treaty Act (50 CFR Parts 20 and 21). Restricted commercial uses are authorized only for the feathers of migratory waterfowl killed by hunting and for captive-reared, properly marked mallard ducks and other migratory waterfowl. As noted above, the importation of most migratory bird feathers would remain prohibited by the Tariff Classification Act of 1962. However, lawfully possessed feathers could be exported without a migratory bird export permit. Waterfowl propagators could import or export properly marked waterfowl, whether alive or dead, without a migratory bird import or export permit, thereby eliminating some previous restrictions.

Also, this action would have no adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in export markets that were previously closed because of export prohibitions. However, restriction on the lawful possession of migratory birds will not make the converse true. Foreign-based enterprises would be given no edge in domestic markets by eliminating the import permit requirement.

Therefore, in accordance with Executive Order 12291, the Department of the Interior has determined that the proposed rule described above is not major.

Regulatory Flexibility Act and 43 CFR Part 14—Will this rule have a significant economic effect on a substantial number of small entities?

The small entities likely to be affected by the deletion of the import/export permit requirement are waterfowl propagators, migratory bird researchers, and falconers. These are the same small entities who have obtained import/export permits. During 1980, 92 permits were issued as follows: approximately 65 to waterfowl propagators, approximately 18 to migratory bird researchers, and approximately 9 to falconers. However, the percentage of each group of small entities affected is very low. There are approximately 5,000 waterfowl propagators and between 2,000 and 3,000 falconers in the United States. No figures are available on the number of migratory bird researchers. Except for waterfowl propagators the economic effect of this action would be incidental, because the migratory birds are not possessed for commercial activity. For waterfowl propagators this action would eliminate existing

administrative burdens for a small number of them in those instances where current rules prohibit the importation or exportation of captive-bred migratory waterfowl without a permit. Even for waterfowl propagators the economic effect is minimal. Most of the waterfowl propagators are hobbyists and only a small percentage of the migratory waterfowl possessed by them are for commercial purposes. Because of the very limited lawful commercial uses of migratory birds and the few small entities affected by this action, in accordance with the Regulatory Flexibility Act and 43 CFR Part 14, the Department of the Interior has certified that the proposed rule described above will not have a significant economic effect on a substantial number of small entities.

National Environmental Policy Act

A draft environmental assessment has been prepared in conjunction with this proposal. It is on file in the Service's Division of Law Enforcement 1375 K Street, N.W., Suite 300, Washington, D.C. 20005, and may be examined during regular business hours. Single copies also are available upon request. Comments on the draft environmental assessment should be mailed or delivered to the address given at the beginning of this proposal during the comment period on the proposed rule.

Public Comments Invited

As noted above, the policy of the Department of the Interior is, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Interested persons are invited to submit written comments regarding the proposed rule or the draft environmental assessment. These comments and any additional information received will be considered by the Departement in adopting a final rule. Correspondence should be mailed or delivered to the address given at the beginning of this proposal.

The primary author of this proposed rule is John T. Webb, Division of Law Enforcement, U.S. Fish and Wildlife Service.

Regulation Promulgation

For the reason set out in the preamble, Subchapter B, Chapter I of Title 50, *Code of Federal Regulations* is proposed to be amended as follows:

PART 13—GENERAL PERMIT PROCEDURES

1. The authority citation for Part 13 reads as follows:

Authority: Lacey Act, 62 Stat. 687, as amended, 63 Stat. 89, 74 Stat. 753, and 83 Stat. 281 (187 U.S.C. 42–44); Black Bass Act, sec. 5, 44 Stat. 576, as amended, 46 Stat. 846 (16 U.S.C. 852c); Migratory Bird Treaty Act, sec. 3, 40 Stat. 755 (16 U.S.C. 704); Bald Eagle Protection Act, sec. 2, 54 Stat. 251 (16 U.S.C. 668a); Tariff Classification Act of 1962, 19 U.S.C. 1202, "Schedule 1, Part 15D, Headnote 2(d), Tariff Schedules of the United States," 76 Stat. 72, Endangered Species Act of 1973, section 11(f), 87 Stat. 884; Fish and Wildlife Act of 1956, sec. 13(d), 86 Stat. 905 amending 85 Stat. 480 (16 U.S.C. 742j–1); Marine Mammal Protection Act of 1972, sec. 112(a), 88 Stat. 1042 (16 U.S.C. 1382); Act of August 31, 1951, Ch. 376, Title 5, section 501, 65 Stat. 290 (31 U.S.C. 483a).

§ 13.12 [Amended]

2. Amend § 13.12(b) by removing the entry "Import or export . . . 21.21" under Migratory bird permits on the list of types of permits.

PART 21—MIGRATORY BIRD PERMITS

3. Revise the authority citation for Part 21 to read as follows:

Authority: Migratory Bird Treaty Act, Sec. 3, Pub. L. 65–186, 40 Stat. 755 (16 U.S.C. 704); Sec 3(h)(3), Pub. L. 95–616, 92 Stat. 3112 (16 U.S.C. 712).

4. Amend the Table of Contents by removing the entry "Import and export permit" after § 21.21 and replacing it with the entry "[Reserved]."

§ 21.1 [Amended]

5. Amend § 21.1 by removing the words "imported, exported" immediately after the word "barter" and immediately before the word "banding."

§ 21.2 [Amended]

6. Amended § 21.2(a) by removing the words "imported, exported" immediately after the word "be" and immediately before the word "purchased."

7. Amend § 21.2 by adding a new paragraph (d) to read as follows:

§ 21.2 Scope of regulations.

* * * * *

(d) Migratory birds, their parts, nests or eggs which are lawfully possessed may be imported or exported without a Federal migratory bird permit.

§ 21.11 [Amended]

8. Amend § 21.11 by removing the words "export or import" immediately after the word "barter" and immediately before the word "any."

§ 21.13 [Amended]

9. Amend the introductory paragraph of § 21.13 by removing the phrase "exported (but not imported)" immediately after the word "transported" and immediately before the words "and disposed."

§ 21.21 [Removed]

10. § 21.21 is removed and reserved.

Dated: May 11, 1981.

C. F. Layton,

Acting Deputy, Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 81-16155 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-55-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 682

Western Pacific Fishery Management Council; Public Hearings

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

ACTION: Notice of Public Hearings.

SUMMARY: The Western Pacific Fishery Management Council announces a series of hearings to receive comments on a proposed fishery management program for billfish fisheries of the Western Pacific Region as described in the Draft Environmental Impact Statement/Fishery Management Plan (DEIS/FMP). A concise summary of the proposed billfish management program will be provided at each public hearing. These hearings are being held in accordance with Section 302(h)(3) of the Magnuson Fishery Conservation and Management Act and Section 1506.6(c) of the Council on Environmental Quality's National Environmental Policy Act regulations. Comments received at these hearings and on the DEIS/FMP, as well as any written comments received, will be taken into account and addressed in the preparation of the Final Environmental Impact Statement/Fishery Management Plan.

DATES: Comments must be received on or before July 13, 1981. Individuals or organizations wishing to comment on the DEIS/FMP may do so at public hearings to be held as follows:

June 16, 1981 Honolulu, Hawaii
June 17, 1981 Hilo, Hawaii
June 18, 1981 Kona, Hawaii
June 25, 1981 Pago Pago, American Samoa
June 29, 1981 Lihue, Kauai
June 30, 1981 Kahului, Maui
July 13, 1981 Agana, Guam

ADDRESS: Send comments to: Chairman, Western Pacific Fishery Management Council, 1164 Bishop Street, Honolulu, Hawaii 96813.

Public hearing locations:

June 16, 1981 West Room, Pagoda Hotel, 1525 Rycroft Street, Honolulu, Hawaii 7:00 p.m.
June 17, 1981 Hilo County Council Room, 25 Aupuni Street, Hilo, Hawaii 7:00 p.m.
June 18, 1981 Kona, Hawaii 5:30 p.m. (site to be announced)
June 25, 1981 Conference Center, Rainmaker Hotel, Pago Pago, American Samoa 7:00 p.m.
June 29, 1981 Lihue Library, 4344 Hardy Street, Lihue, Kauai 6:30 p.m.
June 30, 1981 Kahului, Maui 6:30 p.m. (site to be announced)
July 13, 1981 Guam Reef Hotel, Tumon Bay, Agana, Guam 7:00 p.m.

Copies of the DEIS/FMP are available at the Council office as well as the following locations:

Guam: Division of Aquatic and Wildlife Resources, Government of Guam, P.O. Box 2367, Guam, M.I. 96921
American Samoa: Office of Marine Resources, Government of American Samoa, P.O. Box 3730, Pago Pago, American Samoa 96799
Honolulu: Division of Fish and Game, Hawaii Department of Land and Natural Resources, 1151 Punchbowl Street, Honolulu, Hawaii 96813
Terminal Island: Southwest Region, National Marine Fisheries Service, 300 S. Ferry Street, Terminal Island, California 90731.

FOR FURTHER INFORMATION CONTACT:

Mr. Svein Fougner, Executive Director, Western Pacific Fishery Management Council, 1164 Bishop Street, Suite 1608, Honolulu, Hawaii 96813, (808) 523–1368

or

Mr. Doyle Gates, Western Pacific Program Office, Southwest Region, NMFS, P.O. Box 3830, Honolulu, Hawaii 96812, (808) 946–2181.

SUPPLEMENTARY INFORMATION: The Western Pacific Fishery Management Council and the National Oceanic and Atmospheric Administration propose to adopt and implement an FMP for Billfish Fisheries of the Western Pacific. The FMP recommends a conservation and management program for harvesting billfish in the fishery conservation zone (FCZ) of the central and western Pacific Ocean. The FMP presents management measures and reporting requirements to regulate the take of billfish by foreign longline vessels in the FCZ surrounding Hawaii, Guam, and American Samoa. The FMP recommends continuation and strengthening of State and Territorial reporting requirements to better monitor domestic participation in the billfish fisheries. The proposed conservation and management program is intended to achieve the optimum yield (OY) for the various billfish fisheries conducted in the FCZ of the Western Pacific Region. A complementary management program is proposed for consideration and adoption by the Department of Commerce for the longline fisheries conducted by foreign vessels in the FCZ around U.S. island possessions in the Pacific Ocean.

Dated: May 26, 1981.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

[FR Doc. 81-16150 Filed 5-28-81; 8:45 am]

BILLING CODE 3510-22-M

Notices

Federal Register
Vol. 46, No. 103
Friday, May 29, 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

Food and Nutrition Service

Food Stamp Program; Demonstration Project, Alternative Methods of Delivering Benefits

AGENCY: Food and Nutrition Service, USDA.

ACTION: Notice of Intent.

SUMMARY: This Notice announces the Department of Agriculture's intention to sponsor demonstrations of alternative methods of delivering food stamp benefits, under the authority of Subsections 17 (a) and (b) of the Food Stamp Act of 1977. "Delivery" of benefits encompasses the entire process of state food stamp issuance to eligible households and their redemption at retail food stores. These activities include: requisitioning by and delivery of coupons to the state agency; accountability and storage; generation and maintenance of household participation files; production and distribution of authorization cards; coupon issuance and transaction; and, ultimately, reconciliation and reporting. The Department solicits applications from interested state agencies with innovative methods involving all or part of the issuance process at the state or local project level. Particular emphasis is placed in this demonstration on alternative methods which seek to reduce administrative costs, streamline operations, and improve accountability and security, while maintaining or improving service to recipients.

EFFECTIVE DATE: May 29, 1981.

FOR FURTHER INFORMATION CONTACT: Marilyn Carpenter, Chief, Program Research and Analysis Branch, Program Development Division, Family Nutrition Programs, Food and Nutrition Service, USDA, Washington, D.C. 20250. Telephone (202) 447–8332.

SUPPLEMENTARY INFORMATION: Currently, Food Stamp Program benefits are distributed to participating households through a variety of different issuance systems or methods—each administered by state and local agencies. There are three basic systems: (1) manual household issuance record (HIR) system in which an HIR card maintained in a local issuance office documents each certified household's eligibility to obtain, and its receipt, of food coupons; (2) an authorization to participate (ATP) system in which an ATP card showing a household's authorized allotment is mailed to or picked up by the participant and surrendered to local issuance agents in exchange for coupons; and (3) mail issuance of coupons directly to certified households.

Numerous variables exist within each of these systems. This has the effect of creating many different systems, most of which are unique to the state, project area, or geographical location it serves. Inherent in these systems, and accounting for the degree of variability, are numerous sub-processes and activities necessary to their successful operation. These sub-functions include requisitioning by and delivery of coupons to the state agency; accountability and storage; generation and maintenance of household participation files; production and distribution of authorization cards; coupon issuance and transaction; and ultimately, reconciliation and reporting.

With the sharp increase in program participation experienced over the past decade, the Department has become increasingly aware of the need to creatively develop an issuance system which both meets the needs of participants and maintains an acceptable level of service quality and accountability. The increasing emphasis on fiscal restraints has sharpened the focus on reducing potential losses resulting from the design and operation of current food stamp issuance systems. The Department is hereby seeking suggestions for refining and improving existing systems, and for developing alternative approaches.

Currently several Food Stamp State Agencies have submitted suggestions for innovative issuance procedures. Others have implemented corrective actions designed to improve the operations of current systems. Because of the activities in this area and its potential for program improvement, the Department is proposing to undertake a unified effort to coordinate these projects and thereby expand program knowledge and the general state of the art related to coupon issuance operations. Therefore, to more effectively tap this potential, and in recognition of the limited availability of state funds to support project development, the Department announces its intent to aid the development of alternative issuance ideas which may have application either to the program as a whole or to special areas (e.g., urban, high crime, etc.). Such assistance will take the form of grants to the state agencies involved or, if applicable, their counterpart at the local agency level. The following Notice of Intent solicits applications from interested state agencies or their local counterparts.

Notice of Intent

Subsection 17(a) of the Food Stamp Act of 1977 permits the Department of Agriculture to undertake research that will "* * * improve the administration and effectiveness of the Food Stamp Program in delivering nutrition-related benefits." Accordingly, the Department announces its intention to provide grants to state welfare agencies to conduct research or developmental activities that will improve the issuance of food stamp benefits to eligible households.

The types of alternative issuance projects known to the Department encompass a wide-ranging variety of techniques and procedures. Examples of some of the large/scale efforts suggested to FNS, under consideration, or being demonstrated include:

- A direct delivery program which requires participants in areas with historically high loss rates to travel to designated issuance sites to collect their authorization-to-purchase (ATP) cards and redeem them for coupons. The direct delivery system permits some control over the schedule of ATP redemption to reduce crowds at issuance sites, reduces the number of lost or stolen ATPs, and decreases the likelihood of fraudulent acquisition of coupons.
- Automated issuance of food coupons by an electronic teller machine similar to those now provided by banks

for cash transactions. This procedure, if feasible, would permit closer control of the amount of coupons issued to households, eliminate the need for separate distribution of ATPs (relying instead on special identification cards), and reduce issuance staffing.

• Adaptation of an electronic funds transfer system to provide benefits for special categories of Food Stamp Program participants, such as the elderly and SSI recipients, at participating banks.

• Replacement of ATPs and coupons by a credit authorization system permitting households to present a credit card at the retail food store and obtain food products. Direct computer links between the retailer and state agency food stamp files would permit rapid verification of entitlement and authorization of food purchase by store personnel.

Although most of these examples have a technological orientation requiring new equipment and machinery, FNS is equally interested in less radical changes to current issuance procedures. for example, state and local agencies are encouraged to submit proposals to examine alternative means of identification or new approaches to reconcile issuance transactions, identify and investigate possibly fraudulent redemptions, process claims, and initiate prosecution when appropriate.

Requirements for Alternative Issuance Systems

An issuance system must attempt to satisfy a number of basic operational and service requirements. For alternative issuance projects, the requirements to be met will vary according to the extent to which the suggested alternatives would replace the existing issuance system. Complete satisfaction of every item listed below may be inappropriate or impossible for certain alternatives. the following list contains the basic requirements which the Department would like the alternatives to address, as appropriate:

1. The alternative issuance system should maintain at least the same level of access and equality of treatment now afforded participants in receiving their coupons and obtaining food from retail outlets.

2. System access should be limited, as under current guidelines, to only those participants authorized to receive benefits and those employees necessary to provide the benefits.

3. Current guidelines for separation of responsibilities should be followed. No one person or group should create and maintain household issuance records *and* provide benefits to households.

4. The system should be able to handle peak demands for service without breakdown or delay. For example, in a computerized delivery system, numerous simultaneous inquiries must be possible without overloading equipment or imposing lengthy access delays.

5. The system should contain appropriate back-up procedures for use during mechanical system failures or natural disasters to maintain timely and accurate benefit delivery. Descriptions of the back-up system should be included in any application for Federal assistance.

6. The alternative issuance system should maintain at least the same level of accountability for program funds now required of state agencies, and should provide readily accessible records which identify households and the amount of benefits received through the alternative system provided.

7. The system should be able to quickly identify and follow-up on system input or participant errors which come to the agency's attention.

8. Households entitled to expedited service would have to be provided benefits in accordance with § 274.2(g) of the Food Stamp Program Regulations.

9. Households moving to other project areas would have to be provided benefits on a timely basis as stipulated in § 273.19 of the Food Stamp Program Regulations. For alternative systems which substitute other forms of benefits for coupons, the state agency must provide coupons before the household departs the project area, so that benefits may continue uninterrupted in project areas outside of the demonstration.

Contractor Negotiations

Except as noted below, selection of a contractor to operate or assist in the operation of the alternative issuance system shall be the responsibility of the state agency or the local counterpart delegated this responsibility. Selection shall be in accordance with prescribed state agency contracting procedures. Applicants should not however begin contract negotiations prior to notification from FNS that their full application has been approved.

Applications

Who Can Apply

State welfare agencies or their local counterparts responsible for the administration of the Food Stamp Program may seek assistance from FNS for alternative issuance demonstration projects. All applications shall be submitted in accordance with all appropriate requirements as established under Office of Management and Budget (OMB) Circular A–95 and must be signed by the representative with the authority to commit the sponsor to the demonstration project. To ensure that no commitment is made without the advice and consent of appropriate officials, the following requirements must be met before the Department will consider the application:

(1) If any local administrative unit (e.g., county or district) submits an application to conduct an issuance demonstration, written concurrence from the state central office must accompany the application.

(2) If other state agencies or units/functions within the state agency will be involved in this project (e.g., in the delivery of benefits or notification of participants about the demonstration), their willingness to participate must be documented as well.

How to Apply

State agencies seeking FNS' assistance for an alternative issuance project should initially contact FNS with a letter describing the basic design of the proposed system and providing a rationale for its implementation.

Some estimation of the feasibility and cost-effectiveness of the system planned should be provided, including a rough estimate of the differences in costs associated with the innovation and the system it replaces. If the system involves the use of machinery, equipment, or other technical services which are not currently available commercially, the state agency should be quite specific about how they plan to procure these services.

The letter shall be submitted to: Director, Program Development Division, Family Nutrition Programs, Food and Nutrition Service, USDA, Room 658 GHI Building, Washington, D.C. 20250. If the letter originates at a level below the state agency (e.g., a local project wishes to try a new automated issuance program), then the endorsement of an appropriate state agency official shall be included. The letter should also contain the name, address, and telephone number of the person(s) to contact about the idea. The deadline for submission of the letter shall be 90 days from the date of this notice; letters postmarked after that date may not be considered.

After screening of the initial ideas, and within 60 days of the deadline cited above, selected state and local agencies will be asked to submit a complete application for assistance. Applicants shall use the Application for Federal Assistance Form (Standard Form AD–

623), prescribed by the OMB Circular A-102, for this purpose. Application kits containing AD-623 and other pertinent materials will be available from FNS by contacting the Program Development Division at (202) 447-8332. Any questions about the project may also be directed to that office. Completed applications shall be submitted in one original and two copies within 60 days of notification to the: Director, Program Development Division, Family Nutrition Programs, Food and Nutrition Service, USDA, Room 658, GHI Building, Washington, D.C. 20250. *Attention:* Alternative Issuance Demonstration Project.

What Must be Included on the Application

Full applications should be submitted only after the sponsor has received preliminary approval from the Department of the initial letter. Sponsor applications must include as a minimum, the information outlined below:

I. Background

A. Description of proposed test site(s), including:

1. Demographic and socioeconomic characteristics of general population and food stamp participants.

2. Number of participants and value of issuance, both currently and historically.

B. Description of current issuance procedures.

C. Rationale for modification of current procedure (include magnitude of specific issuance problems, e.g., replacement ATPs, deficient reconciliation, restricted service).

D. Brief overview of proposed system or modifications including proposed duration of the project. (Present rationale for the time-period chosen, especially for those which exceed twelve-months duration.)

II. Description of Proposed System

A. Detailed description of proposed issuance procedures noting any:

1. Revisions to state or local program guidelines, instructions, and procedures.

2. Data processing or other equipment needs.

B. Identification of waivers of Food Stamp Program Regulations, as needed. (State agencies are responsible for providing the Department with appropriate waiver requests.)

C. Anticipated effects.

III. Work Plan

A. Description of implementation requirements, including:

1. Plans for transition to new system, including contingency plans in the event that "start-up" problems encountered delay the placement of households on the new program or provision of benefits.

2. Plans for informing participants, both current and potentially eligible, prior to project initiation and termination.

3. Any proposed contractual agreements with private firms, local service agencies, clearly contrasting responsibilities of the state or local agency with those of the contractor and other agencies.

4. Staffing needs.

a. Hire or assign project staff.

b. Staff training.

5. Acquisition of facilities or equipment.

6. Revision of guidelines, handbooks, instructions.

B. Discussion of foreseeable problems and potential solutions.

C. Schedule for development and implementation.

D. Staffing patterns (including designation of project director).

IV. Budget

Detailed budget information should be provided as prescribed on Form AD-623. Pertinent explanations of cited budget items should be provided, if their inclusion is not self-explanatory.

Departmental Responsibilities

The Department's Food and Nutrition Service (FNS) will monitor the operation of the demonstration as provided under "Monitoring" (below). FNS will provide funding for the demonstration project based on the budget negotiated with the State agency. FNS will, under separate contract, provide for an evaluation of selected projects, in order to assess cost-effectiveness and suitability for large scale replication. (Appendix A of the Statement of Work contained in the Department's RFP for this evaluation contract, provides a conceptual framework for the development of criteria to assess alternative food stamp issuance systems. Interested parties may find this a useful aid in developing their projects. Copies will be available upon request from the same office as application kits.)

Records

All records pertaining to this demonstration shall be available to FNS representatives or their designees upon request for purposes of inspection and verification. Such records shall be maintained for a period of three (3) years from the date of project completion.

Federal Financial Participation

During the time period established for the demonstration by the state agency and FNS, FNS shall pay 100 percent of those approved administrative costs specifically associated with the test of the alternative issuance system, *to the extent* that these costs exceed such costs as are usual and customary for coupon issuance operations. A determination of usual and customary issuance costs shall be made by FNS, using an average of the issuance-related expenditures available for the six month period immediately preceding the initiation of the alternative issuance service. For statewide projects, this will likely involve the use of a monthly Standard Form SF-269 (Food Stamps), Quarterly Expenditure Report.

Funding for the demonstration shall be provided through the established state agency program Letter of Credit for costs incurred in conducting the demonstration.

Should the state agency elect to continue operating the experimental system beyond the time-period authorized for the demonstration, the level of Federal financial participation would be reduced to the established level of funding appropriate to ongoing operations for that state.

Monitoring

Although the conduct of the demonstration of alternative issuance will be the responsibility of the state agency, FNS will review project operations on a schedule negotiated by the state agency and FNS.

In addition, FNS is planning a comprehensive assessment of the operational, performance, and cost characteristics of food stamp issuance systems. Under a separate contract, FNS will evaluate the effects and responsibility of selected issuance demonstration projects. This may require the sponsoring state or local agency to compile and maintain information about the system's effectiveness, accountability, feasibility, and efficency.

Specific recordkeeping and reporting requirements will be determined in consultation with FNS, state and local agencies, and the evaluation contractor. Such records would have to be made available to Departmental representatives, upon request.

Selection of Sites

A panel of FNS representatives will

review and select applications for assistance by state agencies or their local counterparts proposing to engage in research or development of alternative issuance procedures.

Selections will be made on the basis of the following criteria:

1. Relevancy to FNS' objectives of improved service, lower costs, and greater accountability.

2. Potential applicability of demonstration to other areas.

3. Prospects for providing more effective, accountable, feasible, and efficient issuance.

4. Adequacy, clarity, and completeness of work plans, including extent to which it identifies and offers solutions to procedural problems that may be encountered.

5. The qualifications of key personnel and the applicants' accessibility to adequate facilities and other resources.

6. Cost and potential cost-effectiveness.

(91 Stat. 958 (7 U.S.C. 2011–2027))

(Catalog of Federal Domestic Assistance, Program No. 10.551 Food Stamps)

Dated: May 20, 1981.

G. William Hoagland,

Administrator, Food and Nutrition Service.

[FR Doc. 81-15740 Filed 5-28-81; 8:45 am]

BILLING CODE 3410-30-M

Forest Service

Uinta National Forest Grazing Advisory Board; Meeting

The Uinta National Forest Grazing Advisory Board will meet at 9 a.m. on Wednesday, June 17, 1981, at the general store in Woodland, Utah.

The purpose of this meeting is to have a field review of the current allotment management plans and proposed criteria for the planning and utilization of the Range Betterment Fund.

The meeting will be open to the public. Those who participate will need to supply their own saddle horse and equipment. Persons who wish to attend should notify Ward F. Savage, Uinta National Forest Supervisor's Office, P.O. Box 1428, Provo, Utah 84601, telephone 801–377–5780. Written statements may be filed with the Board before or after the meeting.

Dated: May 22, 1981.

Don T. Nebeker,

Forest Supervisor.

[FR Doc. 81-16068 Filed 5-28-81; 8:45 am]

BILLING CODE 3410-11-M

Rural Electrification Administration

Wabash Valley Power Association, Inc.; Finding of No Significant Impact

Notice is hereby given that the Rural Electrification Administration (REA) has prepared a Finding of No Significant Impact which concludes that there is no need to prepare an Environmental Impact Statement in connection with proposed financing assistance by REA to Wabash Valley Power Association, Inc., (WVPA) of Indianapolis, Indiana. The financing assistance will be used by WVPA for their proposed purchase of 25 percent (156 MW) undivided ownership interest in Unit 5 of the Gibson Generating Station from the Public Service Company of Indiana. Unit 5 is a 625 MW (net) coal-fired steam electric generating unit presently under construction at an existing 5,000 acre (2,024 hectare) site in Gibson County, Indiana. As of August 1980, Unit 5 was 30 percent complete with completion scheduled for 1982. The Gibson Site has four operating coal-fired units. Unit 5 will complete the development of the site. WVPA has prepared a Borrower's Environmental Report concerning the proposed participation. An Environmental Assessment was prepared by REA.

Threatened and endangered species, important farmland, archaeological and historic sites, wetlands and floodplains and other potential impacts of the Unit 5 addition are adequately considered in the environmental evaluations prepared by WVPA and REA.

REA's independent evaluation of the proposed action leads it to conclude that its proposed financing assistance for this project does not represent a major Federal action that will significantly affect the quality of the human environment.

Based on this independent evaluation, the REA Environmental Assessment, and a review of WVPA's Borrower's Environmental Report, a Finding of No Significant Impact was reached in accordance with Section IV.B and IV.D of REA Bulletin 20–21:320–21, Part 1.

Various alternatives to the proposed participation arrangement were reviewed by WVPA and REA. The alternatives include no action, energy conservation and load management and construction of WVPA's own generation facilities. The proposed purchase of 25 percent undivided ownership of Gibson Unit 5 is the most viable alternative that would provide power for the existing and future loads of WVPA's members.

Copies of REA's Finding of No Significant Impact, REA's Environmental Assessment and WVPA's Borrower's Environmental Report may be reviewed in the office of the Director, Power Supply Division, Room 5168, South Agriculture Building, Rural Electrification Administration, Washington, D.C. 20250, and at the offices of Wabash Valley Power Cooperative, Inc., 700 North High School Road, P.O. Box 24700, Indianapolis, Indiana 46224.

(This Federal Assistance Program is listed in the Catalog of Federal Domestic Assistance as 10.850-Rural Electrification Loans and Loan Guarantees).

Dated at Washington, D.C., this 22nd day of May, 1981.

Joe S. Zoller,

Acting Administrator, Rural Electrification Administration.

[FR Doc. 81-16099 Filed 5-28-81; 8:45 am]

BILLING CODE 3410-15-M

CIVIL AERONAUTICS BOARD

[Docket 39643]

Air Chicago Fitness Investigation; Assignment of Proceeding

This proceeding is hereby assigned to Administrative Law Judge John M. Vittone. Future communications should be addressed to Judge Vittone.

Dated at Washington, D.C., May 21, 1981.

Joseph J. Saunders,

Chief Administrative Law Judge.

[FR Doc. 81-16100 Filed 5-28-81; 8:45 am]

BILLING CODE 6320-01-M

[Docket 39643]

Air Chicago Fitness Investigation; Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on June 5, 1981, at 10:00 a.m. (local time) in Room 1003, Hearing Room "B", Universal North Building, 1875 Connecticut Avenue, N.W., Washington, D.C. before the undersigned.

In the instituting order, Order 81–5–104, the Board saw no need for an evidence request in this proceeding and directed all interested persons to file requests for additional evidence and requests to intervene no later than June 1, 1981. Comments or replies to any such requests shall be filed on June 3, 1981. Any pleadings filed on June 1 or June 3 shall be delivered to the undersigned on the day of filing.

Dated at Washington, D.C., May 22, 1981.

John M. Vittone,

Administrative Law Judge.

[FR Doc. 81-16101 Filed 5-28-81; 8:45 am]

BILLING CODE 6320-01-M

[Order 81-5-127]

Air Wisconsin Addition of Akron/Canton Proceeding

AGENCY: Civil Aeronautics Board.

ACTION: Notice of order to show cause (81-5-127).

SUMMARY: The Board is instituting the *Air Wisconsin Addition of Akron/Canton Proceeding* and is proposing to grant unrestricted authority to Air Wisconsin at Akron/Canton under expedited procedures of Subpart Q of its Procedural Regulations. The tentative findings and conclusions will become final if no objections are filed.

The complete text of this order is available as noted below.

DATES: All interested persons having objections to the Board issuing the proposed authority shall file, and serve on all persons listed below, no later than June 5, 1981, a statement of objections, together with a summary of the testimony, statistical data and other material expected to be relied upon to support the stated objections.

ADDRESS: Objections to the issuance of a final order should be filed in Docket 39556, which we have entitled the *Air Wisconsin Addition of Akron/Canton Proceeding*. They should be addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428.

In addition, copies of such filings should be served upon all parties in the service list to Order 81-5-127.

FOR FURTHER INFORMATION CONTACT: Mary Catherine Terry, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428, (202) 673-5384.

SUPPLEMENTARY INFORMATION: The complete text of Order 81-5-127 is available from our Distribution Section, Room 516, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428. Persons outside the metropolitan area may send a postcard request for Order 81-5-127 to that address.

By the Bureau of Domestic Aviation: May 22, 1981.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 81-16102 Filed 5-28-81; 8:45 am]

BILLING CODE 6320-01-M

[Order 81-5-120]

Fitness Determination of Cape Smythe Air Service, Inc.

AGENCY: Civil Aeronautics Board.

ACTION: Notice of Commuter Air Carrier Fitness Determination—Order 81-5-120, Order to Show Cause.

SUMMARY: The Board is proposing to find that Cape Smythe Air Service, Inc. is fit, willing, and able to provide commuter air carrier service under section 419(c)(2) of the Federal Aviation Act, as amended; that it is capable of providing reliable essential air service; and that the aircraft used in this service conform to applicable safety standards. The complete text of this order is available, as noted below.

DATE: Responses: All interested persons wishing to respond to the Board's tentative fitness determination shall serve their responses on all persons listed below no later than June 15, 1981, together with a summary of the testimony, statistical data, and other material relied upon to support the allegations.

ADDRESSESS: Responses or additional data should be filed with the Essential Air Services Division, Room 921, Civil Aeronautics Board, Washington, D.C. 20428, and with all persons listed in Attachment A of Order 81-5-120.

FOR FURTHER INFORMATION CONTACT: Ms. Teresa Smith, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue NW., Washington, D.C. 20428 (202) 673-5348.

SUPPLEMENTARY INFORMATION: The complete text of Order 81-5-120 is available from the Distribution Section, Room 516, 1825 Connecticut Avenue NW., Washington, D.C. Persons outside the metropolitan area may send a postcard request for Order 81-5-120 to the Distribution Section, Civil Aeronautics Board, Washington, D.C. 20428.

By the Civil Aeronautics Board.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 81-16103 Filed 5-28-81; 8:45 am]

BILLING CODE 6320-01-M

[Order 81-5-120]

Fitness Determination of Eldoaire, Inc.

AGENCY: Civil Aeronautics Board.

ACTION: Notice of Commuter Air Carrier Fitness Determination—Order 81-5-119, Order to Show Cause.

SUMMARY: The Board is proposing to find that Eldoaire, Inc. is fit, willing, and able to provide commuter air carrier service under section 419(c)(2) of the Federal Aviation Act, as amended, and that the aircraft used in this service conform to applicable safety standards. The complete text of this order is available, as noted below.

DATES: Responses: All interested persons wishing to respond to the Board's tentative fitness determination shall serve their responses on all persons listed below no later than June 15, 1981, together with a summary of the testimony, statistical data, and other material relied upon to support the allegations.

ADDRESSESS: Responses or additional data should be filed with Special Authorities Division, Room 915, Civil Aeronautics Board, Washington, D.C. 20428, and with all persons listed in Attachment A of Order 81-5-119.

FOR FURTHER INFORMATION CONTACT: Ms. Joyce Snovitch, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue NW., Washington, D.C. 20428 (202) 673-5074.

SUPPLEMENTARY INFORMATION: The complete text of Order 81-5-119 is available from the Distribution Section, Room 516, 1825 Connecticut Avenue NW., Washington, D.C. Persons outside the metropolitan area may send a postcard request for Order 81-5-119 to the Distribution Section, Civil Aeronautics Board, Washington, D.C. 20428.

By the Civil Aeronautics Board.

Phyllis T. Kaylor,

Secretary.

[FR Doc 81-16105 Filed 5-28-81; 8:45 am]

BILLING CODE 6320-01-M

[Order 81-5-118]

Fitness Determination of Rio Airways, Inc.

AGENCY: Civil Aeronautics Board.

ACTION: Notice of commuter air carrier fitness determination—order 81-5-118, order to show cause.

SUMMARY: The Board is proposing to find that Rio Airways, Inc. is fit, willing, and able to provide commuter air carrier service under section 419(c)(2) of the Federal Aviation Act, as amended; that it is capable of providing reliable essential air service and that the aircraft used in this service conform to applicable safety standards. The complete text of this order is available, as noted below.

DATES: Responses: All interested persons wishing to respond to the Board's tentative fitness determination

shall serve their responses on all persons listed below no later than June 12, 1981, together with a summary of the testimony, statistical data, and other material relied upon to support the allegations.

ADDRESSES: Responses or additional data should be filed with Mr. Patrick V. Murphy, Jr., Chief, Essential Air Services Division, Room 929, Civil Aeronautics Board, Washington, D.C. 20428, and with all persons listed in Attachment A of Order 81-5-118.

FOR FURTHER INFORMATION CONTACT: Mrs. Phyllis C. Solomon, B-72, Legal Processing Division, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428. (202) 673-5333.

SUPPLEMENTARY INFORMATION: The complete text of Order 81-5-118 is available from the Distribution Section, Room 516 1825 Connecticut Avenue, N.W., Washington, D.C. Persons outside the metropolitan area may send a postcard request for Order 81-5-118 to the Distribution Section, Civil Aeronautics Board, Washington, D.C. 20428.

By the Civil Aeronautics Board.

Phyllis T. Taylor,

Secretary.

[FR Doc. 81-16106 Filed 5-28-81; 8:45 am]

BILLING CODE 6320-01-M

[Order 81-5-117]

Fitness Determination of Suburban Airlines

AGENCY: Civil Aeronautics Board.

ACTION: Notice of commuter air carrier fitness determination—Order 81-5-117, order to show cause.

SUMMARY: The Board is proposing to find that Reading Aviation Service, Inc., d.b.a. Suburban Airlines, is fit, willing and able to provide commuter air carrier service under section 419(c)(2) of the Federal Aviation Act, as amended; that it is capable of providing reliable essential air service; and that the aircraft used in this service confrom to applicable saftey standards. The complete text of this order is available, as noted below.

DATES: All interested persons wishing to repond to the Board's tentative fitness determination shall serve their responses on all presons listed below no later than June 12, 1981, together with a summary of the testimony, statistcial data and other material relied upon to support the allegations.

ADDRESS: Responses or additional data should be filed with Mr. Patrick V. Murphy, Jr., Chief, Essential Air Services Division, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428, and with all persons listed in Attachment A of Order 81-5-117.

FOR FURTHER INFORMATION CONTACT: Mrs. Ava Kleinman, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428 (202) 673-5345.

SUPPLEMENTARY INFORMATION: The complete test of Order 81-5-117 is available from the Distribution Section, Room 516, 1825 Connecticut Avenue, N.W., Washington, D.C. Persons outside the metropolitan area may send a postcard request for Order 81-5-117 to the Distribution Section, Civil Aeronautic Board, Washington, D.C. 20428.

By the Civil Aeronautics Board.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 81-16107 Filed 5-28-81; 8:45 am]

BILLING CODE 6320-01-M

[Order 81-5-97]

Foreign Air Carriers; Issued to Various Foreign Air Freight Forwarders

In the matter of Foreign Air Carrier Permits issued to various foreign air freight forwarders under section 402 of the Federal Aviation Act of 1958, as amended; adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 24th day of March 1981; Order.

The Board, by ER-1159, effective January 3, 1980 (44 FR 69633, December 4, 1979) adopted simplified procedures to grant operating authority to foreign air freight forwarders.[1] These procedures, set forth in Part 297 of the Board's Economic Regulations (14 CFR Part 297), were patterned after the deregulation of U.S. air freight forwarders in ER-1094 (44 FR 6634, January 31, 1979) and provide a simplified registration system in place of the previous formal hearing procedures under section 402 of the Act.

Under a heading entitled "Termination of Existing Permit Authority," and subtitled "Important Notice," the Board stated in ER-1159 that it planned to issue an order terminating all existing permit authority held by foreign air freight forwarders under section 402. The Board further admonished all foreign air freight forwarders holding section 402 permits to apply for registration under Part 297 by January 28, 1980, to avoid a gap in authority. A copy of the rule was served on all foreign air freight forwarders, and those forwarders which did not later submit an application for registration were notified by certified letter of the necessity to apply and the Board's intention to terminate then existing section 402 permit authority. All of the carriers listed in Appendix A, except for Daetwyler Airfreight Corp. (Swiss), d.b.a. Interamerican Air Freight Corp. (U.S.A.), have applied for and received a foreign freight forwarder registration under Part 297.[2]

We therefore conclude that no purpose would be served by allowing the Foreign Air Carrier Permits shown in Appendix A to continue to exist, and pursuant to section 402(f)(1) of the Act, we find that it is in the public interest to revoke the named permits. It should be emphasized that this action will not withdraw forwarding authority from any operating foreign air carrier. Rather we are simply canceling an outdated, redundant form of authority, permitting each carrier to continue to operate under the new form of authority.

Accordingly,

1. We revoke the section 402 foreign air carrier permits issued to the 19 foreign air freight forwarders listed in Appendix A;

2. Unless disapproved by the President of the United States under section 801(a) of the Act, this order shall become effective on the 61st day after the submission to the President,[3] or upon the date of receipt of advice from the President that he does not intend to disapprove the Board's order under that section, whichever is earlier; and

3. We are serving this order on all the carriers named in the appendix to this order, and on the U.S. Departments of State and Transportation.

This order shall be published in the **Federal Register.**

By the Civil Aeronautics Board.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 81-16104 Filed 5-28-81; 8:45 am]

BILLING CODE 6320-01-M

---

[1] The original regulation was proposed May 29, 1979 (EDR-378, 44 FR 30694, May 29, 1979).

[2] In addition to a copy of ER-1159 Daetwyler Air Freight Corp. (Swiss), d.b.a. Interamerican Air Freight Corp. (U.S.A.) was specifically notified of the Board's intention to cancel its permit by certified letter on September 2, 1980. No response has been received. Daetwyler Airfreight Corp. has been sold to new owners. (See Order 79-4-31, April 6, 1979 and Order 79-6-81, May 3, 1979).

[3] This order was submitted to the President on March 30, 1981. We received notification that the President did not intend to disapprove the Board's order on May 18, 1981.

DEPARTMENT OF COMMERCE

International Trade Administration

Stainless Steel Wire Rods From France; Preliminary Results of Administrative Review of Antidumping Finding

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of preliminary results of administrative review of antidumping finding.

SUMMARY: The Department of Commerce has conducted an administrative review of the antidumping finding on stainless steel wire rods from France. This review covers the one known manufacturer/exporter of this merchandise covered by the finding and consecutive periods from January, 1974 through June, 1980. This review indicates the existence of dumping margins during certain periods.

As a result of this review, the Department has preliminarily determined to assess dumping duties equal to the calculated differences between foreign market value and United States price on shipments occurring during those periods. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: May 29, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. Dennis U. Askey, Office of Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202-377-4793).

SUPPLEMENTARY INFORMATION:

Procedural Background

On August 28, 1973, a dumping finding with respect to stainless steel wire rods from France was published in the **Federal Register** as Treasury Decision 73-243 (38 FR 9094). On January 1, 1980, the provisions of title I of the Trade Agreements Act of 1979 became effective. Title I replaced the provisions of the Antidumping Act of 1921 ("the 1921 Act") with a new title VII to the Tariff Act of 1930 ("the Tariff Act"). On January 2, 1980, the authority for administering the antidumping duty law was transferred from the Department of the Treasury to the Department of Commerce ("the Department"). The Department published in the **Federal Register** of March 28, 1980 (45 FR 20511-12) a notice of intent to conduct administrative reviews of all outstanding dumping findings. As required by section 751 of the Tariff Act, the Department has conducted an administrative review of the finding on stainless steel wire rods from France. The substantive provisions of the 1921 Act and the appropriate Customs Service regulations apply to all unliquidated entries made prior to January 1, 1980.

Scope of the Review

Imports covered by this review are shipments of stainless alloy steel wire rods, tempered, treated, or partly manufactured, currently classifiable under item 607.4300 of the Tariff Schedules of the United States Annotated (TSUSA). The Department knows of two manufacturers/exporters of stainless steel wire rods to the United States. One firm, Creusot-Loire, was excluded from the original finding. This review covers the other known exporter, Ugine Aciers, and all time periods from January, 1974 through June, 1980 during which shipments of stainless steel wire rods may have been made to the United States and for which appraisement instructions ("master lists") have not been issued. The issue of the Department's obligation to conduct administrative review of entries, unliquidated as of January 1, 1980 and covered by such master lists, is under review. Liquidation has been suspended pending disposition of this issue.

United States Price

In calculating United States price the Department used purchase price, as defined in section 772 of the Tariff Act and section 203 of the 1921 Act, since all sales were made to an unrelated U.S. purchaser. Purchase price was calculated on the basis of delivered prices with deductions, where applicable, for ocean freight, marine insurance, French inland freight and loading charges, and a commission to an unrelated party. No other adjustments were claimed or allowed.

Foreign Market Value

In calculating foreign market value, the Department used home market price, as defined in section 773 of the Tariff Act and section 205 of the 1921 Act, since sufficient quantities of such or similar merchandise were sold in the home market to provide a basis for comparison. Ugine Aciers sold at least 28% of its total sales in the home market, and home market sales were at least 56% of all sales for export to countries other than the U.S. during the total period covered. The home market prices were based on delivered prices and an adjustment was made for inland freight. An adjustment was also made for differences in credit terms in accordance with sections 153.10 of the Customs Regulations and 353.15 of the Commerce Regulations. No other adjustments were claimed or allowed.

Preliminary Results of the Review

As a result of our comparison of United States price to foreign market value, we preliminarily determine that the following weighted average margins exist:

Time Period	Margin (Percent)
1974	2.62
1975	0.87
1976	0.039
1977	0.765
Jan. 1, 1978 to June 30, 1978	4.33
July 1, 1978 to Dec. 31, 1978	0.50
1979	1.95
Jan. 1, 1980 to June 30, 1980	

Interested parties may submit written comments on these preliminary results on or before June 29, 1981 and may request disclosure and/or a hearing on or before June 15, 1981. Any request for an administrative protective order must be made no later than June 3, 1981. The Department will publish the final results of the administrative review including the results of its analysis of any such comments or hearing.

The Department shall determine, and the U.S. Customs Service shall assess, dumping duties on all entries made with purchase dates during the time periods involved. Individual differences between United States price and foreign market value may vary from the percentages stated above. The Department will issue appraisement instructions separately directly to the Customs Service.

Further, as required by § 353.48(b) of the Commerce Regulations, a cash deposit based upon the most recent of the margins calculated above shall be required on all shipments of stainless steel wire rods entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results. This requirement shall remain in effect until publication of the final results of the next administrative review.

(Sec. 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and § 353.53 of the Commerce Regulations (19 CFR 353.53))

May 26, 1981.

B. Waring Partridge III,

Acting Deputy Assistant Secretary for Import Administration.

[FR Doc. 81-16051 Filed 5-28-81; 8:45 am]

BILLING CODE 3510-25-M

Minority Business Development Agency

Financial Assistance Application Announcement

AGENCY: Department of Commerce, Minority Business Development Agency.

ACTION: Notice.

SUMMARY: The Minority Business Development Agency (MBDA) announces that it is seeking applications under its Specialized Consultant Services Program to operate one project for a 12 month period beginning October 1, 1981 within the States of Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Kansas and Nebraska.

The project will operate at a cost not to exceed $320,000 and the project I.D. Number is 05–10–25774–00.

Program Description

The Specialized Consultant Services Program of the Minority Business Development Agency (MBDA) provides technical assistance to minority business persons and firms for the purpose of improving their stability by increasing their management and marketing capabilities. MBDA offers competitive grants to consulting firms (either "Not for Profit" or Commercial Entities). These firms must be capable of providing such services as:

—feasibility studies
—financial management
—production management
—personnel management
—marketing

and a broad range of other business services excluding legal services.

Eligibility Requirements

Any for-profit or non-profit institution is eligible to submit an application. If an award is made, continuation awards for up to two additional years may be made to the successful recipient without competition, provided that funds have been appropriated for a project of this kind, and MBDA has determined that such funds are available, there is a continuing need for a project of this kind, and the recipient has performed satisfactorily.

Application Materials

An application kit for these projects may be requested in writing to the following address: U.S. Department of Commerce, Minority Business Development Agency, Grants Administration Unit, 55 East Monroe Street, Suite 1440, Chicago, IL 60603, Attn: LaVenia Webb, Grant Technician, Tel. (312) 353–0192.

Two (2) self-addressed mailing labels should be furnished in order to expedite forwarding of your application kit. When requesting an application kit, the applicant must specify its profit status; i.e., State or local government, federally recognized Indian Tribal unit, educational institution, hospital, or other type of profit or non-profit institution. This information is necessary to enable MBDA to include the appropriate cost principles in the application kit.

Award Process

All applications that are submitted in accordance with the instructions in the application kit will be submitted to a panel for review and ranking. Specific criteria by which applications will be evaluated is included in the application kit.

Closing Date

Applicants are encouraged to obtain an application kit as soon as possible in order to allow sufficient time to prepare and submit an application before the closing date of July 10, 1981. Applications received after July 10, 1981 will not be considered.

Pre-Application Conference

A pre-application conference for all interested applicants will be held at 10:30 a.m., June 19, 1981 at the John C. Kluczynski Building, 230 S. Dearborn, Room 349, Chicago, IL.

(11.800 Minority Business Development Catalog of Federal Domestic Assistance. This program is not subject to the requirements of OMB Circular A–95)

Dated: May 21, 1981.

Stanley W. Tate,

Regional Director.

[FR Doc. 81–16058 Filed 5–28–81; 8:45 am]

BILLING CODE 1350–53–M

National Technical Information Service

Intent To Grant Limited Exclusive Patent License

The National Technical Information Service (NTIS), U.S. Department of Commerce, intends to grant to Nuclear Associates a limited exclusive right in the United States to manufacture, use and sell products embodied in the invention, "Contrast Resolution Tissue Equivalent Ultrasound Test Object."

The invention is protected by U.S. Patent Application No. 186,381 (dated September 11, 1980). Copies of the application may be purchased from NTIS, Springfield, VA 22161 at five dollars per copy. The patent rights in this invention have been assigned to the United States of America, as represented by the Secretary of Health and Human Services. Custody of the right to license this invention has been transferred to the Secretary of Commerce.

The availability of this invention for licensing was announced in the **Federal Register** (46 FR 15308, March 5, 1981); *Government Inventions for Licensing* (March 3, 1981); and the Patent and Trademark Office's *Official Gazette* (March 31, 1981). To date, these and other promotional efforts have not resulted in any applications for nonexclusive licenses under this patent. The proposed limited exclusive license will be royalty-bearing and will expire five years from the date of the license agreement. The terms and conditions of the license will comply with 35 U.S.C. 209 (Pub. L. 96–517) and 41 CFR 101–4.1.

The proposed license may be granted unless, within sixty days from the date of publication of this Notice, NTIS receives (1) an application for a nonexclusive license from a responsible applicant intending to practice the invention in the United States and NTIS determines that such applicant is likely to bring the invention to the point of practical application within a reasonable period of time; or (2) written evidence and argument which establishes that the grant of the proposed limited exclusive license would not serve the public interest.

Inquiries, comments and other materials relating to the proposed limited exclusive license must be submitted to the Office of Government Inventions and Patents, NTIS, Springfield, VA 22161. NTIS will maintain and make available for public inspection a file containing all inquiries, comments and other written materials received in response to this Notice and a record of all decisions made in this matter (including the basis therefor).

Dated: May 18, 1981.

Melvin S. Day,

Director.

[FR Doc. 81–16011 Filed 5–28–81; 8:45 am]

BILLING CODE 3510–04–M

COMMITTEE FOR PURCHASE FROM THE BLIND AND OFFER SEVERELY HANDICAPPED

Procurement List 1981; Addition

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Addition to Procurement List.

SUMMARY: This action adds to Procurement List 1981 a commodity to

be produced by workshops for the blind and other severely handicapped.

EFFECTIVE DATE: May 29, 1981.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street North, Suite 610, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT: C. W. Fletcher, (703) 557–1145.

SUPPLEMENTARY INFORMATION: On January 30, 1981, the Committee for Purchase from the Blind an Other Severely Handicapped published a notice (46 FR 9982) of proposed addition to Procurement List 1981, November 12, 1980 (45 FR 74836).

After consideration of the revelant matter presented, the Committee has determined that the commodity listed below is suitable for procurement by the Federal Government under 41 U.S.C. 46–48c, 85 Stat 77.

Accordingly, the following commodity hereby added to Procurement List 1981:

Class 1660

Harness Assembly
1660–00–066–2078

C. W. Fletcher,

Executive Director.

[FR Doc. 81–16047 Filed 5–28–81; 8:45 am]

BILLING CODE 6820–33–M

Procurement List 1981; Proposed Addition

AGENCY: Committee for Purchase from the Blind and Other Severely handicapped.

ACTION: Proposed Addition to Procurement List.

SUMMARY: The Committee has received a proposal to add to Procurement List 1981 a commodity to be produced by workshops for the blind and other severely handicapped.

COMMENTS MUST BE RECEIVED ON OR BEFORE: July 1, 1981.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street North, Suite 610, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT: C. W. Fletcher, (703) 557–1145.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a) (2), 85 Stat. 77. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed action.

If the Committee approves the proposed addition, all entities of the Federal Government will be required to procure the commodity listed below from workshops for the blind or other severely handicapped.

It is proposed to add the following commodity to Procurement List 1981, november 12, 1980 (45 FR 74836):

Class

Kit, Suture Removal
6515–00–690–6911

C. W. Fletcher,

Executive Director.

[FR Doc. 81–16048 Filed 5–28–81; 8:45 am]

BILLING CODE 6820–33–M

DEPARTMENT OF DEFENSE

Department of the Navy

Secretary of the Navy's Advisory Board on Education and Training; Notice of Meeting

Pursuant to section 10, paragraph (a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. I), notice is hereby given of an open meeting of the Secretary of the Navy's Advisory Board on Education and Training (SABET) to be held July 16–17, 1981. The July 16 session will begin at 7:30 a.m. and continue until 3:00 p.m. The July 17 session will begin at 8:45 a.m. and continue until 12:00 noon. The Board will meet at the Naval War College and the Naval Education and Training Center in Newport, Rhode Island.

As part of the meeting, the Board will tour the Officer Accession Programs and Officer Specialized Training Programs and attend the Officer Candidate School Pass in Review. Briefings will concern the Navy Post Graduate and Professional Development Education Plans and Policies and the Naval War College Curriculum. Matters of continuing interest to be included at the SABET working session are the report on initiatives of the Naval Education and Training Command to reduce attrition at the Surface Warfare Officers School and a committee report on future plans.

Dated: May 19, 1981.

P. B. Walker,

Captain, JAGC, U.S. Navy, Alternate Federal Register Liaison Officer.

[FR Doc. 81–15998 Filed 5–28–81; 8:45 am]

BILLING CODE 3810–71–M

Privacy Act of 1974; Addition of New System of Records

AGENCY: Department of the Navy (DON).

ACTION: Addition of one new system of records.

SUMMARY: The Department of the Navy proposes to add one new system of records to its inventory of systems of records subject to the Privacy Act of 1974. The system notice for this system of records is set forth below.

DATES: The proposed action will be effective without further notice on June 29, 1981, unless comments are received which would result in a contrary determination.

ADDRESSES: Any comments, to include written data, views or arguments concerning the action proposed should be addressed to the system manager identified in the system notice.

FOR FURTHER INFORMATION CONTACT: Mrs. Gwendolyn R. Rhoads, Privacy Act Coordinator, Office of the Chief of Naval Operations (OP–09B1P), Department of the Navy, The Pentagon, Washington, DC 20350. Telephone 202/694–2004.

SUPPLEMENTARY INFORMATION: The Department of the Navy inventory of systems of records notices as prescribed by the Privacy Act of 1974, Title 5, United States Code, Section 552a (Pub. L. 93–579; 88 Stat. 1897, et seq.) have been published in the **Federal Register** at:

FR Doc. 81–897 (46 FR 6696) January 21, 1981
FR Doc. 81–3277 (46 FR 9693) January 29, 1981
FR Doc. 81–13803 (46 FR 25337), May 6, 1981
FR Doc. 81–14113 (46 FR 26094), May 11, 1981

The Navy submitted a new system report for this system under the provisions of 5 U.S.C. 552a(o) on April 17, 1981.

M. S. Healy,

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

May 26, 1981.

SYSTEM NAME:

USN/USMC Nuclear Test Personnel Review Program.

SYSTEM LOCATION:

Primary Navy System exists at the Project Manager's Office, Navy Nuclear Test Personnel Review, Room 756, Commonwealth Building, 1300 Wilson Boulevard, Arlington, VA 22209. Automated segments exist at Navy Regional Data Automation Center, Washington Navy Yard, Washington, D.C. 20374 and J. A. Young Corporation, 205 South Whiting Street, Alexandria, VA 22304. The entire Marine Corps system exists at the Project Coordinator's Office, Marine Corps Nuclear Test Personnel Review, Records Branch, Personnel Services Division, Headquarters Marine Corps, Washington, D.C. 20380. Extracts of individualized records of both Navy and Marine Corps reside at Headquarters, Defense Nuclear Agency, Washington, D.C. 20305.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Navy and Marine Corps military and civilian personnel and/or contractor personnel in support of the Navy and Marine Corps who may have been exposed to radiation as the direct result of government sponsored atmospheric nuclear detonations occurring between 1945 and 1962.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, rank/grade, service number, social security account number, currrent or last known address, dates of test participation, radiation exposure (if any) and dose data, Navy and Marine Corps unit/office of assignment at time of exposure, current medical status, next-of-kin data, and extracts of service medical data such as CBC's, bioassay data and radiation sickness sequellae.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 5031;

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

By the Department of the Navy to identify personnel who either were exposed to or participated in the atmospheric nuclear detonation program and to collect radiation exposure information so as to determine appropriate government-provided medical treatment, and to answer inquiries.

By the Veterans Administration to process/adjudicate claims in which service-connected disabilities resulting from radiation exposure are alleged.

By the Department of Defense components—For the purpose of preparing histories of atmospheric nuclear test participation and for use in litigation between test participants or their representatives and the Department of Defense.

By the Defense Nuclear Agency Contractors—For the purpose of assisting DoD components in preparation of histories of atmospheric nuclear test participation, to reconstruct individual dosimetry data based on research and application of mathematical factors and responding to the inquiries and concerns of individuals who may have participated in the test programs and/or their representatives.

By the National Research Council and the Center for Disease Control—For the limited purpose of conducting epidemiological studies of the effects of ionizing radiation from the atmospheric nuclear weapons tests on DoD participants in those tests.

By the Department of Energy—For the limited purpose of identifying AEC and AEC-contractor personnel exposed to ionizing radiation during nuclear testing and for conducting epidemiological studies of radiation effects of individuals so identified; and for use in litigation between the DoD and any of the individuals so identified.

By the Department of Transportation—For the limited purpose of identifying DOT and DOT-affiliated personnel exposed to ionizing radiation during nuclear testing and for use in litigation between the DOT and any of the individuals so identified.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records in file folders; computer magnetic tapes, disks, and computer printouts.

RETRIEVABILITY:

By individual's name and/or service number/SSAN, or listed in conjunction with a unit (ship, air squadron, etc.) associated with atmospheric nuclear testing.

SAFEGUARDS:

Access is limited to properly cleared personnel having need for the information in the performance of official duties. Paper records are maintained in an office which is locked during non-working hours. The building in which both offices are located maintains continuous security guard surveillance during non-working hours. Magnetic tapes and disks are stored in secured computer areas, access to which is controlled by password.

RETENTION AND DISPOSAL:

Paper records are retained after data is transferred to magnetic tapes. Personnel and health records are retained by the National Personnel Records Center, St. Louis, Missouri. Other paper records will be retired to Naval and Marine Corps Historical Offices after completion of Nuclear Test Personnel Review effort. Magnetic tapes and disks are retained indefinitely.

SYSTEM MANAGER(S) AND ADDRESSES:

Program Manager, Navy Nuclear Test Personnel Review, Room 756, Commonwealth Building, 1300 Wilson Boulevard, Arlington, VA 22209 and Project Coordinator, Marine Corps Nuclear Test Personnel Review, Commandant of the Marine Corps, (MSRB-60), Washington, D.C. 20380.

NOTIFICATION PROCEDURE:

Individuals seeking to determine whether this system contains information pertinent to them shall either write or visit the system manager. Signed letters or proper identification are required.

RECORD ACCESS PROCEDURES:

Individuals may access records pertaining to them by furnishing full name and SSAN and/or service number. Additional information such as unit to which assigned at time or radiation exposure as well as place and approximate dates of exposure expedite recovery of desired records.

CONTESTING RECORDS PROCEDURES:

The agencies' rules for contesting contents and appealing initial determination by the individual concerned may be obtained from the respective system manager.

RECORD SOURCE CATEGORIES:

From the individual; Navy and Marine Corps organizational, personnel, and medical records; the Veterans Administration, Department of Energy, Defense Nuclear Agency and other military departments.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 81-16065 Filed 5-28-81; 8:45 am]
BILLING CODE 3810-71-M

DEPARTMENT OF EDUCATION

Advisory Panel on Financing Elementary and Secondary Education; Hearing and Meeting

AGENCY: Advisory Panel on Financing Elementary and Secondary Education.

ACTION: Notice of Hearing and Meeting.

SUMMARY: This notice is to inform the general public of its opportunity to attend and participate in the forthcoming hearing and meeting of tP.O. Box he Advisory Panel on Financing Elementary and Secondary Education. The notice sets forth the schedule and proposed agenda for the hearing and meeting and describes the functions of the Advisory Panel. Notice of the hearing and meeting is required under the Federal Advisory Committee Act, Section 10(a)(2).

TENTATIVE SCHEDULE: June 29, 1981, Hearing, 9:00 a.m.–5:00 p.m., Federal Office Building, Room 209, 50 United Nations Plaza, San Francisco, California.

June 30, 1981, Hearing, 9:00 a.m.–Noon, Federal Office Building, Room 209, 50 United Nations Plaza, San Francisco, California. Meeting, 3:00 p.m.–5:00 p.m.,

Faculty Club Library, University of California, Berkeley, California.

July 1, 1981, Meeting, 9:00 a.m.–5:00 p.m., Faculty Club Library, University of California, Berkeley, California.

FOR FURTHER INFORMATION CONTACT: Will S. Myers, Executive Director, Advisory Panel on Financing Elementary and Secondary Education, P.O. Box 19128, Washington, D.C. 20036, (202) 653–8278.

SUPPLEMENTARY INFORMATION: The Advisory Panel on Financing Elementary and Secondary Education was established by Section 1203, Title XII of the Education Amendments of 1978 (Pub. L. 95–561). The Panel provides the Secretary and the Congress with advice and counsel concerning public policies on raising and distributing revenues to support elementary and secondary education. The Advisory panel also provides advice to the Secretary concerning the conduct of studies authorized by Section 1203. The Advisory Panel will make interim reports to the President and the Congress in 1981 and 1982 and a final report in 1983. The Advisory Panel will also provide recommendations for legislation or other appropriate action to Congress.

Agenda

The proposed agenda includes:

Hearing

Testimony by invited witnesses and other persons from the State, local, academic, and nonpublic school communities on the prospects for adequate State-local financing of schools in the 1980's and the effects on schools of the diverse sources of Federal financial support.

Meeting

Report by the Chairman and Executive Director, Adequacy of State-local school support systems, State-local respose to changes in Federal support for schools, Alternative proposals for public support for private schools. Development of policy recommendations, Agenda items for the next Panel meeting and hearing.

Persons are invited to submit written testimony for the hearing record. Those interested in presenting oral testimony should contact the Executive Director no later than June 9, 1981. The Advisory Panel asks that testimony, either oral or written, be directed to the topic of the hearing. Both the hearing and meeting of the Advisory Panel are open to the public.

Records are kept of all Advisory Panel proceedings and are available for public inspection at the office of the Advisory Panel on Financing Elementary and Secondary Education located at 1200 19th Street N.W., Suite 725, Washington, D.C.

Signed at Washington, D.C. on May 22, 1981.

Will S. Myers,

Executive Director, Advisory Panel on Financing Elementary and Secondary Education.

[FR Doc. 81-16012 Filed 5-28-81; 8:45 am]

BILLING CODE 4000-01-M

Office of Postsecondary Education

International Understanding Program; Application Notice for New Projects for Fiscal Year 1981

Applications are invited for new projects under the International Understanding Program.

Authority for this program is contained in Part N of Title III of the Elementary and Secondary Education Act of 1965 (Pub. L. 89–10) as amended by the Education Amendments of 1980.

This program issues awards to any public or private agency or organization including, but not limited to, institutions of higher education, State and local educational agencies, professional associations, educational consortia, and organizations of teachers.

The purpose of the awards is to stimulate, at all levels of education, programs to increase the understanding of students and the public in the United States about the cultures, actions and interconnections of nations and peoples to enable the students and public to better evaluate the international and domestic impact of major policies and actions of the United States.

Effective Date: Unless Congress takes certain adjournments, the priorities included in this notice will take effect July 13, 1981. If you want to know if there has been a change in the effective date of these priorities, call or write the Department of Education contact person. At a future date the Secretary will publish a notice in the **Federal Register** stating the effective date of these priorities.

Closing date for transmittal of applications: Applications for awards must be mailed or hand-delivered by July 20, 1981.

Applications delivered by mail: An application sent by mail must be addressed to the U.S. Department of Education, Application Control Center, Attention: 84.095, International Understanding Program, Washington, D.C. 20202.

An applicant must show proof of mailing consisting of one of the following:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the U.S. Secretary of Education.

If an application is sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing: (1) a private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

An applicant is encouraged to use registered or at least first class mail. Each late applicant will be notified that its application will not be considered.

Applications delivered by hand: An application that is hand-delivered must be taken to the U.S. Department of Education, Application Control Center, Room 5673, Regional Office Building 3, 7th and D Streets, S.W., Washington, D.C. between 8:00 a.m. and 4:30 p.m. (Washington, D.C. time) daily, except Saturday, Sunday, or Federal holidays. Applications that are hand-delivered will not be accepted after 4:30 p.m. on the closing date.

Program information: Regulations governing evaluation and eligibility requirements for the International Understanding Program were published in the **Federal Register** on December 31, 1980, 45 FR 86883–86884.

Funds under this program may be used to carry out the following activities:

(1) The in-service training of teachers and other educational personnel with regard to the cultures, actions and interconnections of nations and peoples.

(2) The develoment of materials to link language learning to international studies.

(3) The compilation of existing information and resources pertaining to the purpose of the International Understanding Program in forms useful to various types of educational programs.

(4) The dissemination of information and resources pertaining to the cultures, actions and interconnections of nations.

(5) The introduction, by local educational agencies, of instruction in foreign languages designated by the

Secretary as having critical importance to the nation which have not been offered by the schools of the local educational agencies in the three academic years preceding 1981. Language projects proposed by local educational agencies must focus on instruction in major world languages except Spanish, French, or German.

Available funds and program priorities: Under the Second Continuing Resolution, Pub. L. 96-536, in effect through June 5, 1981, $2,000,000 is available for this program for fiscal year 1981. However, as part of the President's Economic Recovery Plan, $500,000 of this amount is proposed for rescission. The revised funding level for the program would provide for between 20 and 35 grants ranging from $5,000 to $100,000. If the Congress does not accept the President's proposed rescission, there will be an increase in the number of grants awarded.

These estimates, however, do not bind the U.S. Department of Education to a specific number of grants or to the amount of any grant unless that amount is otherwise specified by statute or regulations.

For all levels of funding, priority will be given to those projects which propose new programs or modify existing programs to increase students' and the public's understanding about (1) the cultures, actions and interconnections of nations and peoples, or (2) issues of global concern which will enhance students' and the public's ability to make informed judgments with respect to the politics and actions of the United States.

Specifically, priority will be given to those projects which:

(a) Provide in-service training to those teachers and other educational personnel who have participated or will participate in a program of teaching abroad in order to maximize the impact of this experience on increasing the international awareness of students;

(b) Involve State or local education leaders such as principals, superintendents, and school board members and/or State education department officials, in training and dissemination activities;

(c) Use electronic or print media; or

(d) Conduct programs related to community, adult, continuing or cooperative education programs.

Applications for all grants will be evaluated competitively under the funding criteria in 34 CFR 655.31 and 667.31.

There are no continuation grants in the International Understanding Program. Awards will be made for a one-year period.

Application forms:

Application forms and program information packages are expected to be ready for mailing by June 5, 1981. They may be obtained by writing the International Studies Branch, Division of International Services and Improvement, Office of International Education, U.S. Department of Education (Room 3669, ROB-3), 400 Maryland Avenue, S.W., Washington, D.C. 20202.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

Applicable regulations: Regulations applicable to this program include the following:

(a) Regulations governing the International Understanding Program (34 CFR Parts 655 and 667) published in the **Federal Register** on December 31, 1980.

(b) Education Department General Administrative Regulations (EDGAR) (34 CFR Parts 74, 75 and 77). See 45 CFR Parts 100a and 100c published in the **Federal Register** on April 3, 1980.

Further information: For further information contact Mr. Steven G. Pappas, Office of International Education, U.S. Department of Education (Room 3669, ROB-3), 400 Maryland Avenue, S.W., Washington, D.C. 20202. Telephone: (202) 245-2794.

(20 U.S.C. 3064(b)(1))

(Catalog of Federal Domestic Assistance No. 84.095 International Understanding Program)

Dated: May 21, 1981.

T. H. Bell,

Secretary of Education.

[FR Doc. 81-16057 Filed 5-28-81; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Economic Regulatory Administration

Encorp, Inc.; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy..

ACTION: Notice of Action taken and opportunity for comment on Consent Order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces action taken to execute a Consent Order and provides an opportunity for public comment on the Consent Order and on potential claims against the refunds deposited in an escrow account established pursuant to the Consent Order.

DATE: Effective date: May 8, 1981. Comments by: June 29, 1981.

ADDRESS: Send comments to: Wayne I. Tucker, District Manager of Enforcement, Southwest District Office, Department of Energy, P.O. Box 35228, Dallas, Texas 75235.

FOR FURTHER INFORMATION CONTACT:

Wayne I. Tucker, District Manager of Enforcement, Southwest District Office, Department of Energy, P.O. Box 35228, Dallas, Texas 75235, Phone 214/767-7745.

SUPPLEMENTARY INFORMATION: On May 8, 1981, the Office of Enforcement of the ERA executed a Consent Order with Encorp, Inc. of Abilene, Texas. Under 10 CFR 205.199J(b), a Consent Order which involves a sum of less than $500,000 in the aggregate, excluding penalties and interest, becomes effective upon its execution.

Because the DOE and Encorp, Inc. wish to expeditiously resolve this matter as agreed and to avoid delay in the payment of refunds, the DOE has determined that it is in the public interest to make the Consent Order with Encorp, Inc. effective as of the date of its execution by the DOE and Encorp, Inc.

I. Consent Order

Encorp, Inc. with its home office in Abilene, Texas is a firm engaged in the resale of crude oil and is subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR, Parts 210, 211, 212. The Office of Enforcement of the Economic Regulatory Administration (ERA) and Encorp, Inc. entered into a Consent Order to resolve certain civil actions which could be brought by ERA as a result of its audit of the crude oil resales by Encorp, Inc. The significant terms of the Consent Order with Encorp, Inc. are as follows:

1. This Consent Order concerns the sale of certain volumes of crude oil sold by Encorp, Inc. during the period January 1, 1978 through February 1979, and is intended by Encorp, Inc. and DOE to resolve only those matters set forth in this Consent Order.

2. Encorp, Inc. allegedly applied the provisions of 10 CFR 212.185(c) and 212.186 incorrectly when determining the prices to be charged for certain domestic crude oil.

3. The Consent Order constitutes neither an admission by Encorp that DOE regulations have been violated nor a finding by the DOE that Encorp has violated DOE regulations.

4. The provisions of 10 CFR 205.199J, including the publication of this Notice, are applicable to the Consent Order.

II. Disposition of Refunded Overcharges

In the Consent Order, Encorp, Inc. agrees to refund, in full settlement of any civil liability with respect to actions which might be brought by the Office of Enforcement, ERA, arising out of the transactions specified in I.1. above, the sum or $5,000, including interest, on or before 30 days after the effective date of this Consent Order. Refunded overcharges will be in the form of a certified check made payable to the United States Department of Energy and will be delivered to the Assistant Administrator for Enforcement, ERA. These funds will remain in a suitable account pending the determination of their proper disposition.

The DOE intends to distribute the refund amount in a just and equitable manner in accordance with applicable laws and regulations. Accordingly, distribution of such refunded overcharges requires that only those "persons" (as defined at 10 CFR 205.2) who actually suffered a loss as a result of the transactions described in the Consent Order receive appropriate refunds. Because of the petroleum industry's complex marketing system, it is likely that overcharges have either been passed through as higher prices to subsequent purchasers or offset through devices such as the Old Oil Allocation (Entitlements) Program, 10 CFR 211.67. In fact, the adverse effects of the overcharges may have become so diffused that it is a practical impossibility to identify specific, adversely affected person, in which case disposition of the refunds will be made in the general public interest by an appropriate means such as payment to the Treasury of the United States pursuant to 10 CFR 205.199I(a).

III. Submission of Written Comments

Potential Claimants: Interested persons who believe that they have a claim to all or a portion of the refund amount should provide written notification of the claim to the ERA at this time. Proof of claims is not now being required. Written notification to the ERA at this time is requested primarily for the purpose of identifying valid potential claims to the refund amount. After potential claims are identified, procedures for the making of proof of claims may be established. Failure by a person to provide written notification of a potential claim within the comment period for this Notice may result in the DOE irrevocably disbursing the funds to other claimants or to the general public interest.

Other Comments: The ERA invites persons to comment on the terms, conditions, or procedural aspects of this Consent Order. You should send your comments or written notification of a claim to Wayne I. Tucker, District Manager of Enforcement, Southwest District Office, Department of Energy, P.O. Box 35228, Dallas, Texas 75235. You may obtain a free copy of this Consent Order by writing to the same address or by calling 214/767–7745.

You should identify your comments or written notification of a claim on the outside of your envelope and on the documents you submit with the designation, "Comments on Encorp, Inc.'s Consent Order." We will consider all comments we receive by 4:30 p.m., local time, within 30 days after this publication. You should identify any information or data which, in your opinion, is confidential and submit it in accordance with the procedures in 10 CFR 205.9(f).

Issued in Dallas, Texas, on the 19th day of May 1981.

Wayne I. Tucker,

District Manager of Enforcement, Southwest District Office, Economic Regulatory Administration.

[FR Doc. 81–15999 Filed 5–28–81; 8:45 am]

BILLING CODE 6450–01–M

Phillips Oil Operating Co.; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of action taken and opportunity for comment on Consent Order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces action taken to execute a Consent Order and provides an opportunity for public comment on the Consent Order and on potential claims against the refunds deposited in an escrow account established pursuant to the Consent Order.

EFFECTIVE DATE: May 11, 1981.

COMMENTS BY: June 29, 1981.

ADDRESS: Send comments to: Wayne I. Tucker, Southwest District Manager, Economic Regulatory Administration, Department of Energy, P.O. Box 35228, Dallas, Texas 75235, Phone: 214/767–7745.

FOR FURTHER INFORMATION CONTACT: Wayne I. Tucker, Southwest District Manager, Economic Regulatory Administration, Department of Energy, P.O. Box 35228, Dallas, Texas 75235, Phone: 214/767–7745.

SUPPLEMENTARY INFORMATION: On May 11, 1981 the Office of Enforcement of the ERA executed a Consent Order with Phillips Oil Operating Company of Enid, Oklahoma. Under 10 CFR 205.199J(b) a Consent Order which involves a sum of $500,000 or less in the aggregate excluding penalties and interest, becomes effective upon its execution.

Because the DOE and Phillips wish to expeditiously resolve this matter as agreed and to avoid delay in the payment of refunds, the DOE has determined that it is in the public interest to make the Consent Order with Phillips effective as of the date of its execution by the DOE and Phillips.

I. The Consent Order

Phillips Oil Operating Company is a firm engaged in the production of crude oil and was subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR Parts 210, 211, and 212. To resolve certain civil actions which could be brought by the Office of Enforcement of the Economic Regulatory Administration as a result of its audit of Phillips the Office of Enforcement, ERA and Phillips entered into a Consent Order, the significant terms of which are as follows:

1. During the period September 1, 1973 through January 27, 1981 Phillips allegedly sold crude oil above the allowable prices specified at 10 CFR Part 212, Subpart D.

2. Phillips and the DOE have agreed to a settlement of $43,000. This amount will be refunded by Phillips on or before June 10, 1981. The negotiated settlement was determined to be in the public interest as well as the best interest of the DOE and Phillips.

3. This Consent Order constitutes neither an admission by Phillips that ERA regulations have been violated nor a finding by the ERA that Phillips has violated ERA regulations.

4. The provisions of 10 CFR 205.199J, including the publication of this Notice, are applicable to the Consent Order.

II. Disposition of Refunded Overcharges

In this Consent Order, Phillips agrees to refund in full settlement of any civil liability with respect to actions which might be brought by the Office of Enforcemet, ERA arising out of the transactions specified in I.1. above, the sum of $43,000 in the manner specified in I.2. above. Refunded overcharges will be in the form of certified checks made payable to the United States Department of Energy and will be delivered to the Assistant Administrator for Enforcement, ERA. The funds will remain in a suitable account pending the determination of their proper disposition.

The DOE intends to distribute the refund amounts in a just and equitable manner in accordance with applicable laws and regulations. Accordingly, distribution of such refunded overcharges requires that only those "persons" (as defined at 10 CFR 205.2) who actually suffered a loss as a result of the transactions described in the Consent Order receive appropriate refunds. Because of the petroleum industry's complex marketing system, it is likely that overcharges have either been passed through as higher prices to subsequent purchasers or offset through devices such as the Old Oil Allocation (Entitlements) Program, 10 CFR 211.67. In fact, the adverse affects of the overcharges may have become so diffused that it is a practical impossibility to identify specific, adversely affected persons, in which case disposition of the refunds will be made in the general public interest by an appropriate means such as payment to the Treasury of the United States pursuant to 10 CFR 205.199I(a).

III. Submission of Written Comments

A. *Potential Claimants:* Interested persons who believe that they have a claim to all or a portion of the refund amount should provide written notification of the claims to the ERA at this time. Proof of claims is not being required. Written notification to the ERA at this time is requested primarily for the purpose of identifying valid potential claims to the refund amount. After potential claims are identified, procedures for the making of proof of claims may be established. Failure by a person to provide written notification of a potential claim within the comment period for this Notice may result in the DOE irrevocably disbursing the funds to other climants or to the general public interest.

B. *Other Comments:* The ERA invites interested persons to comment on the term, conditions, or procedural aspects of this Consent Order. You should send your comments or written notificaton of a claim to Wayne I. Tucker, Southwest District Manager, Economic Regulatory Administration, Department of Energy, P.O. Box 35228, Dallas, Texas 75235. You may obtain a free copy of this Consent Order by writing to the same address or by calling 214/767-7745.

You should identify your comments or written notificaiton of a claim on the outside of your envelope and on the documents you submit with the designation "Comments on the Phillips Oil Operating Company Consent Order". We will consider all comments we received by 4:30 p.m., local time (30 days after publication). You should identify any information or data which, in your opinion, is confidential and submit it in accordance with the Procedures in 10 CFR 205.9(f).

Issued in Dallas, Texas on the 19th day of May 1981.

Wayne I. Tucker,

Southwest District Manager, Economic Regulatory Administration.

[FR Doc. 81-16000 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-01-M

[OFC Case Nos. 55119-9193-01-12, 55119-9193-02-12, and 55119-91933-03-12; Docket No. ERA-FC-81-005]

Powerplant and Industrial Fuel Uses; General Motors Corp.; Tentative Staff Analysis

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of Availability of Tentative Staff Analysis..

SUMMARY: On December 4, 1980, General Motors Corporation (GM) filed a petition with the Economic Regulatory Administration (ERA) for an order which would exempt three new major fuel burning installations (MFBI's) from the prohibitions of the Powerplant Industrial Fuel Use Act of 1978 (42 U.S.C. 8301 *et seq.), (FUA or the Act). Title II of FUA prohibits the use of petroleum or natural gas as a primary energy source in certain new MFBI's unless an exemption has been granted by ERA. Criteria for petitioning for exemption from the prohibitions of FUA are contained in 10 CFR Parts 500 and 501, and 10 CFR Part 503, published on June 6, 1980, at 45 FR 38276 and 38302 respectively. This rule became effective August 5, 1980.*

Under the provisions of 10 CFR 503.38(d), GM petitioned for a permanent fuels mixture exemption for each of three new boilers to be installed at GM's Assembly Division, Shreveport, Louisiana plant.

ERA accepted the petition on March 27, 1981, and published notice of its acceptance in the **Federal Register** on April 3, 1981, at 46 FR 20267. The Notice of Acceptance provided for a 45-day comment period during which interested persons could submit written comments and request a public hearing on the petition for exemption. That period expired on May 18, 1981. No comments were received nor was a public hearing requested.

Based upon the ERA staff's review and analysis of the information presently contained in the record of this proceeding, a Tentative Staff Analysis has been completed which recommends that ERA issue an order which would grant the requested exemption. Pursuant to 10 CFR § 501.64, notice of the availability of the Tentative Staff Analysis is hereby issued and interested persons are invited to submit written comments in regard to this matter, and any interested person may submit a written request that ERA convene a public hearing.

DATES: Written comments on the Tentative Staff Analysis are due on or before June 12, 1981. A request for public hearing must also be made within the same 14-day comment period.

ADDRESSES: Fifteen copies of written comments or a request for public hearing should be submitted to: Economic Regulatory Administration, Case Control Unit (Fuel Use Act), Box 4629, Room 3214, 2000 M Street NW., Washington, DC 20461.

Docket Number ERA-FC-81-005 should be printed clearly on the outside of the envelope and on the document contained therein.

FOR FURTHER INFORMATION CONTACT:

Edward J. Peters, Jr., Case Manager, New MFBI Branch, Office of Fuels Conversion, Economic Regulatory Administration, 2000 M Street NW., Room 3128-M, Washington, D.C. 20461, Phone (202) 653-3934.

Allan J. Stein, Office of the General Counsel, Department of Energy, Forrestal Building, Room 6B-178, 1000 Independence Avenue SW., Washington, D.C. 20585, Phone (202) 252-2967.

ERA will issue a final order granting or denying GM's petition for permanent exemption within six months after the public comment period provided for in this notice has expired, unless ERA extends such period. Notice of any extension, together with a statement of reasons for such extension, will be published in the **Federal Register.**

The public file containing a copy of the Tentative Staff Analysis and other documents and supporting materials on this proceeding is available for inspection upon request at: ERA, Room B-110, 2000 M Street NW., Washington, D.C., Monday through Friday, 8:00 a.m.-4:30 p.m.

SUPPLEMENTARY INFORMATION: The MFBI's for which the petition exemption has been filed are three new field-erected boilers (identified as boilers Nos. 1, 2, and 3), each having a design heat input rate of approximately 177 million Btu's per hour with a steam generating capacity of 150,000 pounds per hour. Each boiler is designed to burn coal, natural gas, or oil. GM, in its petition, seeks a permanent exemption

to burn a mixture of coal and natural gas, alternately, in each unit. GM has certified that the amount of natural gas which will be used in the mixture for each of the three boilers will not exceed 25 percent of the total annual Btu heat input rate of the primary energy sources of each boiler.

Eligibility and evidentiary requirements governing the permanent fuels mixture exemption, as authorized under section 212(d) of FUA, are set forth at 10 CFR 503.38. Under subsection (d) of that section, a certification alternative is available for MFBI's which will use a mixture containing less than 25 percent petroleum or natural gas, providing simplified evidentiary requirements for such facilities. GM has petitioned for a permanent exemption from the prohibitions of Title II of FUA for each of its boiler Nos. 1, 2 and 3, under 10 CFR 503.38(d), based upon use of a mixture containing less than 25 percent natural gas in each unit and has included in its petition, as amended by letter dated March 2, 1981, the following information and duly executed certifications:

(1) The amount of natural gas to be used in the fuels mixture in each boiler identified in its petition will not exceed 25 percent of the total annual Btu heat input of the primary energy sources of each installation;

(2) Pursuant to 10 CFR 503.15(b), GM will, prior to operating the boilers which are the subject of its petition, secure all applicable environmental permits and approvals pursuant to, but not limited to, the following: Clean Air Act, Clean Water Act, Rivers and Harbors Act, Coastal Zone Management Act, and the Resource Conservation and Recovery Act;

(3) The information required by the Environmental Checklist pursuant to 10 CR 503.15(b); and

(4) That it will, upon grant of the requested exemptions, agree to the terms and conditions specified in 10 CFR 503.38(e).

In addition, pursuant to 10 CFR 503.38(d)(3), GM provided a description of the fuels mixture, component elements and percentages and quantity of each component to be utilized in each boiler. The ERA staff reviewed the description of the fuels mixture and is satisfied that the percentage and quantity of each component of the fuels mixture projected to be used annually in each boiler identified in its petition is consistent with GM's certifications that the amounts of natural gas to be used in each of the boilers will not exceed 25 percent of the total annual Btu heat input of that unit's primary energy sources. GM did not include a request for an exemption to use petroleum in the units identified in its petition.

The ERA staff has examined the certifications made by GM in its petition, and other information contained therein, and has determined that the petition fulfills the requirements of 10 CFR 503.38(d). The ERA staff also finds that the amount of natural gas proposed to be used by GM in each unit would not exceed the minimum percentage of the total annual Btu heat input of the primary energy sources needed to maintain operational reliability of the unit consistent with maintaining a reasonable level of fuel efficiency. Accordingly, the ERA staff has completed a Tentative Staff Analysis which recommends that an order be issued, subject to the terms and conditions specified below, which would grant GM the requested exemptions for its three boilers.

TERMS AND CONDITIONS: Section 214(a) of FUA gives ERA the authority to attach appropriate terms and conditions to any order granting an exemption under Title II of the Act. By petitioning for exemption under the provisions of 10 CFR 503.38(d), GM, in accordance with 10 CFR 503.38(e), agreed, upon grant of each exemption, to the standard terms and conditions specified in that subsection. Based upon its review of the record in this matter, ERA staff recommends that the following terms and conditions be attached to any order which would grant GM's requested exemption.

(1) The amount of natural gas to be used in a mixture with alternate fuel in each of the boilers will not exceed 25 percent of the total annual Btu heat input of the primary energy sources of each unit.

(2) Prior to operating each of the boilers, GM will secure all applicable environmental permits and approvals pursuant to, but not limited to the following: Clean Air Act, Clean Water Act, Rivers and Harbors Act, Coastal Zone Management Act and the Resource Conservation and Recovery Act.

REPORTING REQUIREMENTS: In addition to the above terms and conditions, GM must, pursuant to 10 CFR 503.38(g), upon grant of this exemption, certify to ERA the date each of the three boilers is first operated under the provisions of this order, and must, annually thereafter at not later than 30 days after each anniversary of that date, file with ERA a certification that the amount of natural gas used in each boiler during the preceding year did not exceed 25 percent of the total annual Btu heat input of the primary energy sources of that MFBI. Such certifications shall be executed by a duly authorized representative of GM.

On August 11, 1980, DOE published in the **Federal Register** (45 FR 53199) a notice of proposed amendments to guidelines for compliance with the National Environmental Policy Act of 1969 (NEPA). Pursuant to the guidelines, the granting or denial of certain FUA permanent exemptions, including the permanent fuels mixture exemption by certification in which the use of petroleum or natural gas in a mixture with an alternate fuel(s) will not exceed 25 percent of the exempted MFBI's total annual Btu heat input of its primary energy sources, were identified as classes of actions which normally do not require the preparation of an Environmental Impact Statement or an Environmental Assessment.

This classification raises a rebuttable presumption that the granting or denial of these exemptions will not significantly affect the quality of the human environment. GM has certified that it will secure all applicable permits and approvals prior to commencement of operation of each new MFBI under exemption. The Environmental Checklist completed and certified to by GM pursuant to 10 CFR 503.15(b) has been reviewed by DOE's Office of Environment, with consultation from the Office of the General Counsel, and it has been determined that GM's responses to the questions therein indicate that the operation of each of the three boilers under this exemption will have no significant impact on those areas regulated by specified laws that impose consultation requirements on DOE, and otherwise affirms the applicability of the categorical exclusion to these FUA actions. No contrary information has come to the attention of ERA; therefore, unless substantial questions regarding the categorical exclusion in this instance are raised during the proceeding on GM's petition which would indicate otherwise, no additional environmental review is deemed to be required.

The Tentative Staff Analysis does not constitute a decision by ERA to grant the requested exemption. Such a decision will be made in accordance with 10 CFR 501.68 on the basis of the entire record of this proceeding, including any comments received on this Tentative Staff Analysis.

Issued in Washington, D.C., on May 21, 1981.

Robert L. Davies,

Director, Office of Fuels Conversion, Economic Regulatory Administration.

[FR Doc. 81-16001 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Project No. 4503-000]

Central Maine Power Co.; Application for Preliminary Permit

May 22, 1982.

Take notice that Central Maine Power 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. 4503 to be known as the Cold Stream Project located on the Kennebec River in Somerset County, Maine. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Elwin W. Thurlow, President, Central Maine Power Company, Edison Drive, Augusta, Maine 04336. 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 200-foot high, 1,400-foot long, zoned earth embankment or rock-fill dam; (2) a 250-foot long concrete spillway; (3) a reservoir with a surface area of 835 acres with a gross storage capacity of 66,343 acre feet at elevation 800 feet m.s.l.; (4) a 1,000-foot long power canal; (5) a 32-foot diameter, 200-foot long penstock; (6) a powerhouse containing a single 83-MW turbine-generator unit initially and space available for two additional 83-MW turbine-generator units; (7) a 3.7-mile long, 115-kV transmission line and (8) appurtenant facilities. The Applicant estimates that the average annual energy output initially would be 250,000,000 kWh and might be increased to a maximum of 295,000,000 kWh through the addition of additional units.

Purpose of Project—Energy produced at the project would be fed into the Applicant's system.

Proposed Scope and Cost of Studies Under Permit—The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on results of these studies, Applicant would decide whether to proceed with more detailed studies and the preparation of an application for license to construct and operate the project. The Applicant has requested a preliminary permit term of three years. The cost of the studies under the preliminary permit has been estimated by the Applicant to be $1,000,000.

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 August 10, 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 interest person to file the competing application no later than October 9, 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 August 10, 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," "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. 4503. 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. 81-16004 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ID-1956-000]

William T. Coleman, Jr.; Filing

May 21, 1981.

The filing individual submits the following:

Take notice that on May 11, 1981, William T. Coleman, Jr. filed a petition for a declaratory order pursuant to section 1.7(c) of the Commission's regulations that INA Corporation (INA) is not a firm authorized by law to underwrite or participate in the marketing of securities of a public utility within the meaning of section 305(b) of the Federal Power Act, and, thus, that the holding of the positions of director of the Philadelphia Electric Company (PEC) and director of INA does not fall within the purview of section 305(b) of the Federal Power Act.

Mr. Coleman states that PEC is a public utility as defined by § 45.2(b)(1) of the Commission's regulations. Mr. Coleman states that INA's principle businesses include property-casualty insurance, life insurance, and health care. Mr. Coleman states that INA engages in investment activities and through two wholly-owned subsidiaries owns capital stock in Paine Webber Incorporated (Paine). Mr. Coleman states that Paine has several subsidiaries which are authorized by law to underwrite or participate in the marketing of public utility securities as defined by § 45.2(b)(2) of the Commission's regulations. Mr. Coleman asks that the Commission declare that INA does not constitute a firm authorized by law to underwrite or participate in the marketing of securities of a public utility within the meaning of section 305(b) of the Federal Power Act and that the holding of the positions of director of PEC and director of INA does not fall within the purview of section 305(b) of the Federal Power Act.

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 (1.8 CFR 1.8, 1.10).

All such petitions or protests should be filed on or before June 10, 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. 81-16054 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4329-000]

Consolidated Hydroelectric, Inc.; Notice of Application for Preliminary Permit

May 22, 1981.

Take notice that Consolidated Hydroelectric, Inc. (Applicant) filed on March 12, 1981, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)) for proposed Project No. 4329 to be known as The Willow Creek Tehama Power Project located on the Willow 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: Mr. L. Porter Davis, Vice President, Consolidated Hydroelectric, Inc., 698 Azalea Avenue, 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 140-foot long, 5-foot high concrete and rock diversion structure; (2) a 10,000-foot long diversion conduit or channel; (3) a 1,200-foot long, 44-inch diameter steel penstock; (4) a powerhouse containing generating units with a total rated capacity of 4,580 kW; and (5) a 13-mile long 12.5-kV transmission line.

The Applicant estimates that the average annual energy output would be 16 million kWh.

Purpose of Project—The project energy would be sold to Pacific Gas and Electric Company.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks a preliminary permit for a period of 36 months, during which time it would conduct engineering, environmental, and economic feasibility studies and prepare an FERC license application. No new roads will be required to conduct these studies. The cost of conducting these studies and preparing an FERC license application has been estimated to be between $80,000 and $140,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for power, and all other information necessary for inclusion in an application for a license.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before August 10, 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 October 9, 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 August 10, 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. 4329. 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. 81-16035 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. ER81-353-000, ER81-354-000, and ER81-381-000]

Dayton Power and Light Co.; Order Accepting for Filing and Suspending Revised Rates, Denying Motions, Denying Waiver of Notice, Granting Intervention, Consolidating Dockets, and Establishing Price Squeeze and Hearing Procedures

Issued: May 22, 1981.

On March 24, 1981, in Docket No. ER81-354-000, Dayton Power and Light Company (Dayton) filed increased rates for firm power service to 14 municipal customers served under its present electric tariff. Dayton concurrently filed, in Docket No. ER81-353-000, proposed rates for partial requirements and transmission services not previously offered to Dayton's wholesale customers. Although there are no customers currently taking the partial requirements or transmission services, Dayton states that it has been informed by a number of municipal customers that purchases from third parties are imminent. Thus, the company desires to have this alternate tariff on file at this time. Dayton also filed, on March 31, 1981, in Docket No. ER81-381-000, increased rates for firm power service to its remaining wholesale customer, the City of Piqua, Ohio (Piqua), which is served under a separate interconnection agreement.[1]

The proposed rates applicable to these 15 municipal customers would result in increased revenues of approximately $6,452,566 (40.52%) for the twelve months ending March 31, 1982. Dayton requests an effective date of sixty days after filing for the respective rate changes, *i.e.*, May 23, 1981, for the 14 municipals served under the tariff and May 30, 1981, for Piqua. Dayton also requests waiver of the notice requirements to permit the new partial requirements and transmission service tariff to become effective as of the filing date, March 24, 1981.

Notices of the filings were issued on March 31, 1981, in docket Nos. ER81353-000, and ER81-354-000, and on April 7, 1981, in Docket No. ER81-381-000, with responses in all three dockets due on or before April 20, 1981. On April 20, 1981, the municipal customers currently served under Dayton's electric tariff (Municipals) filed a protest, motion to reject, and petition to intervene in Docket No. ER81-354-000.[2] Municipals protest the rate increase as being excessive, seek rejection of the submittal asserting that it violates the Commission's filing requirements, and, alternatively, request a five month suspension. Municipals further contend that Dayton has used a number of improper cost of service procedures or allocations, and that the proposed rates will create a price squeeze.

On April 20, 1981, Piqua filed a protest and petition to intervene in Docket No. ER81-381-000. Piqua raises no independent objections, but states that it incorporates by reference the protest filed by the Municipals in Docket No. ER81-354-000.

Also on April 20, 1981, the Municipals filed a protest and petition to intervene in Docket No. ER81-353-000. Municipals state that they desire to have the partial requirements and transmission tariff available for immediate use, but that the customers should not be penalized by having to pay an excessive rate for such services. Therefore, Municipals request that the Commission grant waiver of the notice requirements and suspend the terms and conditions of the partial requirements and transmission tariff for one day, but suspend the *rates* for five months, allowing them to become effective subject to refund on the same date as the full requirements rates. In addition, Municipals request that Dayton be required to compute and file partial requirements and transmission rates based on the same cost data used to derive its present rates for firm service. Under the Municipals' proposal, these rates would then be collected during the interim period prior to the effective date of the proposed rates for partial requirements and transmission services. Municipals further request that any rate charged for the transmission of power and energy from Buckeye Power, Inc., be collected subject to refund pending the outcome of a complaint filed by the City of St. Marys in Docket No. EL81-14-000.[3] Municipals also object to proposed partial requirements and transmission service tariff.

Discussion

Municipals' motion to reject the filing is based on the allegation that Dayton has failed to file sufficiently detailed testimony and sufficient support for certain Period II estimates and cost of service adjustments. The Commission finds that Dayton has substantially complied with the requirements of section 35.13 of the regulations, and therefore the motion to reject will be denied.[4]

Muncipals' request for Dayton to compute and file interim partial requirements and transmission rates based on cost data used in the derivation of their present rates is inappropriate and will be denied. Dayton's choice of a test period is consistent with section 35.13 of the regulations and the Commission will not require Dayton to use historical data to derive rates for services to be rendered in the future.[5]

Our analysis of Dayton's filings indicates that the proposed rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful. Therefore we shall accept the rates for filing and suspend them as directed below.

In a number of suspension orders,[6] we have addressed the considerations underlying the Commission's policy regarding rate suspensions. For the reasons given there, we have concluded that rate filings should generally be suspended for the maximum period permitted by statute where preliminary study leads the Commission to believe that the filing may be unjust and unreasonable or that it may run afoul of other statutory standards. We have acknowledged, however, that shorter suspensions may be warranted in circumstances where suspension for the maximum period may lead to harsh and inequitable results. Such circumstances have been presented here. As noted, Dayton's last general rate increase to its wholesale customers became effective in 1976. Moreover, according to our

---

[1] *See* Attachment A for rate schedule designations.

[2] The cities and villages are Arcan, Celina, Eldorado, Jackson Center, Lakeview, Mendon, Minister, New Bremen, New Knoxville, St. Marys, Tipp City, Versailles, Waynesfield, and Yellow Springs.

[3] On April 16, 1981, the City of St. Marys and American Municipal Power-Ohio, Inc. filed a complaint against Dayton alleging that Dayton's refusal to transmit power from Buckeye Power to St. Marys is in violation of its obligations under the Buckeye Power Delivery Agreement. No action has been taken in Docket No. EL81-14-000 to date.

[4] *See Municipal Light Boards of Reading and Wakefield, Massachusetts* v. *FPC*, 450 F.2d 1341 (D.C. Cir. 1971).

[5] We note that Dayton's last general rate increase to its wholesale customers became effective in November of 1976.

[6] *E.g., Boston Edison Company*, Docket No. ER80-508 (August 29, 1980) (five-month suspension); *Alabama Power Co.*, Docket Nos. ER80-506, *et al.* (August 29, 1980) (one-day suspension); *Cleveland Electric Illuminating Co.*, Docket No. ER80-218 (August 22, 1980) (one-day suspension).

review, the full requirements rates, including the rates to Piqua, may not yield substantially excessive revenues. Under these circumstances, a nominal suspension and a refund obligation should provide adequate protection to the affected customers pending the outcome of a hearing. Accordingly, the Commission will suspend these full requirements rates for one day to become effective, subject to refund, on May 24, 1981, for all customers except Piqua, and on May 31, 1981, for Piqua.

The partial requirements and transmission rates cover services not previously offered to Dayton's wholesale customers. As noted above, Dayton has requested waiver of the notice requirements to allow the proposed partial requirements and transmission tariff to become effective on March 24, 1981. Although the intervening customers have supported the request for waiver with respect to the tariff terms and conditions, their support is premised on their further request that the Commission suspend the associated rates for the full five months. However, for the reasons stated with regard to the full requirements rates, we believe that a one day suspension is appropriate as to the remaining rates as well. Moreover, it does not appear that any customer has arranged for the subject services and, since the 60-day period following the filing will elapse shortly, denial of waiver should pose no obstacle to customers who may desire partial requirements or transmission service. We find that good cause does not exist to grant waiver and we shall therefore suspend the partial requirements transmission tariff and rates for one day to become effective, subject to refund, on May 24, 1981.

Since Docket Nos. ER81–353–000, ER81–354–000 and ER81–381–000 present common questions of law and fact, we shall consolidate those dockets for purposes of hearing and decision.

In accordance with the Commission's policy established in *Arkansas Power and Light Company*, Docket No. ER79–339, order issued August 6, 1979, we shall phase the price squeeze issue. This procedure will allow a decision first to be reached on the cost of service, capitalization and rate of return issues. If, in view of the intervenors or staff, a price squeeze persists, a second phase of the proceeding may follow.

The Commission finds that participation in this proceeding by each of the petitioners is in the public interest. Accordingly, the petitions to intervene will be granted.

The Municipals have requested that any rate charged for the transmission of power and energy from Buckeye Power, Inc. be collected subject to refund pending the outcome of the complaint proceeding in Docket No. EL81–14–000. The transmission rates currently proposed by Dayton are being suspended and set for hearing by this order. Consequently, the rate that Dayton would charge for transmission, including that involving Buckeye Power, Inc., will be collected subject to refund, irrespective of the proceedings in Docket No. EL81–14–000. Docket No. EL81–14–000 is at a very early stage, with comments and protests being due on May 22, 1981. We shall decline to take further action at this time pending consideration of the complaint.

The Commission orders:

(A) The Municipals' motion to reject is hereby denied.

(B) The Municipals' request to require Dayton to file interim rates for partial requirements and transmission service is hereby denied.

(C) Dayton's general rate increase for firm service and the increase to the City of Piqua are hereby accepted for filing and suspended for one day to become effective May 24, 1981, and May 31, 1981, respectively, subject to refund.

(D) Dayton's request for waiver of the notice requirements to allow the partial requirements and transmission service tariff to become effective as of the filing date is hereby denied, and such tariff and rates are hereby accepted for filing and suspended for one day from sixty days after filing to become effective May 24, 1981, subject to refund.

(E) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the DOE Act and by the Federal Power Act, particularly sections 205 and 206 thereof, and pursuant to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act [18 CFR, Chapter I (1980)], a public hearing shall be held concerning the justness and reasonableness of Dayton's rates.

(F) The petitioners are hereby permitted to intervene in this proceeding subject to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act: *Provided, however,* that participation by such intervenors shall be limited to the matters set forth in the petitions to intervene; and, *provided, further,* that the admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved by any order or orders entered by the Commission in this proceeding.

(G) Docket Nos. ER81–353–000, ER81–354–000 and ER81–381–000 are hereby consolidated for purposes of hearing and decision.

(H) We hereby order initiation of price squeeze procedures and further order that the proceeding be phased so that the price squeeze procedures begin after issuance of a Commission opinion establishing the rate which, but for a consideration of price squeeze, would be just and reasonable. The presiding judge may order a change in this schedule for good cause. The price squeeze portion of this case shall be governed by the procedures set forth in section 2.17 of the Commission's regulations as they may be modified prior to the initiation of the price squeeze phase of this proceeding.

(I) The Commission staff shall serve top sheets in this proceeding on or before May 24, 1981.

(J) A presiding administrative law judge, to be designated by the Chief Administrative Law Judge for that purpose, shall convene a conference in this proceeding to be held within approximately fifteen (15) days after service of top sheets, in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. The presiding judge is authorized to establish procedural dates and to rule on all motions (except motions to consolidate or sever and motions to dismiss) as provided for in the Commission's Rules of Practice and Procedure.

(K) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,

Secretary.

Attachment A—Dayton Power and Light Company

Docket No. ER81–353–000—Other Party: No one taking service at this time.

Designation:

(1) FERC Electric Tariff, Original Volume No. 2 (Original Sheets 1 through 26).

(2) Exhibit A to (1) above (Electrical Emergency Procedures).

Effective: May 24, 1981, subject to refund.

Docket No. ER81–354–000—Other party: Municipals served under FPC Electric Tariff, Original Volume No. 1.

Designation	Supersedes
(1) 10th Revised Sheet No. 4	9th Revised Sheet No. 4.
(2) 1st Revised Sheet No. 4–A	Original Sheet No. 4–A.
(3) 8th Revised Sheet No. 5	7th Revised Sheet No. 5.
(4) 4th Revised Sheet No. 5–A	3rd Revised Sheet No. 5–A.
(5) 2nd Revised Sheet No. 8	1st Revised Sheet No. 8.
(6) Original Sheet No. 8	

Effective: May 24, 1981, subject to refund.

Docket No. ER81-381-000—Other Party: City of Piqua.

Designation: Supplement No. 16 to Rate Schedule FPC No. 34 (Supersedes Supplement No. 13).

Effective: May 31, 1981, subject to refund.

[FR Doc. 81-16036 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-121-000]

El Paso Natural Gas Co. and Amoco Production Co.; Renotice of Application

May 22, 1981.

Take notice that on December 29, 1980, El Paso Natural Gas Company (El Paso), P.O. Box 1492, EL Paso, Texas 79978, and Amoco Production Company (Amoco), P.O. Box 3092, Houston, Texas 77001, filed in Docket No. CP81-121-000 a joint application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation and exchange of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

El Paso states that it sells and delivers quantities of return residue gas to Amoco which are in excess of casinghead gas quantities which El Paso has purchased from Amoco pursuant to a casinghead gas contract and letter agreement. It is stated that Amoco uses this gas in association with the production of oil and gas in the Bakke Field located in Andrews County, Texas. It is further stated that since the residue gas has been reclassified to Priority 3 delivery, Amoco is concerned that production in the Bakke Field could be seriously affected as a result of the extensive periods of total or partial curtailment of Priority 3 deliveries which have occurred and are expected to continue to occur on El Paso's interstate transmission system.

In consideration of Amoco's concern, Applicants state they have entered into a gas exchange agreement dated May 1, 1980, which supersedes the previous letter agreement and which provides for Amoco to utilize its own source of natural gas supply for assurance of reliability of natural gas service required to maintain the production of oil and gas reserves attributable to the Bakke Field. Pursuant to the agreement, it is stated that El Paso has acquired a new source of natural gas supply from Amoco's Lansdale "D" Federal Com. No. 1 well located in Lea County, New Mexico. It is further stated that Amoco has dedicated 75 percent of its natural gas reserves produced from the well to El Paso and reserved the right to receive in kind up to the remaining 25 percent of the production for use in its operation of the Bakke Field facilities. Applicants state that Amoco would deliver to El Paso noncommitted quantities of in-kind takes and that El Paso would deliver equivalent quantities of natural gas on a volumetric basis to Amoco at existing delivery points located in Andrews County, Texas. It is stated that the exchange arrangement can be accomplished by use of existing facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 3, 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). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-16019 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. ER 80-327 and ER80-328]

Georgia Power Co.; Compliance Report

May 21, 1981.

The filing company submits the following:

Take notice that on May 11, 1981, Georgia Power Company (GPC) filed a Compliance Report for Docket Nos. ER80-327 and ER80-328 ordered to be filed by the Commission's order of April 21, 1981, which approved the settlement agreements filed and approved by the Commission in the above-mentioned dockets.

GPC states that it has refunded to the Oglethorpe Power Corporation (OPC), the Municipal Electric Authority of Georgia (MEAG), and to the City of Dalton, Georgia (Dalton) a total of $4,459,942.89 in settlement of the PR-5 rate. This amount included a principal refund of $4,346,823.00 and interest in the amount of $113,119.89. This total refund was made in Docket No. ER80-328 for the partial requirements customers.

GPC also refunded to the Cities of Acworth and Hampton, Georgia a total of $33,942.43 in settlement of the FR-3 rate which is embodied in Docket No. ER80-327. These cities are full requirements customers. This amount included a principal refund of $33,285.22 and interest in the amount of $657.21.

Any person desiring to be heard or to make any protest with reference to said Compliance Report should on or before June 11, 1981, file with the Federal Energy Regulatory Commission, 825 North Capitol Street, 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, 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 protestant a party to the proceeding. Any person wishing to become a party must file a petition of Intervention in accordance with the Commission's Rules of Practice and Procedure.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-16037 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ES81-46-000]

Gulf States Utilities Co.; Application

May 21, 1981.

Take notice that on May 13, 1981, Gulf States Utilities Company (Applicant)

filed an application seeking an order pursuant to Section 204 of the Federal Power Act authorizing the issuance of 588,000 Shares of Additional Common Stock.

The Applicant proposes to issue the new securities in exchange for all of the outstanding capital stock of the Prudential Drilling Company, a Texas corporation which is in the business of oil and gas exploration and development. The Applicant then proposes to continue and expand the exploration and development program of such subsidiary.

Any person desiring to be heard or to make any protest with reference to said Application should on or before June 3, 1981, file with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 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. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-16038 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. ER80-259, ER80-793-000, ER80-793-001, ER81-355-000, ER81-356-000, and ER81-357-000]

Kansas Gas and Electric Co.; Order Accepting for Filing and Suspending Proposed Rates, Granting Intervention, Waiving Filing Requirements, Denying Motions To Reject, Consolidating Proceedings, and Establishing Price Squeeze and Hearing Procedures

Issued: May 26, 1981.

On March 24, 1981, Kansas Gas and Electric Company (KG&E) tendered for filing three unexecuted service agreements [1] providing for an increase in rates for service to the Cities of Wellington (Docket No. ER81-355-000), Winfield (Docket No. ER81-356-000), and Girard (Docket No. ER81-357-000), Kansas collectively referred to as Cities) to supersede existing agreements between KG&E and each city.[2] The new agreements incorporate rates for service to the Cities which are identical to those proposed by KG&E and currently subject to investigation in Docket Nos. ER80-259, *et al.*[3] KG&E indicates that the rates will be modified to reflect the Commission's conclusions in the prior dockets.

KG&E's submittals reflect an increase in revenues from Wellington of $240,446 and from Winfield of $43,006 for the 12-month period ending May 31, 1981. The increase to Girard represents additional revenues of $141,163 for the 12-month period ending June 30, 1981. With respect to Wellington and Winfield, KG&E requests acceptance of its filing as of May 31, 1981, in order to permit the rates to commence, after a one day suspension, on June 1, 1981, subject to refund. With respect to Girard, KG&E requests acceptance as of June 30, 1981, to permit that rate to commence, after a one day suspension, on July 1, 1981, subject to refund. These dates represent the day after termination of the respective agreements.

KG&E asserts that its filings in these dockets contain agreements in all respects similar to the one filed in Docket No. ER80-793 for service to the City of Burlington, Kansas (Burlington), which was amended in Docket No. ER80-793-001. As in the instant filings, the rates for Burlington were the same rates as those proposed in Docket No. ER80-259. By orders issued November 28, 1980, and March 4, 1981, the Commission, *inter alia*, waived the filing requirements, accepted for filing and suspended the submittals applicable to Burlington for one day, and consolidated those proceedings with Docket No. ER80-259. KG&E requests similar treatment for the instant submittals.

Notices of the filings were issued on March 31, 1981, with comments, protests, or petitions to intervene due on or before April 20, 1981. On April 16, 1981, Wellington filed in Docket No. ER81-356-000, a petition to intervene, which was withdrawn by petition filed April 20, 1981. On April 20, 1981, Wellington, Winfield, and Girard filed petitions to intervene, protests, motions to reject, and alternative requests for five-month suspension and consolidation. In support of their motions to reject, Cities assert that the filings (1) fail to comply with Commission orders, (2) are not supported by cost data, and (3) are excessive, unreasonable, anticompetitive, discriminatory, and would create a price squeeze. Alternatively, Cities urge a five-month suspension period to be compatible with the Commission's general policy for maximum suspension of rate filings inasmuch as they assert that no special circumstances warrant a departure from that policy. KG&E filed answers to the protests on May 5, 1981.

Discussion

Initially, we find that participation by Cities in this proceeding is in the public interest. Consequently, we shall grant the petitions to intervene.

As noted above, in Docket No. ER80-793-000, the proposed rates were the same as those submitted in Docket No. ER80-259, and KG&E's cost of service in the earlier docket included the costs of providing service to Burlington. We, therefore, granted KG&E's request for waiver of the filing requirements and test period time constraints of our regulations. The circumstances presented by the instant filings are identical and, therefore, the rationale stated in our November 28, 1980 order is equally applicable here. As a result, we shall grant KG&E's requests for waiver in Docket Nos. ER81-355-000, ER81-356-000, and ER81-357-000, and permit the use of the cost of service data filed in Docket No. ER80-259 to support the rates currently proposed.

Further, we do not believe that the remaining arguments made by Cities provide an adequate basis for rejecting KG&E's filings. Those issues should be resolved together with the issues raised in the Docket No. ER80-259 proceeding. We shall therefore deny the motions to reject KG&E's filings and we shall grant the requests to consolidate the dockets for purposes of hearing and decision.

Our analysis of KG&E's filings indicates that the proposed rates have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory, preferential, or otherwise unlawful. Accordingly, we shall accept the

---

[1] See Attachment A for rate schedule designations.

[2] On May 3, 1978, the requisite written notice of contract termination was served on each city.

[3] In its filing in Docket No. ER80-259, KG&E acknowledged that the Commission's prior orders in Docket No. ER77-578 held that increases in firm power rates to seven of its partial requirements municipal customers (Burlington, Chanute, Coffeyville, Fredonia, Girard, Iola, and Winfield) were subject to the stricter *Sierra* burden of proof in requesting rate changes. *(United Gas Pipeline Co.* v. *Mobile Gas Service Corp.*, 350 U.S. (1956) and *F.P.C.* v. *Sierra Pacific Power Co.*, 350 U.S. 348 (1956)). Thus, increases to those customers were not proposed in Docket No. ER80-259. However, the cost of providing firm service to those customers was included in KG&E's cost of service. KG&E's contract with Wellington has been interpreted as permitting only prospective rate changes but under the just and reasonable burden of proof. *(See Kansas Gas & Electric Company*, Docket No. ER77-578, order issued February 1, 1978; *see also* Opinion No. 80, Docket No. ER77-578, issued March 19, 1980).

proposed agreements for filing and suspend them as ordered below.

In a number of suspension orders,[4] we have addressed the considerations underlying the Commission's policy regarding rate suspensions. For the reasons given there, we have concluded that rate filings should generally be suspended for the maximum period permitted by statute where preliminary study leads the Commission to believe that the filing may be unjust and unreasonable or that it may run afoul of other statutory standards. We have acknowledged, however, that shorter suspension periods may be warranted in circumstances where suspension for the maximum period may lead to harsh and inequitable results. Such circumstances have been presented here. With respect to the increased rates to Burlington in Docket No. ER80-793-000, we imposed a one-day suspension. In our order of November 28, 1980, we fully explained our reasons for concluding that it would be unfair to KG&E to suspend the same rates for an extended period each time they become applicable to a new customer by reason of a contract termination. The same rationale applies to the instant filings. Consequently, we shall suspend the rates for one day, permitting them to take effect subject to refund as hereinafter ordered.

Generally, the Commission provides that price squeeze issues should be phased in accordance with the policy established in *Arkansas Power and Light Company*, Docket No. ER79-339 (August 6, 1979). However, in the order issued in Docket No. ER80-259 on May 30, 1980, we elected not to phase this issue because the proceeding involved in part an application for increased rates that could not become effective until the Commission determined the lawful rate. The Commission did, however, permit the judge to exercise discretion in this matter. With respect to the price squeeze allegations raised by Cities we shall authorize the presiding judge previously designated in Docket Nos. ER80-259, *et al.* to establish such procedures are are deemed appropriate for consideration of this issue in light of any procedural schedule previously adopted.

The Commission orders:

(A) The motions to reject the filing submitted by Cities are hereby denied.

(B) KG&E's rates tendered for filing in Docket Nos. ER81-355-000 and ER81-356-000 are hereby accepted for filing and suspended for one day, to become effective on June 1, 1981, subject to refund; KG&E's rates tendered for filing in Docket No. ER81-357-000 are hereby accepted for filing and suspended for one day, to become effective, subject to refund, on July 1, 1981.

(C) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the DOE Act and by the Federal Power Act, particularly sections 205 and 206 thereof, and pursuant to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power [18 CFR, Chapter I (1980)], a public hearing shall be held concerning the lawfulness of the rates filed by KG&E.

(D) Cities' petitions to intervene are hereby granted subject to the rules and regulations of the Commission; *Provided, however*, that participation by the intervenors shall be limited to matters set forth in their petitions to intervene; and *provided, further*, that the admission of the intervenors shall not be construed as recognition by the Commission that they might be aggrieved because of any order or orders by the Commission entered in this proceeding.

(E) Docket Nos. ER80-259, ER80-793-000, ER80-793-001, ER81-355-000, ER81-356-000, and ER81-357-000, are hereby consolidated for purposes of hearing and decision.

(F) The price squeeze portion of this case shall be governed by the procedures set forth in section 2.17 of the Commission's regulations as modified by Commission orders.

(G) The administrative law judge previously designated to preside in Docket Nos. ER80-259, *et al.* shall determine and implement such procedures as are necessary to accommodate consolidation of the instant dockets with the pending proceeding, including those related to the price squeeze issue.

(H) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,

Secretary.

Attachment A—Kansas Gas & Electric Company Rate Schedule Designations

Designation and Description

Docket No.: ER81-355-000

Other Party: City of Wellington, Kansas

Rate Schedule FERC No. 145 (Supersedes Rate Schedule FPC No. 98 as supplemented)—Electric Service Agreement

Supplement No. 1 to Rate Schedule FERC No. 145—Service Schedule A Firm Power Service

Supplement No. 2 to Rate Schedule FERC No. 145—Service Schedule B Emergency Service

Supplement No. 3 to Rate Schedule FERC No. 145—Service Schedule C Supplement Energy Service

Supplement No. 4 to Rate Schedule FERC No. 145—Fuel Adjustment Clause

Docket No.: ER81-356-000

Other Party: City of Winfield, Kansas

Rate Schedule FERC No. 146 (Supersedes Rate Schedule FPC No. 110 as supplemented)—Electric Service Agreement

Supplement No. 1 to Rate Schedule FERC No.146—Service Schedule A Firm Power Service

Supplement No. 2 to Rate Schedule FERC No. 146—Service Schedule B Emergency Service

Supplement No. 3 to Rate Schedule FERC No. 146—Service Schedule C Supplement Energy Service

Supplement No. 4 to Rate Schedule FERC No. 146—Fuel Adjustment Clause

Docket No.: ER81-357-000

Other Party: City of Girard, Kansas

Rate Schedule FERC No. 147 (Supersedes Rate Schedule FPC No. 110 as supplemented)—Electric Service Agreement

Supplement No. 1 to Rate Schedule FERC No.147—Service Schedule A Firm Power Service

Supplement No. 2 to Rate Schedule FERC No. 147—Service Schedule B Emergency Service

Supplement No. 3 to Rate Schedule FERC No. 147—Service Schedule C Supplement Energy Service

Supplement No. 4 to Rate Schedule FERC No. 147—Fuel Adjustment Clause

[FR Doc. 81-16039 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-460-000]

The Kansas Power & Light Co.; Filing

May 21, 1981.

The filing Company submits the following:

Take notice that on May 11, 1981, The Kansas Power and Light Company (Kansas) tendered for filing an amendment dated March 16, 1981, to that Certain Contract dated September 21, 1973, with Leavenworth-Jefferson Electric Cooperative, Inc. for wholesale service to that Cooperative. Kansas states that this is a supplement to a contract dated September 1, 1973, and designated KPL Rate Schedule FPC No. 157. This amendment will provide for the deletion of one delivery point known as 'New Oskaloosa', and the change in maximum capacity for the delivery point known as "New Tonganoxie". The

[4] E.G., *Boston Edison Co.*, Docket No. ER80-508 (August 29, 1980) (five-month suspension); *Alabama Power Co.*, Docket Nos. ER80-506, *et al.*, (August 29, 1980) (one day suspension); *Cleveland Electric Illuminating Co.*, Docket No. ER80-488 (August 22, 1980) (one day suspension).

proposed effective date is March 16, 1981 and Kansas requests that the Commission waive the notice requirements as allowed in Section 35.11 of its regulations. According to Kansas, the net billing for the twelve months succeeding the proposed change in agreements is $1,182,441.53. In addition, Kansas states that copies of the agreement have been mailed to Leavenworth-Jefferson Electric Cooperative, Inc. and the State Corporation Commission of Kansas.

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, 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 application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-16040 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-461-000]

Missouri Edison Co.; Filing

May 21, 1981.

The filing Company submits the following:

Take notice that Missouri Edison Company (Missouri) on May 12, 1981 tendered for filing a new increased FERC Electric Service Tariff to replace its current Electric Service Tariff No. 3. The proposed changes would increase revenues from its Wholesale Municipal Customer by $26,266 based on the twelve-month period ended June 30, 1981.

Missouri Edison Company's proposed increase in rates is due primary to wholesale power cost increases incurred by the Company.

A copy of the filing was served upon the City of Clarksville and the Missouri Public Service Commission has been notified of the proposed tariff and rate schedule changes.

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. 81-16041 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. RP81-62-000]

National Fuel Gas Supply Corp.; Revision to FERC Gas Tariff

May 21, 1981.

Take notice that on May 13, 1981, National Fuel Gas Supply Corporation ("National Fuel"), Ten Lafayette Square, Buffalo, New York 14203, filed in Docket No. RP81-62-000 its Revision to FERC Gas Tariff to Clarify Interest Period, through its FERC Gas Tariff, Original Volume No. 1, Second Revised Sheet No. 36D. The filing seeks to clarify the point in time when carrying charges on supplier refunds are required, all as more fully set forth in the revision which is on file with the Commission and is open for public inspection.

National Fuel states that on November 30, 1980, it was required by the Commission to pay carrying charges on its suppliers' refunds from the date of receipt to the date of disbursements although the cash refunds, which are isolated in a separate account, are analogous to refunds that would flow through Account No. 191. National Fuel further states that it was recently informed by the Commission Staff that its interest period is inconsistent with the treatment of carrying charges by other pipelines. National Fuel has, therefore, requested authorization of Second Revised Sheet No. 36D which conforms the interest treatment of National Fuel's refunds to the interest treatment accorded to refunds which flow through Account No. 191.

National Fuel states that although it is unaware of any waivers necessary for the Commission to make this tariff sheet effective as proposed, National Fuel respectfully requests that the Commission grant such waivers as it deems necessary.

Finally, National Fuel states that this filing will not result in any increase in National Fuel's revenues and is necessitated by the amount of time involved in processing its supplier refunds. National Fuel proposes that this filing become effective May 14, 1981.

Any person desiring to be heard or to make any protest with reference to said filing should on or before June 9, 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 157.79). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this filing if no petition to intervene is filed within the time required herein, if the Commission on its own review of permission and approval for the proposed revision are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion belives that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Petitioner to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-16042 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. RP80-97, etc.]

Tennessee Gas Pipeline Co. et al.; Informal Settlement Conference

May 21, 1981.

In the matter of Tennessee Gas Pipeline Co., Docket No. RP80-97; Michigan Wisconsin Pipe Line Co., Docket No. RP80-100; Southern Natural Gas Co., Docket No. RP80-102; Natural Gas Pipe Line Company of America, Docket No. RP80-107; Transcontinental Gas Pipe Line Corp., Docket No. RP80-117; United Gas Pipe Line Co., Docket No. RP80-121; Trunkline Gas Co.,

Docket No. RP80–106; Columbia Gulf Transmission Co., Docket No. RP80–145; Columbia Gas Transmission Corp.; Docket No. RP80–146; Sea Robin Pipeline Co., Docket Nos. RP80–55 & RP80–118; Florida Gas Transmission Co., Docket No. RP81–7; High Island Offshore System, Docket No. RP81–18; U–T Offshore System, Docket No. RP81–20.

Take notice that on June 1, 1981, at 1:30 p.m., and if necessary on June 2, 1981, at 10:00 a.m., there will be an informal conference of all interested persons for the purposes of discussing settlement of issues pertaining to the allocation of transmission costs between the transportation of natural gas and liquids and liquefiable hydrocarbons. Such issues appear to arise in the above-captioned dockets, which while not consolidated, will be the subject of joint discussions as a matter of convenience and to assure consistency in the resolution of these issues to the extent possible.

The meeting place for this conference will be at the offices of the Federal Energy Regulatory Commission, Hearing Room A, 825 North Capitol Street, N.E., Washington, D.C. 20426.

Customers, those retaining an interest in the subject liquids and liquefiable hydrocarbons and other interested persons will be permitted to attend this conference, but if such persons have not previously been permitted to intervene in any of the above-captioned dockets by order of the Commission or of a Presiding Administrative Law Judge attendance will not be deemed to authorize intervention as a party in any of these proceedings nor will attendance by a person granted intervention in one or more of the above-captioned proceedings be deemed to authorize intervention in any other docket.

All parties will be expected to come fully prepared to discuss the merits of the issues arising in those proceedings in which they have a pertinent and cognizable interest and to make commitments with respect to such issues and to any offer of settlement or stipulations discussed at the conference.

Interested persons may contact Lawrence Acker or Norma Rosner at (202) 357–8565 for additional information.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81–16044 Filed 5–28–81; 8:45 am]

BILLING CODE 6450–85–M

[Docket No. TA81–2–58–000 (PGA 79–4)]

Texas Gas Pipe Line Corp.; Tariff Sheet Filing

May 21, 1981.

Take notice that on May 11, 1981, Texas Gas Pipe Line Corporation, pursuant to § 154.38 of the Commission Regulations under the Natural Gas Act, filed a Third Revised Sheet No. 4a to its FERC Tariff, Second Revised Volume No. 1. Texas Gas states that the filed Tariff Sheets relate to the Unrecovered Purchased Gas Cost Account of the Purchased Gas Adjustment Provision contained in section 12 and the Incremental Pricing Surcharge Provision contained in section 13 of the General Terms and Conditions of the Tariff. More specifically, Third Revised Sheet No. 4a reflects a net increase under that currently being collected to 25.30¢ per Mcf (at 14.65 psia) to be effective June 1, 1981.

Any person desiring to be heard and to make protest with reference to said filing should on or before June 9, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protest in accordance with the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All protests filed with the Commission will be considered by it but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to the proceeding or to participate as a party in any hearing must file petitions to intervene in accordance with the Commission rules. Texas Gas' Tariff filing is on file with the Commission and available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81–16043 Filed 5–28–81; 8:45 am]

BILLING CODE 6450–85–M

[Docket No. ES81–45–000]

Texas-New Mexico Power Co.; Application

May 21, 1981.

Take notice that on May 13, 1981, Texas-New Mexico Power Company (formerly Community Public Service Company) (Applicant) filed an application with the Federal Energy Regulatory Commission, pursuant to Section 204 of the Federal Power Act, seeking authority to negotiate for the placement of not more than $20,000,000 of First Mortgage Bonds, 250,000 shares of Common Stock, par value of $10 per share, and 80,000 shares of Cumulative Preferred Stock, $100, par value.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 12, 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 inspeciton.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81–16045 Filed 5–28–81; 8:45 am]

BILLING CODE 6450–85–M

[Docket No. RP80–117]

Transcontinental Gas Pipe Line Corp.; Informal Settlement Conference

May 21, 1981.

Take notice that an informal settlement conference of all interested parties to this proceeding will be held on July 8 and 9, 1981, at 10:00 a.m. in Hearing Room C of the Interstate Commerce Commission, 12th Street and Constitution Avenue, N.W., Washington, D.C.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81–16046 Filed 5–28–81; 8:45 am]

BILLING CODE 6450–85–M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: May 21, 1981.

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	FIELD NAME	PROD	PURCHASER
*****	******	******	***	**********	**********	****	**********
CALIFORNIA DEPARTMENT OF CONSERVATION							
-ATLANTIC OIL CO				RECEIVED: 04/29/81 JA: CA			
8128369	80-6-0035	0406720160	102	UPHAM 2 - API NO 067-20160	SHERMAN ISLAND	300.0	PACIFIC GAS & ELECTR
-BUTTES RESOURCES CO				RECEIVED: 04/29/81 JA: CA			
8128370	80-6-0041	0401120152	102	POUNDSTONE 13-1	GRIMES GAS FIELD	2963.0	PACIFIC GAS & ELECTR
FLORIDA DEPARTMENT OF NATURAL RESOURCES							
-EXXON CORPORATION				RECEIVED: 04/28/81 JA: FL			
*8128249		0911320189	107	A E KELLY NO 7-7	JAY/LEC	1300.0	FLORIDA GAS TRANSMIS
LOUISIANA OFFICE OF CONSERVATION							
-ACE DRILLING SERVICES INC				RECEIVED: 04/30/81 JA: LA			
8128290	81-819	1711122658	107	GIBSON ESTATE #10	MONROE	16.0	WEST MONROE GAS GATH
8128289	81-818	1711122659	107	GIBSON ESTATE #11	MONROE	14.0	WEST MONROE GAS GATH
8128288	81-817	1711121359	107	HOPKINS ESTATE #3	MONROE	16.0	WEST MONROE GAS GATH
8128287	81-816	1711122154	107	JARMON ESTATE #1	MONROE	11.0	WEST MONROE GAS GATH
8128286	81-815	1711122155	107	JARMON ESTATE #2	MONROE	11.0	WEST MONROE GAS GATH
8128285	81-814	1711122156	107	JARMON ESTATE #3	MONROE	4.0	WEST MONROE GAS GATH
8128284	81-813	1711122198	107	JARMON ESTATE #5	MONROE	11.0	WEST MONROE GAS GATH
8128291	81-820	1711122159	107	JARMON ESTATE #6	MONROE	4.0	WEST MONROE GAS GATH
8128283	81-812	1711122201	107	JARMON ESTATE #8	MONROE	16.0	WEST MONROE GAS GATH
8128293	81-822	1711122708	107	PEARSON ESTATE #1	MONROE	16.0	WEST MONROE GAS GATH
8128292	81-821	1711122728	107	WINES #1	MONROE	15.0	WEST MONROE GAS GATH
-CALDWELL-WHITE				RECEIVED: 04/30/81 JA: LA			
8128254	81-783	1707321628	103	KOLLITZ #1	MONROE GAS	18.0	UNITED GAS PIPELINE
8128255	81-784	1707321629	103	KOLLITZ #2	MONROE GAS	19.0	UNITED GAS PIPELINE
8128256	81-785	1707321632	103	KOLLITZ #3	MONROE GAS	20.0	UNITED GAS PIPELINE
-CEKA GAS CORP				RECEIVED: 04/30/81 JA: LA			
8128296	81-825	1707320946	108	EXXON ARCO 76 NC 4	MONROE GAS FIELD	0.1	INTERNATIONAL MINERA
8128272	81-801	1711122771	108	HSD #5	MONROE GAS FIELD	0.1	INTERNATIONAL MINERA
8128271	81-800	1711122770	108	HSD NO 4	MONROE GAS FIELD	0.1	INTERNATIONAL MINERA
8128273	81-802	1711122773	108	HSD NO 6	MONROE GAS FIELD	0.1	INTERNATIONAL MINERA
-ERGON INC				RECEIVED: 04/30/81 JA: LA			
8128351	81-880	1711122291	107	COY SMITH NO 1	MONROE (6824)	8.7	TEXAS GAS TRANSMISSI
8128354	81-883	1711122607	107	HATTIE MATTHEWS ET AL NO 1	MONROE (6824)	16.8	TEXAS GAS TRANSMISSI
8128350	81-879	1711122596	107	MATTHEW W TAYLOR ET AL NO 5	MONROE (6824)	10.9	TEXAS GAS TRANSMISSI
8128353	81-882	1711122303	107	MCDERMOTT ESTATE NO 1	MONROE (6824)	12.4	TEXAS GAS TRANSMISSI
8128355	81-884	1711122496	107	R L LONG NO 3	MONROE (6824)	4.7	TEXAS GAS TRANSMISSI
8128348	81-877	1711122217	107	VUM C W WHEELER NO 2	MONROE (6824)	8.7	TEXAS GAS TRANSMISSI
8128349	81-878	1711122490	107	VUO CLEVELAND WAYNE NO 1	MONROE (6824)	7.8	TEXAS GAS TRANSMISSI

JD NO	NO	API	SEC	WELL NAME	FIELD NAME	PROD	PURCHASER
8128352	81-881	1711122447	107	W T MILLER NO 4	MONROE (6824)	9.3	TEXAS GAS TRANSMISSI
-FRANK SPOONER				RECEIVED: 04/30/81 JA: LA			
8128270	81-794	1711120122	108	MID LOUISIANA GAS CO NO 1	MONROE	18.0	MID LOUISIANA GAS CO
-HADDOX PETROLEUM CORP				RECEIVED: 04/30/81 JA: LA			
8128251	81-780	1711123012	103	MANVILLE 748 #1	MONROE	0.0	IMC PIPELINE CO INC
8128252	81-781	1711123013	103	MANVILLE 748 #2	MONROE	0.0	IMC PIPELINE CO INC
8128300	81-829	1711123045	103	MOBIL-IP #5	MONROE	0.0	MID LOUISIANA GAS CO
8128301	81-830	1711123046	103	MOBIL-IP #6	MONROE	0.0	MID LOUISIANA GAS CO
8128302	81-831	1711123047	103	MOBIL-IP #7	MONROE	0.0	MID LOUIISIANA GAS C
-IMC EXPLORATION COMPANY				RECEIVED: 04/30/81 JA: LA			
8128280	81-809	1711122714	108	LA GAS LANDS #26	MONROE	10.0	IMC PIPELINE CO INC
8128274	81-803	1711122508	108	LOVE #14	MONROE	16.0	IMC PIPELINE CO INC
8128275	81-804	1711122702	108	LOVE #16	MONROE	16.0	IMC PIPELINE CO
8128276	81-805	1711122726	108	REPPOND #6	MONROE	4.0	IMC PIPELINE CO INC
8128281	81-810	1711122703	108	ROBERSON #F-329	MONROE	17.0	IMC PIPELINE CO INC
8128278	81-807	1706721572	108	TENSAS DELTA # F-328	MONROE	12.0	IMC PIPELINE CO INC
8128279	81-808	1706721571	108	TENSAS DELTA #F-327	MONROE	12.0	IMC PIPELINE CO INC
8128277	81-806	1706721591	108	TENSAS DELTA #F-330	MONROE	7.0	IMC PIPELINE CO INC
8128282	81-811	1711122506	108	TRAYLOR #2	MONROE	15.0	IMC PIPELINE CO INC
-PELICAN DRILLING				RECEIVED: 04/30/81 JA: LA			
8128253	81-782	1707321408	103	CULPEPPER ET AL #1	MONROE	9.2	MID LOUISIANA GAS CO
-PRIMOS PRODUCTION				RECEIVED: 04/30/81 JA: LA			
8128305	81-834	1711122832	103	PETRO-LEWIS UNION POWER #8	MONROE	16.4	PETRO-LEWIS FUNDS IN
-PRIMOS PRODUCTION CO				RECEIVED: 04/30/81 JA: LA			
8128321	81-850	1707321618	103	PETRO LEWIS DARRONNE #1	MONROE	10.3	PETRO LEWIS FUNDS IN
8128322	81-851	1711122433	103	PETRO LEWIS E NICHOLS #4	MONROE	12.3	PETRO LEWIS FUNDS IN
8128262	81-791	1711122883	103	PETRO LEWIS FROST LUMBER #13	MONROE GAS	12.3	PETRO LEWIS FUNDS IN
8128261	81-790	1711122828	103	PETRO LEWIS FROST LUMBER #21	MONROE GAS	15.4	PETRO LEWIS FUNDS IN
8128260	81-789	1711122917	103	PETRO LEWIS FROST LUMBER #24	MONROE GAS	14.4	PETRO LEWIS FUNDS IN
8128263	81-792	1711122881	103	PETRO LEWIS FROST LUMBER #4	MONROE	13.3	PETRO LEWIS FUNDS IN
8128304	81-833	1711122787	103	PETRO LEWIS IMPERIAL #1	MONROE	13.3	PETRO LEWIS LUNCLS I
8128264	81-793	1711122830	103	PETRO LEWIS MARY D WHEELER #1	MONROE GAS	24.7	PETRO LEWIS FUNDS IN
8128320	81-849	1711122873	103	PETRO LEWIS UNION PROD #1	MONROE	14.4	PETRO LEWIS FUNDS IN
8128303	81-832	1707321617	103	PETRO LEWIS WALL #3	MONROE	11.3	PETRO LEWIS LUNDS IN
8128319	81-848	1711122431	103	PETRO-LEWIS E NICHOLS #1	MONROE	4.1	PETRO LEWIS FUNDS IN
8128318	81-847	1711122432	103	PETRO-LEWIS E NICHOLS #3	MONROE	9.2	PETRO LEWIS FUNDS IN
8128317	81-846	1711122782	103	PETRO-LEWIS E NICHOLS #5	MONROE	14.4	PETRO LEWIS FUNDS IN
8128259	81-788	1711122923	103	PETRO-LEWIS FROST LUMBER #25	MONROE GAS	14.4	PETRO-LEWIS FUNDS IN
8128258	81-787	1711122924	103	PETRO-LEWIS FROST LUMEER #26	MONROE GAS	8.2	PETRO-LEWIS FUNDS IN
8128306	81-835	1711122936	103	PETRO-LEWIS FROST LUMEER #27	MONROE	10.3	PETRO LEWIS FUNDS IN
8128257	81-786	1711122937	103	PETRO-LEWIS FROST LUMBER #29	MONROE GAS	14.4	PETRO-LEWIS FUNDS IN
8128307	81-836	1711122463	103	PETRO-LEWIS FROST LUMBER #6	MONROE	14.4	PETRO LEWIS FUNDS IN
8128313	81-842	1707321623	103	PETRO-LEWIS S R WALL #1	MONROE	12.3	PETRO LEWIS FUNDS IN
8128312	81-841	1707321624	103	PETRO-LEWIS S R WALL #2	MONROE	12.3	PETRO LEWIS FUNDS IN
8128311	81-840	1711122814	103	PETRO-LEWIS UNION PROD FEE 113 #1	MONROE	15.4	PETRO LEWIS FUNDS IN
8128310	81-839	1711122815	103	PETRO-LEWIS UNION PROD FEE 113 #2	MONROE	12.3	PETRO LEWIS FUNDS IN
8128309	81-838	1711122816	103	PETRO-LEWIS UNION PROD FEE 113 #3	MONROE	14.4	PETRO LEWIS FUNDS IN
8128308	81-837	1711122886	103	PETRO-LEWIS UNION PROD FEE 113 #9	MONROE	16.4	PETRO LEWIS FUNDS IN
8128316	81-845	1711122781	103	PETRO-LEWIS W B MCKINNIE #1	MONROE	14.4	PETRO LEWIS FUNDS IN
8128315	81-844	1711122757	103	PETRO-LEWIS W B MCKINNIE #5	MONROE	15.4	PETRO LEWIS FUNDS IN
8128314	81-843	1711122758	103	PETRO-LEWIS W B MCKINNIE #6	MONROE	15.4	PETRO LEWIS FUNDS IN
-RELIANCE TR-JV				RECEIVED: 04/30/81 JA: LA			

8128338	81-867	1711122922	107	BARRON #1	MONROE	15.0	TEXAS GAS TRANSMISSI
8128341	81-870	1711122697	107	D C HUDSON #1	MONROE	11.0	TEXAS GAS TRANSMISSI
8128330	81-859	1711122961	107	D H MCVICKER NO 2	MONROE	13.0	TEXAS GAS TRANSMISSI
8128329	81-858	1711122962	107	D H MCVICKER NO 3	MONROE	0.0	TEXAS GAS TRANSMISSI
8128328	81-857	1711122963	107	D H MCVICKER NO 4	MONROE	13.0	TEXAS GAS TRANSMISSI
8128346	81-875	1711122288	107	F JOHNSON #2	MONROE	9.0	TEXAS GAS TRANSMISSI
8128323	81-852	1711122766	107	G ODOM NO 1	MONROE	13.0	TEXAS GAS TRANSMISSI
8128340	81-869	1711122928	107	H D GREEN #2	MONROE	15.0	TEXAS GAS TRANSMISSI
8128331	81-860	1711123016	107	H D GREEN NO 5	MONROE	13.0	TEXAS GAS TRANSMISSI
8128332	81-861	1711123027	107	H D GREEN NO 7	MONROE	13.0	TEXAS GAS TRANSMISSI
8128339	81-868	1711122871	107	J H CASKEY #2	MONROE	15.0	TEXAS GAS TRANSMISSI
8128345	81-874	1711122824	107	OLINKRAFT #21	MONROE	15.0	TEXAS GAS TRANSMISSI
8128336	81-865	1711122929	107	OLINKRAFT #22	MONROE	13.0	TEXAS GAS TRANSMISSI
8128337	81-866	1711122930	107	OLINKRAFT #23	MONROE	15.0	TEXAS GAS TRANSMISSI
8128299	81-828	1711122159	108	OLINKRAFT NO 4	MONROE	2.0	TEXAS GAS TRANSMISSI
8128344	81-873	1711122735	107	R E SAVAGE #1	MONROE	11.0	TEXAS GAS TRANSMISSI
8128343	81-872	1711122610	107	STEELE ET AL #1	MONROE	11.0	TEXAS GAS TRANSMISSI
8128342	81-871	1711122581	107	W WAYNE ESTATE #1	MONROE	11.0	TEXAS GAS TRANSMISSI
8128347	81-876	1711122933	107	W WAYNE ESTATE #4	MONROE	13.0	TEXAS GAS TRANSMISSI
8128327	81-856	1711123018	107	W WAYNE ESTATE NO 5	MONROE	13.0	TEXAS GAS TRANSMISSI
8128326	81-855	1711123019	107	W WAYNE ESTATE NO 6	MONROE	13.0	TEXAS GAS TRANSMISSI
8128325	81-854	1711123031	107	WHEELER NO 2	MONROE	13.0	TEXAS GAS TRANSMISSI
8128324	81-853	1711123032	107	WHEELER NO 3	MONROE	13.0	TEXAS GAS TRANSMISSI
-RELIANCE TRUSTS				RECEIVED: 04/30/81 JA: LA			
8128297	81-826	1711122838	108	T L JAMES NO 1	MONROE	10.0	TEXAS GAS TRANSMISSI
8128298	81-827	1711122614	108	T L JAMES NO 3	MONROE	4.0	TEXAS GAS TRANSMISSI
-ROBERSON WELL SERVICE				RECEIVED: 04/30/81 JA: LA			
8128294	81-823	1707321477	108	W A SMITH #1	MONROE	7.3	UNITED GAS PIPELINE
8128295	81-824	1707321478	108	W A SMITH #2	MONROE	7.3	UNITED GAS PIPELINE
-SHADRACK PRODUCTION CO				RECEIVED: 04/30/81 JA: LA			
8128335	81-864	1711122751	107	R S ALLEN #1	MONROE	11.0	WEST MONROE GAS GATH
8128334	81-863	1711122752	107	R S ALLEN JR ET AL #1	MONROE	11.0	WEST MONROE GAS GATH
8128333	81-862	1711122859	107	W T MILLER #1	MONROE	9.0	WEST MONROE GAS GATH
-TEXACO INC				RECEIVED: 04/30/81 JA: LA			
8128357	81-886	1709720508	103	BOTANY BAY LBR CO MIN FEE TR-1 175	PORT BARRE	15.0	CONSOLIDATED ALUMINU
8128358	81-887	1709720526	103	BOTANY BAY LBR CO MIN FEE TR-2 121	PORT BARRE	5.0	CONSOLIDATED ALUMINU
8128356	81-885	1709720527	103	BOTANY BAY LBR CO MIN FEE TR-2 122	PORT BARRE	10.0	CONSOLIDATED ALUMINU
-VARN PETROLEUM CO				RECEIVED: 04/30/81 JA: LA			
8128265	81-794	1706720400	108	NAVARRO MILES #1	MONROE GAS FIELD	3.8	IMC PIPELINE CO INC
8128266	81-795	1706720401	108	NAVARRO MILES #2	MONROE GAS FIELD	3.8	IMC PIPELINE CO INC
8128267	81-796	1706720402	108	NAVARRO MILES #3	MONROE GAS FIELD	3.8	IMC PIPELINE CO INC
8128268	81-797	1706720403	108	NAVARRO MILES #4	MONROE GAS FIELD	3.8	IMC PIPELINE CO INC
8128269	81-798	1706720423	108	NAVARRO MILES #5	MONROE GAS FIELD	3.8	IMC PIPELINE CO INC
**********							
NEW MEXICO DEPARTMENT OF ENERGY & MINERALS							
**********							
-ADAMS EXPLORATION CO				RECEIVED: 05/04/81 JA: NM			
8128428		3001500000	103	SRC STATE #1-Y	WILDCAT	18.0	EL PASO NATURAL GAS
-AMERADA HESS CORPORATION				RECEIVED: 04/30/81 JA: NM			
8128375		3002507465	108	MCKINLEY H D #5	BOWERS	1.5	PHILLIPS PETROLEUM C
-AMINOIL USA INC				RECEIVED: 04/30/81 JA: NM			
8128397		3001523299	103	KIRKES #1	UNDESIGNATED MALAGA MORR	851.0	EL PASO NATURAL GAS

OPERATOR	UNIT	API NO	SEC	T	R	WELL NAME	FIELD NAME	PROD	PURCHASER
-AMOCO PRODUCTION CO						RECEIVED: 04/30/81 JA: NM			
8128396		3004524084	103			DAVIS GAS COM F NO 1E (CHACRA)	BLOOMFIELD CHACRA	8.0	EL PASO NATURAL GAS
8128395		3004524084	103			DAVIS GAS COM F NO 1E (DAKOTA)	BASIN DAKOTA	37.0	EL PASO NATURAL GAS
8128377		3004509134	108			DUFF GAS COM C WELL NO 1 (2ND)	BASIN (DAKOTA)	21.5	EL PASO NATURAL GAS
8128384		3004524364	103			ELLIOTT GAS COM S NO 1E	BASIN DAKOTA	59.0	EL PASO NATURAL GAS
8128378		3004507951	108			GALLEGOS CANYON UNIT NO 150	BASIN DAKOTA	18.0	EL PASO NATURAL GAS
8128401		3002526698	103			STATE IA #1	AIRSTRIP WOLFCAMP	0.4	WARREN PETROLEUM CO
-ARCO OIL AND GAS COMPANY						RECEIVED: 04/30/81 JA: NM			
8128409		3002509183	108			MCDONALD STATE WN #4	JALMAT (YATES - SEVEN RI	4.8	EL PASO NATURAL GAS
-CITIES SERVICE COMPANY						RECEIVED: 04/30/81 JA: NM			
8128371		3001523421	102			VILLA 6 COM 1	UND N LOVING ATOKA	639.0	EL PASO NATURAL GAS
-DELTA DRILLING CO						RECEIVED: 05/04/81 JA: NM			
8128434		3001500000	102			SOUTH CULEBRA BLUFF #6	UNDESIGNATED SOUTH CULEB	0.0	EL PASO NATURAL GAS
8128435		3001500000	102			SOUTH CULEBRA BLUFF #4	SOUTH CULEBRA BLUFF (BON	365.0	EL PASO NATURAL GAS
-EL PASO NATURAL GAS COMPANY						RECEIVED: 04/30/81 JA: NM			
8128415		3004523663	103			JACQUEZ #2	BLANCO PICTURED CLIFFS	75.0	EL PASO NATURAL GAS
8128414		3004523642	103			JACQUEZ #3	BLANCO PICTURED CLIFFS	90.0	EL PASO NATURAL GAS
8128407		3003920057	108			SAN JUAN 28-5 UNIT #69	BASIN - DAKOTA	20.0	EL PASO NATURAL GAS
8128392		3004524159	103			SAN JUAN 32-9 UNIT #61A	BLANCO MESAVERDE	165.0	EL PASO NATURAL GAS
8128411		3004524195	103			SAN JUAN 32-9 UNIT #64A	BLANCO MESAVERDE	180.0	EL PASO NATURAL GAS
-EL PASO NATURAL GAS COMPANY						RECEIVED: 05/04/81 JA: NM			
8128426		3003906766	108			RINCON UNIT #31	BLANCO SOUTH - PICTURED	22.0	EL PASO NATURAL GAS
8128432		3003920488	108			SAN JUAN 27-5 UNIT #136	TAPACITO - PICTURED CLIF	18.0	EL PASO NATURAL GAS
8128427		3003907983	108			SAN JUAN 32-5 UNIT #10	BLANCO-MESAVERDE GAS	22.0	EL PASO NATURAL GAS
-ELK OIL COMPANY						RECEIVED: 05/04/81 JA: NM			
8128423		3002526946	102			N E KEMNITZ #5	KEMNITZ MORROW	270.0	NORTHERN NATURAL GAS
-HNG OIL COMPANY						RECEIVED: 05/04/81 JA: NM			
8128422		3002526945	102			SAN SIMON 6 STATE COM #1 (LG 3609)	UND MORROW	30.6	TEXACO INC
-J GREGORY MERRION&ROBERT L BAYLESS						RECEIVED: 04/30/81 JA: NM			
8128374		3004500000	108			FAWKES #1	WEST KUTZ	10.0	SOUTHERN UNION GAS C
-JOHN H HENDRIX CORP						RECEIVED: 04/30/81 JA: NM			
8128406		3002500000	108			STATE X #1	EUNICE MONUMENT (G-SA)	20.0	EL PASO NATURAL GAS
8128380		3002500000	108			STATE Y #1	EUNICE MONUMENT (G-SA)	20.0	EL PASO NATURAL GAS
8128405		3002500000	108			STATE Y #2	EUNICE MONUMENT (G-SA)	20.0	EL PASO NATURAL GAS
-KENAI OIL AND GAS INC						RECEIVED: 04/30/81 JA: NM			
8128390		3001500000	103			BLACKSHIELD #1-L-3645	ARTESIA Q-G-SA	16.0	PHILLIPS PETROLEUM C
8128388		3001500000	103			GULF STATE #1 - E-2123	ARTESIA Q-G-SA	14.0	PHILLIPS PETROLEUM C
8128389		3002500000	103			MCNEIL NO 1	NADINE DRINKARD-ABO	13.0	PHILLIPS PETROLEUM C
8128391		3002500000	103			TERRY NO 1	NADINE DRINKARD - ABO	109.0	PHILLIPS PETROLEUM C
-MADDOX ENERGY CORPORATION						RECEIVED: 04/30/81 JA: NM			
8128383		3001500000	103			EARL GUITAR NO 1	MALAGA MORROW	456.0	EL PASO NATURAL GAS
-MARALO INC						RECEIVED: 04/30/81 JA: NM			
8128421		3000520566	102			CHAVELEA-CARSON	CARSON-MORROW	360.0	
-MARATHON OIL COMPANY						RECEIVED: 04/30/81 JA: NM			
8128412		3002500000	103			MCDONALD STATE A/C 2 WELL NO 34	DRINKARD	15.0	GETTY OIL CO
-MILLARD DECK						RECEIVED: 04/30/81 JA: NM			
8128379		3002500000	108			MAY A NO 2	LANGLIE MATTIX	13.0	EL PASO NATURAL GAS
8128408		3002525035	108			STATE WE BB NO 1	EUMONT YATES SEVEN RIVER	13.4	PHILLIPS PETROLEUM C
8128403		3002525040	108			STATE WE BB NO 2	EUMONT YATES SEVEN RIVER	20.4	PHILLIPS PETROLEUM C
8128404		3002524934	108			STATE WE E A NO 2	EUMONT YATES SEVEN RIVER	5.6	PHILLIPS PETROLEUM C
-NORTHWEST PIPELINE CORPORATION						RECEIVED: 05/04/81 JA: NM			
8128433		3003907472	108			SAN JUAN 29-5 #38	BLANCO MESAVERDE	18.4	EL PASO NATURAL GAS

JC SD	JURISDICT	API NUM	SEC T WELL NAME	FIELD NAME	PROD	PURCHASER
-PHILLIPS PETROLEUM COMPANY			RECEIVED: 04/30/81 JA: NM			
R128413		3002526926 103	EAST VACUUM GB/SA UNIT TRACT 3127	VACUUM GB/SA	87.6	EL PASO NATURAL GAS
-PHILLIPS PETROLEUM COMPANY			RECEIVED: 05/04/81 JA: NM			
R128431		3002523593 103	PHILMEX #11	MALJAMAR GB/SA	2.5	EL PASO NATURAL GAS
-R C BENNETT			RECEIVED: 04/30/81 JA: NM			
R128376		3001522234 108	LONE TREE NO 1 WELL #K-6289	PENASCO DRAW- (MORROW)	22.2	EL PASO NATURAL GAS
-SOUTHLAND ROYALTY CO			RECEIVED: 04/30/81 JA: NM			
R128381		3002525441 108	STATE AP #1	ANTELOPE RIDGE	4.0	GAS CO OF NEW MEXICO
R128382		3001522653 108	STATE 23 COM #1	TURKEY TRACK	13.0	EL PASO NATURAL GAS
-SUN OIL COMPANY (DELAWARE)			RECEIVED: 05/04/81 JA: NM			
R128429		3002526588 103	A B REEVES NO 6	EUMONT	127.0	PHILLIPS PETROLEUM C
-SUPERIOR OIL CO			RECEIVED: 04/30/81 JA: NM			
R128372		3001522928 102	OSCAR STATE NO 1	WILDCAT	0.0	
-TENNECO OIL COMPANY			RECEIVED: 04/30/81 JA: NM			
R128386		3004524446 103	BRUCE SULLIVAN COM B #1	CHACRA	500.0	EL PASO NATURAL GAS
R128387		3004524446 103	BRUCE SULLIVAN COM B #1	BLANCO MESAVERDE	500.0	EL PASO NATURAL GAS
R128396		3004524431 103	BUNCE COM #1	BLANCO MESAVERDE	500.0	EL PASO NATURAL GAS
R128417		3004524437 103	MARQUIS G EATON A 1-E	BLOOMFIELD CHACRA	500.0	EL PASO NATURAL GAS
R128410		3004524444 103	PAYNE A #1-E	BASIN DAKOTA	500.0	EL PASO NATURAL GAS
R128416		3004524444 103	PAYNE A #1E		500.0	EL PASO NATURAL GAS
R128393		3001523428 103	STATE JL 36 #1	TURKEY TRACK MORROW	365.0	
R128385		3004524432 103	SULLIVAN FRAME A #1-E	BASIN DAKOTA	500.0	EL PASO NATURAL GAS
R128420		3004524432 103	SULLIVAN FRAME A 1-E	BLOOMFIELD CHACRA	500.0	EL PASO NATURAL GAS
R128399		3004524438 103	SULLIVAN FRAME COM B #1	BLOOMFIELD CHACRA	500.0	EL PASO NATURAL GAS
R128408		3004524438 103	SULLIVAN FRAME COM B #1	BLANCO MESAVERDE	500.0	EL PASO NATURAL GAS
-TENNECO OIL COMPANY			RECEIVED: 05/04/81 JA: NM			
R128430		3004524431 103	BUNCE COM #1	BLOOMFIELD CHACRA	500.0	EL PASO NATURAL GAS
R128424		3001523428 102	STATE JL 36 #1	TURKEY TRACK MORROW	365.0	TRANSWESTERN PIPELIN
R128425		3002527137 102	STATE LF-30 #1	KEMNITZ ATOKA-MORROW	2900.0	TRANSWESTERN PIPELIN
-UNION OIL COMPANY OF CALIF			RECEIVED: 04/30/81 JA: NM			
R128373		3002526529 102	MADURO UNIT #2	UNDESIGNATED (GEM MORROW	400.0	LLANO INC
-YATES PETROLEUM CORPORATION			RECEIVED: 04/30/81 JA: NM			
R128418		3001523566 103	ARNOLD CR STATE COM #1	UND MORROW	0.0	TRANSWESTERN PIPELIN
R128419		3001523463 103	PENASCO IW STATE COM #7	UND PENASCO DRAW MORROW	0.0	TRANSWESTERN PIPELIN
R128402		3001523496 103	RIO PENASCO OJ COM #1	UND BOYD MORROW	0.0	TRANSWESTERN PIPELIN
R128394		3001523641 103	ZUMWALT PT #1	WILDCAT SAN ANDRES	0.0	TRANSWESTERN PIPELIN
**********						
VIRGINIA DEPARTMENT OF LABOR & INDUSTRY						
**********						
-PHILADELPHIA OIL COMPANY			RECEIVED: 04/28/81 JA: VA			
R128250		4505120358 103	J H COCHRAN - NO P-106	NORA	0.0	KENTUCKY WEST VIRGIN
**********						
WEST VIRGINIA DEPARTMENT OF MINES						
**********						
-SWIFT ENERGY CO			RECEIVED: 05/04/81 JA: WV			
R128359		4702103629 107	ADAMS #1-A	GLENVILLE NORTH	50.0	
R128364		4704102905 107	BEALL #1	GLENVILLE NORTH	50.0	
R128365		4704102904 107	BEALL #2	GLENVILLE NORTH	50.0	
R128360		4702103638 107	BEALL #4	GLENVILLE NORTH	50.0	
R128368		4702103566 107	BEALL NO 3	GLENVILLE NORTH	50.0	
R128363		4702103587 107	DAVIS A #1	GLENVILLE NORTH	50.0	
R128367		4702103635 107	DAVIS A #2	GLENVILLE NORTH	50.0	
R128366		4702103569 107	SANDY #1-A	GLENVILLE NORTH	0.0	

JD NO	JA NO	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
8128361		4702103639	107		SANDY #2-A	GLENVILLE NORTH	50.0	
8128362		4702103640	107		SANDY #3-A	GLENVILLE NORTH	50.0	
** U.S. GEOLOGICAL SURVEY - METAIRIE,LA								
-AMOCO PRODUCTION CO			RECEIVED: 04/28/81 JA: LA 3					
*8128202	G0-1756	1771040828	102		OCS G-2113 WELL NO A-5	EUGENE ISLAND	2000.0	TENNESSEE GAS PIPELI
*8128201	G0-1755	1771040769	102		OCS G-2606 WELL NO A-3	EUGENE ISLAND	1500.0	TENNESSEE GAS PIPELI
8128210	G1-1850	1770240617	102		OCS-G-3385 WELL NO B-8	WEST CAMERON	2100.0	
-AMOCO PRODUCTION CO			RECEIVED: 05/01/81 JA: LA 3					
*8128225	G0-1754	1771040742	102		OCS G-2606 WELL NO A-2	EUGENE ISLAND	3600.0	TENNESSEE GAS PIPELI
*8128226	G0-1757	1771040795	102		OCS-G-2113 WELL NO A-10	EUGENE ISLAND	3000.0	TENNESSEE GAS PIPELI
-CONOCO INC			RECEIVED: 05/01/81 JA: LA 3					
8128234	G0-1808	1771740118	102		WELL NO A-6 OCS-G 1054 GI 63	GRAND ISLE	365.0	TENNESSEE GAS PIPELI
-DAVIS OIL COMPANY			RECEIVED: 04/28/81 JA: LA 3					
*8128209	G1-1849	1770040464	102		DAVIS OIL CO NO 2 OCS G-4194	WEST CAMERON	3650.0	TENNESSEE GAS PIPELI
-DAVIS OIL COMPANY			RECEIVED: 05/01/81 JA: LA 3					
*8128242	G1-1848	1770040458	102		DAVIS OIL CO NO 1 OCS G-4194	WEST CAMERON	3650.0	TENNESSEE GAS PIPELI
-DIAMOND SHAMROCK CORPORATION			RECEIVED: 04/28/81 JA: LA 3					
8128205	G1-1825	1772540189	102		MAIN PASS BLOCK 114 WELL NO 2-U	MAIN PASS AREA	120.0	SOUTHERN NATURAL GAS
-DIAMOND SHAMROCK CORPORATION			RECEIVED: 05/01/81 JA: LA 3					
8128236	G1-1824	1772540189	102		MAIN PASS BLOCK 114 WELL NO 2-L	MAIN PASS AREA	120.0	SOUTHERN NATURAL GAS
-EXXON CORPORATION			RECEIVED: 04/28/81 JA: LA 3					
8128216	G1-1870	1770240631	102		OCS-G 4097 NO A-13	WEST CAMERON	4000.0	
-FOREST OIL CORPORATION			RECEIVED: 04/28/81 JA: LA 3					
*8128208	G1-1844	1770840451	102		SOUTH MARSH ISLAND BLOCK 143 B-5D	SOUTH MARSH ISLAND	630.0	COLUMBIA GAS TRANSMI
-FOREST OIL CORPORATION			RECEIVED: 05/01/81 JA: LA 3					
*8128239	G1-1840	1770840438	102		SOUTH MARSH ISLAND BLOCK 143 B-2	SOUTH MARSH ISLAND	420.0	COLUMBIA GAS TRANSMI
*8128240	G1-1842	1770840441	102		SOUTH MARSH ISLAND BLOCK 143 B-3D	SOUTH MARSH ISLAND	420.0	COLUMBIA GAS TRANSMI
*8128241	G1-1843	1770840451	102		SOUTH MARSH ISLAND BLOCK 143 B-5	SOUTH MARSH ISLAND	420.0	COLUMBIA GAS TRANSMI
-KERR-MCGEE CORPORATION			RECEIVED: 05/01/81 JA: LA 3					
8128235	G1-1819	1771140539	102		OCS 0828 WELL NO K-1	SHIP SHOAL	321.0	TRANSCONTINENTAL GAS
-MARATHON OIL COMPANY			RECEIVED: 05/01/81 JA: LA 3					
8128227	G0-1773	1771040888	102		EUGENE ISLAND BLOCK 349 WELL NO B-8	EUGENE ISLAND	91.3	TEXAS EASTERN TRANSM
-OCEAN PRODUCTION CO			RECEIVED: 04/28/81 JA: LA 3					
8128215	G1-1867	1771140535	102		OCS-042 NO 19C	SHIP SHOAL	130.0	TRANSCONTINENTAL GAS
-PENNZOIL OIL & GAS INC			RECEIVED: 04/28/81 JA: LA 3					
*8128214	G1-1863	1770440475	102		PENNZOIL COMPANY OCS-G 2439 C-6D	EAST CAMERON AREA SOUTH	2000.0	SEA ROBIN PIPELINE C
-PENNZOIL OIL & GAS INC			RECEIVED: 05/01/81 JA: LA 3					
*8128244	G1-1862	1770440475	102		PENNZOIL CO OCS-G 2439 335 C-6	EAST CAMERON AREA SOUTH	2000.0	SEA ROBIN PIPELINE C
-PLACID OIL COMPANY			RECEIVED: 05/01/81 JA: LA 3					
8128248	G1-1896	1770740348	107		OCS-G-2600 WELL #E-10	SOUTH MARSH ISLAND	2727.5	TRUNKLINE GAS CO
-SHELL OIL CO			RECEIVED: 04/28/81 JA: LA 3					
8128207	G1-1830	1770840297	102		OCS-G 2280 A-40A	SOUTH MARSH ISLAND	30.0	TRANSCONTINENTAL GAS
8128206	G1-1829	1770840117	102		OCS-G 2280 A-8	SOUTH MARSH ISLAND	70.0	TRANSCONTINENTAL GAS
8128204	G1-1817	1770840212	102		OCS-G 2280 C-19	SOUTH MARSH ISLAND	0.0	TRANSCONTINENTAL GAS
8128203	G1-1812	1770840298	102		OCS-G 2280 C-30	SOUTH MARSH ISLAND 130	2555.0	TRANSCONTINENTAL GAS
-SHELL OIL CO			RECEIVED: 05/01/81 JA: LA 3					
8128237	G1-1831	1770840120	102		OCS-G 2280 C-3	SOUTH MARSH ISLAND	0.0	TRANSCONTINETAL GAS
8128238	G1-1834	1770840166	102		OCS-G 2280 G-14	SOUTH MARSH ISLAND	939.6	TRANSCONTINENTAL GAS
-SONAT EXPLORATION COMPANY			RECEIVED: 04/28/81 JA: LA 3					
8128211	G1-1852	1770340213	102		OCS-G-3537 WELL #B-6D	EAST CAMERON	1500.0	SOUTHERN NATURAL GAS

JD NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
8128212	G1-1854	1770440468	102		OCS-G-4100 WELL #B-10	EAST CAMERON	4600.0	SOUTHERN NATURAL GAS
8128213	G1-1855	1770440469	102		OCS-G-4100 WELL #B-11D	EAST CAMERON	1500.0	SOUTHERN NATURAL GAS
-SUPERIOR OIL CO					RECEIVED: 04/28/81 JA: LA 3			
8128223	G1-1918	1773140012	102		BLOCK NO 9 WELL NO 5	SABINE PASS	0.0	NATURAL GAS PIPELINE
-SUPERIOR OIL CO					RECEIVED: 05/01/81 JA: LA 3			
8128228	G0-1775	1770740343	102		OCS-G-2596 A NO 11	SOUTH MARSH ISLAND	1900.0	
-TENNECO OIL COMPANY					RECEIVED: 05/01/81 JA: LA 3			
8128243	G1-1851	1770540295	102		VERMILION 218 B-2 ST	VERMILION	480.0	TENNESSEE GAS PIPELI
-TEXOMA PRODUCTION CO					RECEIVED: 05/01/81 JA: LA 3			
*8128233	G0-1793	1771040854	102		BLOCK 321 WELL #A-2	EUGENE ISLAND	1825.0	NATURAL GAS PIPELINE
-TRANSCO EXPLORATION COMPANY					RECEIVED: 04/28/81 JA: LA 3			
8128222	G1-1898	1770840360	102		A-3 SIDETRACK #2	SOUTH MARSH ISLAND	1250.0	TRANSCONTINENTAL GAS
-UNION TEXAS PETROLEUM					RECEIVED: 05/01/81 JA: LA 3			
8128232	G0-1791	1771040822	102		OSC-G-2329 WELL A-3	EUGENE ISLAND	3.1	NORTHERN NATURAL GAS
-MCMORAN OFFSHORE EXPLORATION CO					RECEIVED: 04/28/81 JA: TX 3			
8128218	G1-1881	4270940578	102		OCS-G 2690 #A-5	HIGH ISLAND	1465.0	TRANSCONTINENTAL GAS
8128221	G1-1895	4270940589	102		OCS-G 2690 #A-6	HIGH ISLAND	1460.0	TRANSCONTINENTAL GAS
8128217	G1-1875	4270940576	102		OCS-G 2690 WELL #A-4	HIGH ISLAND	1465.0	TRANSCONTINENTAL GAS
-MCMORAN OFFSHORE EXPLORATION CO					RECEIVED: 05/01/81 JA: TX 3			
8128245	G1-1865	4270950565	102		OCS-G 2690 #A-1	HIGH ISLAND	1460.0	
8128246	G1-1866	4270940571	102		OCS-G 2690 #A-2	HIGH ISLAND	1460.0	
-MOBIL PROD TEXAS & NEW MEXICO INC					RECEIVED: 04/28/81 JA: TX 3			
*8128200	G0-1752	4270940342	102		A-15A	HIGH ISLAND	29.4	NATURAL GAS PIPELINE
-MOBIL PROD TEXAS & NEW MEXICO INC					RECEIVED: 05/01/81 JA: TX 3			
*8128224	G0-1747	4270940175	102		A-7A	HIGH ISLAND	1405.0	NATURAL GAS PIPELINE
*8128230	G0-1789	4270940250	102		OCS-G-2393 NO A-11A	HIGH ISLAND	463.6	NATURAL GAS PIPELINE
*8128231	G0-1790	4270940380	102		OCS-G-2393 NO A-19A	HIGH ISLAND	810.3	NATURAL GAS PIPELINE
*8128229	G0-1788	4270940186	102		OCS-G-2757 NO A-9A	HIGH ISLAND	2476.9	NATURAL GAS PIPELINE
-TENNECO OIL COMPANY					RECEIVED: 04/28/81 JA: TX 3			
8128219	G1-1882	4270440018	102		BRAZOS A-17 A-1 WELL	BRAZOS	5.5	TENNESSEE GAS PIPELI
8128220	G1-1883	4270440031	102		BRAZOS A-17 A-2 WELL	BRAZOS	5.5	TENNESSEE GAS PIPELI
-TENNECO OIL COMPANY					RECEIVED: 05/01/81 JA: TX 3			
8128247	G1-1884	4270440033	102		BRAZOS A-17 A-3 WELL	BRAZOS	5.5	TENNESSEE GAS PIPELI

OTHER PURCHASERS VOLUME NO :430

8128200	TRANSCONTINENTAL GAS PIPELINE CORP
8128201	FLORIDA POWER & LIGHT CO
8128202	FLORIDA POWER & LIGHT CO
8128208	TEXAS EASTERN TRANSMISSION CORP
8128209	NORTHERN NATURAL GAS CO
8128214	UNITED GAS PIPELINE CO
8128224	TRANSCONTINENTAL GAS PIPELINE CORP
8128225	FLORIDA POWER & LIGHT CO
8128226	FLORIDA POWER & LIGHT CO
8128229	TRANSCONTINENTAL GAS PIPELINE CORP
8128230	TRANSCONTINENTAL GAS PIPELINE CORP
8128231	TRANSCONTINENTAL GAS PIPELINE CORP
8128233	CONSOLIDATED NATURAL GAS CO
8128239	TEXAS EASTERN TRANSMISSION CORP
8128240	TEXAS EASTERN TRANSMISSION CORP
8128241	TEXAS EASTERN TRANSMISSION CORP
8128242	NORTHERN NATURAL GAS CO
8128244	UNITED GAS PIPELINE CO
8128249	ST REGIS PAPER CO

BILLING CODE 6450-85-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 purchasers are listed at the end of the notice.

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426.

Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before June 15, 1981.

Please reference the FERC Control Number (JD No) in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-16055 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-85-M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: May 21, 1981.

JD NO.	DOCKET	RECEIVED	SEQ	WELL NAME	FIELD NAME	PROD	PURCHASER
OHIO DEPARTMENT OF NATURAL RESOURCES							
-A & Z PRODUCTION		RECEIVED: 05/01/81	JA: OH				
8128504	3408328560	103		WILPUR + MCDONALD #1	CLAY	3.5	COLUMBIA GAS TRANS C
-ALMCO INC		RECEIVED: 05/01/81	JA: OH				
8128505	3413322346	103		TEXAS EASTERN TRANS CORP #1	AURORA	20.0	
-AMERICAN GAS PRODUCERS		RECEIVED: 05/01/81	JA: OH				
8128506	3400721534	103		C & J RHOADES #2	AMBOY GAS FIELD CLINTON	5.0	EAST OHIO GAS CO
-AMERICAN WELL MANAGEMENT COMPANY		RECEIVED: 05/01/81	JA: OH				
8128509	3408923962	103		HELEN RICHTER NO 1	BOWLING GREEN	18.0	
8128507	3408923967	103		WARREN MEARS NO 1	HANOVER	18.0	
8128508	3408923973	103		WARREN MEARS NO 2	HANOVER	18.0	
-AMTEX OIL AND GAS INC		RECEIVED: 05/01/81	JA: OH				
8128513	3415123035	103		DOMINIC MEDURE WELL NO 1	TUSCARAWAS	250.0	COLUMBIA GAS TRANSMI
8128513	3415123035	107		DOMINIC MEDURE WELL NO 1	TUSCARAWAS	250.0	COLUMBIA GAS TRANSMI
8128512	3407522351	103		JOS J MILLER WELL NO 2A	PAINT	250.0	COLUMBIA GAS TRANSMI
8128512	3407522351	107		JOS J MILLER WELL NO 2A	PAINT	250.0	COLUMBIA GAS TRANSMI
8128510	3407522492	107		M M POULTRY WELL NO 1	CLARK	300.0	
8128510	3407522492	103		M M POULTRY WELL NO 1	CLARK	300.0	
8128511	3407522493	103		M M POULTRY WELL NO 2	CLARK	300.0	
8128511	3407522493	107		M M POULTRY WELL NO 2	CLARK	300.0	
-ATLAS ENERGY GROUP INC		RECEIVED: 05/01/81	JA: OH				
8128556	3415521172	103		ALLEGRET DEMATHEWS UN NO 1	FOWLER	21.0	COLUMBIA GAS TRANSMI
8128558	3415521172	107		ALLEGRET DEMATHEWS UN NO 1	FOWLER	21.0	COLUMBIA GAS TRANSMI
8128540	3415521023	103		BOGGS SINGER NO 1	FOWLER	28.0	COLUMBIA GAS TRANSMI
8128540	3415521023	107		BOGGS SINGER NO 1	FOWLER	28.0	COLUMBIA GAS TRANSMI
8128541	3415521267	103		BOSSCHER NO 1	FOWLER	18.0	COLUMBIA GAS TRANSMI
8128541	3415521267	107		BOSSCHER NO 1	FOWLER	18.0	COLUMBIA GAS TRANSMI
8128532	3415521052	103		C JONES NO 1	FOWLER	8.0	COLUMBIA GAS TRANSMI
8128532	3415521052	107		C JONES NO 1	FOWLER	8.0	COLUMBIA GAS TRANSMI
8128565	3415520517	103		CALLAHAN UNIT NO 1	BAZETTA	102.0	COLUMBIA GAS TRANSMI
8128565	3415520517	107		CALLAHAN UNIT NO 1	BAZETTA	102.0	COLUMBIA GAS TRANSMI
8128552	3415520489	107		COE NO 1	BAZETTA	17.0	COLUMBIA GAS TRANSMI
8128533	3415520884	103		CORTLAND FUEL NO 1	FOWLER	39.0	COLUMBIA GAS TRANSMI
8128533	3415520884	107		CORTLAND FUEL NO 1	FOWLER	39.0	COLUMBIA GAS TRANSMI
8128534	3415520892	103		CORTLAND FUEL NO 2	FOWLER	27.0	COLUMBIA GAS TRANSMI
8128534	3415520892	107		CORTLAND FUEL NO 2	FOWLER	27.0	COLUMBIA GAS TRANSMI
8128522	3415521177	103		DENOVCHEK UNIT NO 1	BAZETTA	36.0	COLUMBIA GAS TRANSMI
8128522	3415521177	107		DENOVCHEK UNIT NO 1	BAZETTA	36.0	COLUMBIA GAS TRANSMI
8128535	3415521054	103		DEWITT NO 1	FOWLER	18.0	COLUMBIA GAS TRANSMI
8128535	3415521054	107		DEWITT NO 1	FOWLER	18.0	COLUMBIA GAS TRANSMI
8128574	3415521051	103		DEWITT NO 2	FOWLER	21.0	COLUMBIA GAS TRANSMI
8128574	3415521051	107		DEWITT NO 2	FOWLER	21.0	COLUMBIA GAS TRANSMI

[illegible]	[illegible]	API #	SEC T	WELL NAME	FIELD NAME	PROD	PURCHASER
8128544		3415520324	107	FINEGOLD NO 1	HOWLAND	15.0	COLUMBIA GAS TRANSMI
8128566		3415520415	103	FURRY MANNING UNIT NO 1	BAZETTA	19.0	COLUMBIA GAS TRANSMI
8128566		3415520415	107	FURRY MANNING UNIT NO 1	BAZETTA	19.0	COLUMBIA GAS TRANSMI
8128524		3415521348	103	GIBSON NO 1	HOWLAND	19.0	COLUMBIA GAS TRANSMI
8128524		3415521348	107	GIBSON NO 1	HOWLAND	19.0	COLUMBIA GAS TRANSMI
8128564		3415520510	103	GLEASON NO 1	BAZETTA	28.0	COLUMBIA GAS TRANSMI
8128564		3415520510	107	GLEASON NO 1	BAZETTA	28.0	COLUMBIA GAS TRANSMI
8128538		3415521049	103	GLEASON NO 2	BAZETTA	30.0	COLUMBIA GAS TRANSMI
8128538		3415521049	107	GLEASON NO 2	BAZETTA	30.0	COLUMBIA GAS TRANSMI
8128528		3415521269	103	HOFMANN NO 1	FOWLER	26.0	COLUMBIA GAS TRANSMI
8128528		3415521269	107	HOFMANN NO 1	FOWLER	26.0	COLUMBIA GAS TRANSMI
8128520		3415520418	103	HOWLAND BOARD OF EDUCATION NO 1	HOWLAND	24.0	COLUMBIA GAS TRANSMI
8128520		3415520418	107	HOWLAND BOARD OF EDUCATION NO 1	HOWLAND	24.0	COLUMBIA GAS TRANSMI
8128547		3415520246	107	HOWLAND BOARD OF EDUCATION NO 2	HOWLAND	57.0	COLUMBIA GAS TRANSMI
8128536		3415520855	103	J & G JONES NO 1	FOWLER	26.0	COLUMBIA GAS TRANSMI
8128536		3415520855	107	J & G JONES NO 1	FOWLER	26.0	COLUMBIA GAS TRANSMI
8128531		3415521053	103	J & G JONES NO 2	FOWLER	30.0	COLUMBIA GAS TRANSMI
8128531		3415521053	107	J & G JONES NO 2	FOWLER	30.0	COLUMBIA GAS TRANSMI
8128523		3415521167	103	J & G JONES NO 3	FOWLER	21.0	COLUMBIA GAS TRANSMI
8128523		3415521167	107	J & G JONES NO 3	FOWLER	21.0	COLUMBIA GAS TRANSMI
8128563		3415520490	103	KANE NO 1	BAZETTA	19.0	COLUMBIA GAS TRANSMI
8128563		3415520490	107	KANE NO 1	BAZETTA	19.0	COLUMBIA GAS TRANSMI
8128568		3415521327	103	KUJALA RUDGE NO 1	FOWLER	35.0	COLUMBIA GAS TRANSMI
8128568		3415521327	107	KUJALA RUDGE NO 1	FOWLER	35.0	COLUMBIA GAS TRANSMI
8128562		3415521017	103	LOSEN NO 1	BAZETTA	27.0	COLUMBIA GAS TRANSM
8128562		3415521017	107	LOSEN NO 1	BAZETTA	27.0	COLUMBIA GAS TRANSM
8128561		3415521018	103	LOSEN NO 2	BAZETTA	19.0	COLUMBIA GAS TRANSMI
8128561		3415521018	107	LOSEN NO 2	BAZETTA	19.0	COLUMBIA GAS TRANSMI
8128569		3415520294	103	MAFFITT NO 2	HOWLAND	8.0	COLUMBIA GAS TRANSMI
8128569		3415520294	107	MAFFITT NO 2	HOWLAND	8.0	COLUMBIA GAS TRANSMI
8128545		3415520226	107	MAFFITT UNIT NO 1	HOWLAND	47.0	COLUMBIA GAS TRANSMI
8128514		3415520384	103	MANNING NO 1	BAZETTA	24.0	COLUMBIA GAS TRANSMI
8128514		3415520384	107	MANNING NO 1	BAZETTA	24.0	COLUMBIA GAS TRANSMI
8128567		3415520685	103	MARY HURL NO 1	BAZETTA	24.0	COLUMBIA GAS TRANSMI
8128567		3415520685	107	MARY HURL NO 1	BAZETTA	24.0	COLUMBIA GAS TRANSMI
8128519		3415520637	103	MAY KNIGHT UNIT NO 1	BAZETTA	23.0	COLUMBIA GAS TRANSMI
8128519		3415520637	107	MAY KNIGHT UNIT NO 1	BAZETTA	23.0	COLUMBIA GAS TRANSMI
8128548		3415520953	103	METROPOLITAN HOMES INVEST CORP NO 1	BAZETTA	18.0	COLUMBIA GAS TRANSMI
8128548		3415520953	107	METROPOLITAN HOMES INVEST CORP NO 1	BAZETTA	18.0	COLUMBIA GAS TRANSMI
8128556		3415521227	103	MICHETTI NO 1	FOWLER	19.0	COLUMBIA GAS TRANSMI
8128556		3415521227	107	MICHETTI NO 1	FOWLER	19.0	COLUMBIA GAS TRANSMI
8128557		3415521263	103	MICHETTI NO 2	FOWLER	11.0	COLUMBIA GAS TRANSMI
8128557		3415521263	107	MICHETTI NO 2	FOWLER	11.0	COLUMBIA GAS TRANSMI
8128526		3415520584	103	MORABITO UNIT NO 1	FOWLER	27.0	COLUMBIA GAS TRANSMI
8128526		3415520584	107	MORABITO UNIT NO 1	FOWLER	27.0	COLUMBIA GAS TRANSMI
8128573		3415520843	103	MORABITO UNIT NO 2	FOWLER	17.0	COLUMBIA GAS TRANSMI
8128573		3415520843	107	MORABITO UNIT NO 2	FOWLER	17.0	COLUMBIA GAS TRANSMI
8128559		3415520762	103	MOSKO NO 1	BAZETTA	27.0	COLUMBIA GAS TRANSMI
8128559		3415520762	107	MOSKO NO 1	BAZETTA	27.0	COLUMBIA GAS TRANSMI
8128525		3415521286	103	NEWTON FALLS VILLAGE NO 1	NEWTON	28.0	COLUMBIA GAS TRANSMI
8128525		3415521286	107	NEWTON FALLS VILLAGE NO 1	NEWTON	28.0	COLUMBIA GAS TRANSMI
8128527		3415521250	103	POPOWICH UNIT NO 1	FOWLER	27.0	COLUMBIA GAS TRANSMI
8128527		3415521250	107	POPOWICH UNIT NO 1	FOWLER	27.0	COLUMBIA GAS TRANSMI

WELL NO	WELL KEY	API NO	SEC D	WELL NAME	FIELD NAME	PROD	PURCHASER
8128529		3415521264	103	R JONES NO 1	FOWLER	17.0	COLUMBIA GAS TRANSMI
8128529		3415521264	107	R JONES NO 1	FOWLER	17.0	COLUMBIA GAS TRANSMI
8128530		3415521265	103	R JONES NO 2	FOWLER	21.0	COLUMBIA GAS TRANSMI
8128530		3415521265	107	R JONES NO 2	FOWLER	21.0	COLUMBIA GAS TRANSMI
8128551		3415520391	107	ROMAN NO 1	BAZETTA	12.0	COLUMBIA GAS TRANSMI
8128537		3415521200	103	RUBINS NO 1	FOWLER	18.0	COLUMBIA GAS TRANSMI
8128537		3415521200	107	RUBINS NO 1	FOWLER	18.0	COLUMBIA GAS TRANSMI
8128543		3415520234	107	RUMMELL NO 1	HOWLAND	47.0	COLUMBIA GAS TRANSMI
8128550		3415521445	103	SLOAS UNIT #2	HOWLAND	28.0	COLUMBIA GAS TRANSMI
8128550		3415521445	107	SLOAS UNIT #2	HOWLAND	28.0	COLUMBIA GAS TRANSMI
8128546		3415520218	107	SLOAS UNIT NO 1	HOWLAND	75.0	COLUMBIA GAS TRANSMI
8128549		3415521421	103	SLOAS UNIT NO 3	HOWLAND	30.0	COLUMBIA GAS TRANSMI
8128549		3415521421	107	SLOAS UNIT NO 3	HOWLAND	30.0	COLUMBIA GAS TRANSMI
8128554		3415520414	107	STEIN NO 1	BAZETTA	26.0	COLUMBIA GAS TRANSMI
8128553		3415520321	107	STEIN NO 2	BAZETTA	43.0	COLUMBIA GAS TRANSMI
8128560		3415521186	102	THOMAS NO 1	BROOKFIELD	14.0	COLUMBIA GAS TRANSMI
8128560		3415521186	107	THOMAS NO 1	BROOKFIELD	14.0	COLUMBIA GAS TRANSMI
8128518		3415520686	103	TOBIN NO 1	BAZETTA	29.0	COLUMBIA GAS TRANSMI
8128518		3415520686	107	TOBIN NO 1	BAZETTA	29.0	COLUMBIA GAS TRANSMI
8128521		3415521171	103	TOBIN NO 2	BAZETTA	39.0	COLUMBIA GAS TRANSMI
8128521		3415521171	107	TOBIN NO 2	BAZETTA	39.0	COLUMBIA GAS TRANSMI
8128542		3415520569	107	TOBIN UNIT NO 1	BAZETTA	18.0	COLUMBIA GAS TRANSMI
8128570		3415521228	103	WEDGEWOOD NO 1	FOWLER	26.0	COLUMBIA GAS TRANSMI
8128570		3415521228	107	WEDGEWOOD NO 1	FOWLER	26.0	COLUMBIA GAS TRANSMI
8128571		3415521229	103	WEDGEWOOD NO 2	FOWLER	31.0	COLUMBIA GAS TRANSMI
8128571		3415521229	107	WEDGEWOOD NO 2	FOWLER	31.0	COLUMBIA GAS TRANSMI
8128555		3415520303	107	WILLIAMS NO 1	BAZETTA	19.0	COLUMBIA GAS TRANSMI
8128517		3415520304	103	WILLIAMS NO 2	BAZETTA	26.0	COLUMBIA GAS TRANSMI
8128517		3415520304	107	WILLIAMS NO 2	BAZETTA	26.0	COLUMBIA GAS TRANSMI
8128515		3415520501	103	WINCH KING UNIT NO 1	BAZETTA	19.0	COLUMBIA GAS TRANSMI
8128515		3415520501	107	WINCH KING UNIT NO 1	BAZETTA	19.0	COLUMBIA GAS TRANSMI
8128516		3415521007	103	WINCH NO 1	BAZETTA	19.0	COLUMBIA GAS TRANSMI
8128516		3415521007	107	WINCH NO 1	BAZETTA	19.0	COLUMBIA GAS TRANSMI
8128572		3415520960	103	YOUNT NO 1	BAZETTA	18.0	COLUMBIA GAS TRANSMI
8128572		3415520960	107	YOUNT NO 1	BAZETTA	18.0	COLUMBIA GAS TRANSMI
8128539		3415521050	103	ZERVOS NO 1	FOWLER	15.0	COLUMBIA GAS TRANSMI
8128539		3415521050	107	ZERVOS NO 1	FOWLER	15.0	COLUMBIA GAS TRANSMI
-BANDS COMPANY INC				RECEIVED: 05/01/81 JA: CH			
8128575		3407522691	107	HENRY BENCHY #1	MECHANIC	20.0	COLUMBIA GAS
8128575		3407522691	103	HENRY BENCHY #1	MECHANIC	20.0	COLUMBIA GAS
8128576		3407522303	103	VAN SICKLE #1	MECHANIC	24.0	COLUMBIA GAS
8128576		3407522303	107	VAN SICKLE #1	MECHANIC	24.0	COLUMBIA GAS
8128577		3407522628	103	VAN SICKLE #2	MECHANIC	15.0	COLUMBIA GAS
8128577		3407522628	107	VAN SICKLE #2	MECHANIC	15.0	COLUMBIA GAS
-BARTLO OIL AND GAS COMPANY				RECEIVED: 05/01/81 JA: CH			
8128582		3410322287	103	ANTHONY MARRONE #1	SHARON	30.0	
8128582		3410322287	107	ANTHONY MARRONE #1	SHARON	30.0	
8128579		3410322496	103	GILBERT DILLEY #3	SHARON	10.0	
8128579		3410322496	107	GILBERT DILLEY #3	SHARON	10.0	
8128578		3405922539	107	H WELLS #3	WILLS	20.0	COLUMBIA GAS TRANSMI
8128578		3405922539	103	H WELLS #3	WILLS	20.0	COLUMBIA GAS TRANSMI
8128581		3410322317	103	JOHN STROPOLI #1	SHARON	15.0	
8128581		3410322317	107	JOHN STROPOLI #1	SHARON	15.0	

JOB NO	JOB AT	API NO	SEC	T	WELL NAME	FIELD NAME	PROD	PURCHASER
8128580		3410322318	103		VALLEY VIEW LAKE PARK #1	SHARON	6.0	
8128580		3410322318	107		VALLEY VIEW LAKE PARK #1	SHARON	6.0	
-BECK OIL & GAS CO			RECEIVED: 05/01/81 JA: CH					
8128586		3415123282	103		MARKER WELL NO II	PLAIN	0.0	COLUMBIA GAS OF OHIO
8128586		3415123282	107		MARKER WELL NO II	PLAIN	0.0	COLUMBIA GAS OF OHIO
8128585		3415123281	103		MARKER WELL NO 1	PLAIN	0.0	COLUMBIA GAS OF OHIO
8128585		3415123281	107		MARKER WELL NO 1	PLAIN	0.0	COLUMBIA GAS OF OHIO
-BEREA OIL AND GAS CORPORATION			RECEIVED: 05/01/81 JA: CH					
8128589		3411924824	103		BRILL #2	RICH HILL	0.0	COLUMBIA GAS TRANSMI
8128589		3411924824	107		BRILL #2	RICH HILL	0.0	COLUMBIA GAS TRANSMI
8128591		3415521311	103		GONEZ #4	VIENNA	10.4	EAST OHIO GAS
8128591		3415521311	107		GONEZ #4	VIENNA	10.4	EAST OHIO GAS
8128588		3415521373	103		MEEKER #1	BROOKFIELD	10.0	COLUMBIA GAS TRANSMI
8128588		3415521373	107		MEEKER #1	BROOKFIELD	10.0	COLUMBIA GAS TRANSMI
8128587		3415521624	103		SCHUBERT UNIT #2	VIENNA	1.0	EAST OHIO GAS CO
8128587		3415521624	107		SCHUBERT UNIT #2	VIENNA	1.0	EAST OHIO GAS CO
8128590		3411925553	103		WICKHAM #1	RICH HILL	0.0	COLUMBIA GAS TRANSMI
8128590		3411925553	107		WICKHAM #1	RICH HILL	0.0	COLUMBIA GAS TRANSMI
-BROWN PETROLEUM CORP			RECEIVED: 05/01/81 JA: CH					
8128599		3407522522	103		ABE YODER #2	MECHANIC	68.0	COLUMBIA GAS TRANSMI
8128599		3407522522	107		ABE YODER #2	MECHANIC	68.0	COLUMBIA GAS TRANSMI
8128600		3407522340	103		DAN YODER #1	MECHANIC	69.0	COLUMBIA GAS TRANSMI
8128600		3407522340	107		DAN YODER #1	MECHANIC	69.0	COLUMBIA GAS TRANSMI
8128598		3407522419	103		GILLMAN #1	MECHANIC	27.0	COLUMBIA GAS TRANSMI
8128598		3407522419	107		GILLMAN #1	MECHANIC	27.0	COLUMBIA GAS TRANSMI
8128603		3403123740	103		GROVES #1	BEDFORD	1.0	COLUMBIA GAS TRANSMI
8128603		3403123740	107		GROVES #1	BEDFORD	1.0	COLUMBIA GAS TRANSMI
8128597		3407522434	103		PATTERSON #2	KILLBUCK	17.0	COLUMBIA GAS TRANSMI
8128597		3407522434	107		PATTERSON #2	KILLBUCK	17.0	COLUMBIA GAS TRANSMI
8128602		3403124219	103		ROSS #1C	BEDFORD	1.5	COLUMBIA GAS TRANSMI
8128602		3403124219	107		ROSS #1C	BEDFORD	1.5	COLUMBIA GAS TRANSMI
8128601		3407522654	103		SHERNIT #1	MECHANIC	3.5	COLUMBIA GAS TRANSMI
8128601		3407522654	107		SHERNIT #1	MECHANIC	3.5	COLUMBIA GAS TRANSMI
-BUCKEYE CRUDE EXPLORATION INC			RECEIVED: 05/01/81 JA: CH					
8128604		3400922062	103		JOHNSON #1	AMES	1.5	COLUMBIA GAS TRANSMI
8128605		3400922180	103		JOHNSON #12	AMES	4.3	COLUMBIA GAS TRANSMI
8128608		3400922060	103		JOHNSON #3	AMES	4.3	COLUMBIA GAS TRANSMI
8128607		3400922128	103		JOHNSON #7	AMES	3.6	COLUMBIA GAS TRANSMI
8128609		3400922127	103		JOHNSON #8	AMES	3.6	COLUMBIA GAS TRANSMI
8128606		3400922129	103		JOHNSON #9	AMES	12.0	COLUMBIA GAS TRANSMI
-BUCKEYE OIL PRODUCING CO			RECEIVED: 05/01/81 JA: CH					
8128610		3407522437	107		ANDREW RABER #1	CLARK	18.0	EAST OHIO GAS CO
8128610		3407522437	103		ANDREW RABER #1	CLARK	18.0	EAST OHIO GAS CO
8128612		3407522436	107		HENRY J HERSHBERGER #1	CLARK	19.0	EAST OHIO GAS CO
8128612		3407522436	103		HENRY J HERSHBERGER #1	CLARK	19.0	EAST OHIO GAS CO
8128611		3407522438	107		MENNO YODER #1	CLARK	18.0	EAST OHIO GAS CO
8128611		3407522438	103		MENNO YODER #1	CLARK	18.0	EAST OHIO GAS CO
8128613		3407522058	108		WOLGAMOT 38 #1		3.0	COLUMBIA GAS TRANSMI
8128614		3407522056	108		WOLGAMOT 38 #2		3.0	COLUMBIA GAS TRANSMI
-CALLANDER & KIMBREL INC			RECEIVED: 05/01/81 JA: CH					
8128619		3403124008	107		DALE & DAVID HEDRICK #1	BEDFORD	6.0	COLUMBIA GAS TRANSMI
8128619		3403124008	103		DALE & DAVID HEDRICK #1	BEDFORD	6.0	COLUMBIA GAS TRANSMI

JD NO	JA PT	API NO	SEC	WELL NAME	FIELD NAME	PROD	PURCHASER
8128618		3403124066	107	DALE & DAVID HEDRICK #2	BEDFORD	12.0	COLUMBIA GAS TRANSMI
8128618		3403124066	103	DALE & DAVID HEDRICK #2	BEDFORD	12.0	COLUMBIA GAS TRANSMI
8128617		3403124067	107	DALE & DAVID HEDRICK #3	BEDFORD	6.0	COLUMBIA GAS TRANSMI
8128617		3403124067	103	DALE & DAVID HEDRICK #3	BEDFORD	6.0	COLUMBIA GAS TRANSMI
8128620		3403124068	107	KENNETH KANUCKLE #4	BEDFORD	4.0	
8128620		3403124068	103	KENNETH KANUCKLE #4	BEDFORD	4.0	
8128615		3403124121	107	PHILIP BROWN #5	BEDFORD	3.0	COLUMBIA GAS TRANSMI
8128615		3403124121	103	PHILIP BROWN #5	BEDFORD	3.0	COLUMBIA GAS TRANSMI
8128616		3403124120	107	PHILIP BROWN #6	BEDFORD	12.0	
8128616		3403124120	103	PHILIP BROWN #6	BEDFORD	12.0	
-CAMERON & KINCAID				RECEIVED: 05/01/81 JA: OH			
8128629		3411925296	103	GRACE MORRISON ETAL 1-A	BRUSH CREEK	10.0	NATIONAL GAS & OIL
8128629		3411925296	107	GRACE MORRISON ETAL 1-A	BRUSH CREEK	10.0	NATIONAL GAS & OIL
-CAMERON BROS				RECEIVED: 05/01/81 JA: OH			
8128621		3411924886	103	HERB YOUNG #1	WASHINGTON	9.0	COLUMBIA GAS TRANS
8128621		3411924886	107	HERB YOUNG #1	WASHINGTON	9.0	COLUMBIA GAS TRANS
8128625		3411925281	103	J W MCCLELLAN #1	NEWTON	15.0	COLUMBIA GAS TRANS
8128625		3411925281	107	J W MCCLELLAN #1	NEWTON	15.0	COLUMBIA GAS TRANS
8128627		3411924763	103	LAWRENCE W LONGSHORE #1	WAYNE	9.0	NATIONAL GAS & OIL
8128627		3411924763	107	LAWRENCE W LONGSHORE #1	WAYNE	9.0	NATIONAL GAS & OIL
8128626A		3411924785	103	MARVIN STEPHENS #1		9.0	NATIONAL GAS & OIL
8128626B		3411924785	107	MARVIN STEPHENS #1		9.0	NATIONAL GAS & OIL
8128623		3411925277	103	OHIO DISTRICT COUNCIL INC #1	WASHINGTON	10.0	COLUMBIA GAS TRANS
8128623		3411925277	107	OHIO DISTRICT COUNCIL INC #1	WASHINGTON	10.0	COLUMBIA GAS TRANS
8128622		3411924738	103	ROBERT HICKS #1	PERRY	9.0	NATIONAL GAS & OIL
8128622		3411924738	107	ROBERT HICKS #1	PERRY	9.0	NATIONAL GAS & OIL
8128624		3411925278	103	ROBERT POLLOCK #1	WASHINGTON	12.0	COLUMBIA GAS TRANS
8128624		3411925278	107	ROBERT POLLOCK #1	WASHINGTON	12.0	COLUMBIA GAS TRANS
8128628		3411924812	103	ROSS JOHNSTON #3	PERRY	9.0	COLUMBIA GAS TRANS
8128628		3411924812	107	ROSS JOHNSTON #3	PERRY	9.0	COLUMBIA GAS TRANS
-CHANSE PETROLEUM CORPORATION				RECEIVED: 05/01/81 JA: OH			
8128630		3400721510	103	JAMES & ELLEN CLARK #2	NEW LYME	5.0	
-CHESTNUT MEADOWS DEVELOPMENT CO				RECEIVED: 05/01/81 JA: OH			
8128631		3410322218	103	CHESTNUT MEADOWS #3	WADSWORTH	2.0	EAST OHIO GAS CO
8128631		3410322218	107	CHESTNUT MEADOWS #3	WADSWORTH	2.0	EAST OHIO GAS CO
-CLAY COUNTY PRODUCTION CO INC				RECEIVED: 05/01/81 JA: OH			
8128634		3412724253	103	LEWIS-LEACH #1	CLAYTON	6.0	FORAKER GAS CO INC
8128634		3412724253	107	LEWIS-LEACH #1	CLAYTON	6.0	FORAKER GAS CO INC
8128635		3412724559	103	LEWIS-LEACH #2	CLAYTON	6.0	FORAKER GAS CO INC
8128635		3412724559	107	LEWIS-LEACH #2	CLAYTON	6.0	FORAKER GAS CO INC
8128633		3412724623	103	MARIE SNYDER #1	CLAYTON	7.0	FORAKER GAS CO INC
8128633		3412724623	107	MARIE SNYDER #1	CLAYTON	7.0	FORAKER GAS CO INC
8128632		3412724622	103	MARIE SNYDER #2	CLAYTON	7.0	FORAKER GAS CO INC
8128632		3412724622	107	MARIE SNYDER #2	CLAYTON	7.0	FORAKER GAS CO INC
-CLINE OIL & GAS CO				RECEIVED: 05/01/81 JA: OH			
8128636		3412122017	103	GREENLEES #1	JEFFERSON	18.0	COLUMBIA GAS TRANSMI
8128636		3412122017	107	GREENLEFS #1	JEFFERSON	18.0	COLUMBIA GAS TRANSMI
-CLINTON OIL CO				RECEIVED: 05/01/81 JA: OH			
8128642		3411925250	103	A JONES #1-507	CLAY	60.0	COLUMBIA GAS TRANSMI
8128642		3411925250	107	A JONES #1-507	CLAY	60.0	COLUMBIA GAS TRANSMI
8128651		3411924870	103	ARCHER #1	CASS	65.0	COLUMBIA GAS TRANSMI
8128651		3411924870	107	ARCHER #1	CASS	65.0	COLUMBIA GAS TRANSMI
8128643		3411925008	103	BALLOU #1-502	CLAY	70.0	COLUMBIA GAS TRANSMI
8128643		3411925008	107	BALLOU #1-502	CLAY	70.0	COLUMBIA GAS TRANSMI

VOLUME 431 PAGE 006

JF NO	JA NT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
8128667		3413322236	103		BRUGMAN #1-504	MANTUA	70.0	TIMKEN CO
8128667		3413322236	107		BRUGMAN #1-504	MANTUA	70.0	TIMKEN CO
8128640		3415723283	103		D & S IMMEL #2-619	WAYNE	75.0	
8128640		3415723283	107		D & S IMMEL #2-619	WAYNE	75.0	
8128666		3413322507	103		DACZKO UNIT #1-587A	MANTUA	100.0	
8128666		3413322507	107		DACZKO UNIT #1-587A	MANTUA	100.0	
8128650		3411924066	103		DAILEY #2	UNION	60.0	TIMKEN CO
8128650		3411924066	107		DAILEY #2	UNION	60.0	TIMKEN CO
8128653		3411925370	103		DON MERKER #1-606	CASS	100.0	
8128653		3411925370	107		DON MERKER #1-606	CASS	100.0	
8128659		3413321325	103		E G PROEHL & F RICKENBACHER #1	ROOTSTOWN	50.0	TIMKEN CO
8128659		3413321325	107		E G PROEHL & F RICKENBACHER #1	ROOTSTOWN	50.0	TIMKEN CO
8128657		3411925253	103		ED ARCHER #2-511	CASS	100.0	
8128657		3411925253	107		ED ARCHER #2-511	CASS	100.0	
8128637		3403124000	103		GALLAGHER #2-530	BEDFORD	200.0	
8128637		3403124000	107		GALLAGHER #2-530	BEDFORD	200.0	
8128661		3413321759	103		GUYETTE #2	MANTUA	75.0	TIMKEN CO
8128661		3413321759	107		GUYETTE #2	MANTUA	75.0	TIMKEN CO
8128668		3413322235	103		HOUSE #1-506	ROOTSTOWN	74.0	TIMKEN CO
8128668		3413322235	107		HOUSE #1-506	ROOTSTOWN	74.0	TIMKEN CO
8128652		3411924868	103		HUTSON #1	CLAY	70.0	COLUMBIA GAS TRANSMI
8128652		3411924868	107		HUTSON #1	CLAY	70.0	COLUMBIA GAS TRANSMI
8128638		3403123999	103		J & R MCCONNELL #4-533	WASHINGTON	0.0	COLUMBIA GAS TRANSMI
8128638		3403123999	107		J & R MCCONNELL #4-533	WASHINGTON	0.0	COLUMBIA GAS TRANSMI
8128639		3415723295	103		J IMMEL #1	WAYNE	65.0	COLUMBIA GAS TRANSMI
8128639		3415723295	107		J IMMEL #1	WAYNE	65.0	COLUMBIA GAS TRANSMI
8128649		3411924872	103		J YOST #2	NEWTON	55.0	COLUMBIA GAS TRANSMI
8128649		3411924872	107		J YOST #2	NEWTON	55.0	COLUMBIA GAS TRANSMI
8128655		3411924880	103		LOUNSBURY #2	CLAY	0.0	NATIONAL GAS & OIL C
8128655		3411924880	107		LOUNSBURY #2	CLAY	0.0	NATIONAL GAS & OIL C
8128646		3411924792	103		M FOSTER #3	CLAY	74.0	NATIONAL GAS & OIL C
8128646		3411924792	107		M FOSTER #3	CLAY	74.0	NATIONAL GAS & OIL C
8128647		3411924869	103		M FOSTER #4	CLAY	60.0	NATIONAL GAS & OIL C
8128647		3411924869	107		M FOSTER #4	CLAY	60.0	NATIONAL GAS & OIL C
8128645		3411924793	103		M SCHWEITZER #3	CASS	70.0	COLUMBIA GAS TRANSMI
8128645		3411924793	107		M SCHWEITZER #3	CASS	70.0	COLUMBIA GAS TRANSMI
8128648		3411924863	103		M SCHWEITZER #4	CASS	70.0	COLUMBIA GAS TRANSMI
8128648		3411924863	107		M SCHWEITZER #4	CASS	70.0	COLUMBIA GAS TRANSMI
8128644		3411925252	103		MCBRIDE #1-503	CASS	70.0	COLUMBIA GAS TRANSMI
8128644		3411925252	107		MCBRIDE #1-503	CASS	70.0	COLUMBIA GAS TRANSMI
8128662		3413322418	103		OSCAR BRUGMANN SAND & GRAVEL #2-557	SHALERSVILLE	224.0	
8128662		3413322418	107		OSCAR BRUGMANN SAND & GRAVEL #2-557	SHALERSVILLE	224.0	
8128656		3411924873	103		R DOZER #1	NEWTON	200.0	NATIONAL GAS & OIL C
8128656		3411924873	107		R DOZER #1	NEWTON	200.0	NATIONAL GAS & OIL C
8128654		3411924866	103		R SWINGLE #2	CLAY	150.0	NATIONAL GAS & OIL C
8128654		3411924866	107		R SWINGLE #2	CLAY	150.0	NATIONAL GAS & OIL C
8128660		3413321750	103		RIDDLE #3	RAVENNA	70.0	TIMKEN CO
8128660		3413321750	107		RIDDLE #3	RAVENNA	70.0	TIMKEN CO
8128641		3411925254	103		RUCKER-STOTTS #1-505	CASS	70.0	COLUMBIA GAS TRANSMI
8128641		3411925254	107		RUCKER-STOTTS #1-505	CASS	70.0	COLUMBIA GAS TRANSMI
8128658		3413322009	103		STREETSBORO UNIT #1	STREETSBORO	100.0	TIMKEN CO
8128658		3413322009	107		STREETSBORO UNIT #1	STREETSBORO	100.0	TIMKEN CO

JD NO	DA CAT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
8128665		3413322010	103		STREETSBORO UNIT #3	STREETSBORO	75.0	TIMKEN CO
8128665		3413322010	107		STREETSBORO UNIT #3	STREETSBORO	75.0	TIMKEN CO
8128664		3413322011	103		STREETSBORO UNIT #4	STREETSBORO	125.0	TIMKEN CO
8128664		3413322011	107		STREETSBORO UNIT #4	STREETSBORO	125.0	TIMKEN CO
8128663		3413322008	103		STREETSBORO UNIT #7	STREETSBORO	100.0	TIMKEN CO
8128663		3413322008	107		STREETSBORO UNIT #7	STREETSBORO	100.0	TIMKEN CO
-CONSOLIDATED RESOURCES OF AMERICA					RECEIVED: 05/01/81 JA: CH			
8128670		3412122240	103		CHARLES AND MARTHA SMITH #1	SHARON	24.0	EAST OHIO GAS CO
8128670		3412122240	107		CHARLES AND MARTHA SMITH #1	SHARON	24.0	EAST OHIO GAS CO
8128669		3405922651	103		GEORGE LASKO #1	SENECAVILLE	43.8	COLUMBIA GAS TRANSMI
8128669		3405922651	107		GEORGE LASKO #1	SENECAVILLE	43.8	COLUMBIA GAS TRANSMI
8128671		3412122335	103		JENKINS #1	NOBLE	0.0	EAST OHIO GAS CO
8128671		3412122335	107		JENKINS #1	NOBLE	0.0	EAST OHIO GAS CO
-DISCOVERY OIL LTD					RECEIVED: 05/01/81 JA: CH			
8128673		3407522476	103		#1 ALFRED YODER	MECHANIC	1250.0	COLUMBIA GAS TRANSMI
8128673		3407522476	107		#1 ALFRED YODER	MECHANIC	1250.0	COLUMBIA GAS TRANSMI
8128674		3407522472	103		#4 L & E HOCHSTETLER	MECHANIC	970.6	COLUMBIA GAS TRANSMI
8128674		3407522472	107		#4 L & E HOCHSTETLER	MECHANIC	970.6	COLUMBIA GAS TRANSMI
-DORAN & ASSOCIATES INC					RECEIVED: 05/01/81 JA: CH			
8128676		3412725107	103		HOMER ALBERT #1	HOPEWELL	12.0	NATIONAL GAS & OIL C
8128675		3407522993	103		NORMAN MILLER #1	BERLIN	12.0	COLUMBIA GAS TRANSMI
-DRILLEX INC					RECEIVED: 05/01/81 JA: CH			
8128677		3408520296	103		EDWARD H TRESGER #5	PAINESVILLE	20.0	EAST OHIO GAS CO
-EARTH RESOURCES EXPL DEV CORP					RECEIVED: 05/01/81 JA: CH			
8128679		3413322240	103		SCHNEEBERGER #1	FREEDOM	25.0	EAST OHIO GAS CO
8128679		3413322240	107		SCHNEEBERGER #1	FREEDOM	25.0	EAST OHIO GAS CO
8128678		3413322241	103		SCHNEEBERGER #2	FREEDOM	25.0	EAST OHIO GAS CO
8128678		3413322241	107		SCHNEEBERGER #2	FREEDOM	25.0	EAST OHIO GAS CO
-EDCO DRILLING & PRODUCING INC					RECEIVED: 05/01/81 JA: CH			
8128693		3403124204	103		BL-1A KAMM FARMS	CLARK	18.0	
8128693		3403124204	107		BL-1A KAMM FARMS	CLARK	18.0	
8128680		3407521420	103		BL-1D TROYER	PAINT	18.0	
8128688		3403123765	107		BL-5A GAMERTSFELDER	CLARK	18.0	
8128688		3403123765	103		BL-5A GAMERTSFELDER	CLARK	18.0	
8128699		3403123755	103		ED-1G JONES	BETHLEHEM	18.0	
8128699		3403123755	107		ED-1G JONES	BETHLEHEM	18.0	
8128696		3403123706	103		MD-2A GAMERTSFELDER	CLARK	18.0	
8128696		3403123706	107		MD-2A GAMERTSFELDER	CLARK	18.0	
8128697		3403123436	103		MD-2A SMAILES	CLARK	18.0	
8128697		3403123436	107		MD-2A SMAILES	CLARK	18.0	
8128694		3403123688	103		MD-3D MILLER	CLARK	18.0	
8128694		3403123688	107		MD-3D MILLER	CLARK	18.0	
8128687		3403123705	107		MD-4A GAMERTSFELDER	CLARK	18.0	
8128687		3403123705	103		MD-4A GAMERTSFELDER	CLARK	18.0	
8128689		3403123784	107		SM-1A DUNCAN	BETHLEHEM	18.0	
8128689		3403123784	103		SM-1A DUNCAN	BETHLEHEM	18.0	
8128701		3403123702	103		SM-1A SMAILES	CLARK	18.0	
8128701		3403123702	107		SM-1A SMAILES	CLARK	18.0	
8128692		3403123773	103		SM-1A WELKER	WASHINGTON	18.0	
8128692		3403123773	107		SM-1A WELKER	WASHINGTON	18.0	
8128681		3431237680	107		SM-1F DUNCAN	BETHLEHEM	18.0	
8128681		3431237680	103		SM-1F DUNCAN	BETHLEHEM	18.0	
8128698		3403123760	103		SM-1F SHRIMPLIN	BETHLEHEM	18.0	
8128698		3403123760	107		SM-1F SHRIMPLIN	BETHLEHEM	18.0	

JE NO	JA EXT	API NO	SEC T	WELL NAME	FIELD NAME	PROD	PURCHASER
8128700		3403123769	103	SM-1G SHRIMPLIN	BETHLEHEM	18.0	
8128700		3403123769	107	SM-1G SHRIMPLIN	BETHLEHEM	18.0	
8128695		3403123786	103	SM-2A DUNCAN	BETHLEHEM	18.0	
8128695		3403123786	107	SM-2A DUNCAN	BETHLEHEM	18.0	
8128682		3403123767	107	SM-2B DUNCAN	BETHLEHEM	18.0	
8128682		3403123767	103	SM-2B DUNCAN	BETHLEHEM	18.0	
8128684		3403123783	107	SM-2B HARMON	BETHLEHEM	18.0	
8128684		3403123783	103	SM-2B HARMON	BETHLEHEM	18.0	
8128686		3403123704	107	SM-2D MILLER	CLARK	18.0	
8128686		3403123704	103	SM-2D MILLER	CLARK	18.0	
8128683		3403123703	107	SM-3A GAMERTSFELDER	CLARK	18.0	
8128683		3403123703	103	SM-3A GAMERTSFELDER	CLARK	18.0	
8128691		3403123763	103	SM-3A RICHCREEK	BEDFORD	18.0	
8128691		3403123763	107	SM-3A RICHCREEK	BEDFORD	18.0	
8128702		3403123701	103	SM-3A SMAILES	CLARK	18.0	
8128702		3403123701	107	SM-3A SMAILES	CLARK	18.0	
8128703		3403123700	103	SM-4A SMAILES	CLARK	18.0	
8128703		3403123700	107	SM-4A SMAILES	CLARK	18.0	
8128685		3403123739	107	SM-5A HUFF	BETHLEHEM	18.0	
8128685		3403123739	103	SM-5A HUFF	BETHLEHEM	18.0	
8128690		3403123699	107	SM-5A SMAILES	CLARK	18.0	
8128690		3403123699	103	SM-5A SMAILES	CLARK	18.0	
-ENERGY DEVELOPMENT CORP				RECEIVED: 05/01/81 JA: OH			
8128706		3410322467	103	BIL-JAC FOODS INC WELL #1	GRANGER	20.0	COLUMBIA GAS TRANSMI
8128706		3410322467	107	BIL-JAC FOODS INC WELL #1	GRANGER	20.0	COLUMBIA GAS TRANSMI
8128708		3400721530	103	BREZNAI UNIT WELL #1	NEW LYME	18.0	ANCHOR HOCKING CORP
8128708		3400721530	107	BREZNAI UNIT WELL #1	NEW LYME	18.0	ANCHOR HOCKING CORP
8128714		3400721530	103	BREZNAI UNIT WELL #1	NEW LYME	18.0	ANCHOR HOCKING CORP
8128704		3407522507	103	BURKHOLDER WELL #1	BERLEN	18.0	COLUMBIA GAS TRANSMI
8128704		3407522507	107	BURKHOLDER WELL #1	BERLEN	18.0	COLUMBIA GAS TRANSMI
8128710		3416922565	103	CANANKAMP UNIT WELL #4	PLAIN	20.0	COLUMBIA GAS TRANSMI
8128712		3416922366	103	CANANKAMP WELL #2	PLAIN	20.0	COLUMBIA GAS TRANSMI
8128711		3416922368	103	CANANKAMP WELL #3	PLAIN	20.0	COLUMBIA GAS TRANSMI
8128707		3400721565	103	EDELMAN WELL #1	NEW LYME	18.0	ANCHOR HOCKING CORP
8128707		3400721565	107	EDELMAN WELL #1	NEW LYME	18.0	ANCHOR HOCKING CORP
8128715		3400721565	103	EDELMAN WELL #1	NEW LYME	18.0	ANCHOR HOCKING CORP
8128709		3400721498	103	SCHWANDT WELL #3	NEW LYME	18.0	ANCHOR HOCKING CORP
8128709		3400721498	107	SCHWANDT WELL #3	NEW LYME	18.0	ANCHOR HOCKING CORP
8128713		3400721498	103	SCHWANDT WELL #3	NEW LYME	18.0	ANCHOR HOCKING CORP
8128705		3410322387	103	WOODLING WELL #1	GRANGER	20.0	COLUMBIA GAS TRANSMI
8128705		3410322387	107	WOODLING WELL #1	GRANGER	20.0	COLUMBIA GAS TRANSMI
-ENERGY RECOVERY CO				RECEIVED: 05/01/81 JA: OH			
8128716		3407322254	103	DALE FISHER #3	MARION	18.0	PARAMOUNT TRANSMISSI
8128717		3412724554	103	DANISON #4	MONDAY CREEK	18.0	PARAMOUNT TRANSMISSI
-ENTERPRISE GAS & OIL INC				RECEIVED: 05/01/81 JA: OH			
8128723		3416322630	103	B DAVIS #3	SWAN	36.5	COLUMBIA GAS TRANSMI
8128723		3416322630	107	B DAVIS #3	SWAN	36.5	COLUMBIA GAS TRANSMI
8128730		3411924952	103	ECK #1	RICH HILL	36.5	COLUMBIA GAS TRANSMI
8128730		3411924952	107	ECK #1	RICH HILL	36.5	COLUMBIA GAS TRANSMI
8128725		3411925017	103	ECK #2	RICH HILL	27.0	COLUMBIA GAS TRANSMI
8128729		3411925017	107	ECK #2	RICH HILL	27.0	COLUMBIA GAS TRANSMI
8128728		3411925110	103	ELLIOTT #1	RICH HILL	27.4	COLUMBIA GAS TRANSMI
8128728		3411925110	107	ELLIOTT #1	RICH HILL	27.4	COLUMBIA GAS TRANSMI

JOB NO	DF RT	API NO	SEC T	WELL NAME	FIELD NAME	PRES	PURCHASER
8126719		3412724445	103	LEWIS #3	CLAYTON	36.5	FORAKER GAS CO
8126719		3412724445	107	LEWIS #3	CLAYTON	36.5	FORAKER GAS CO
8126727		3412724599	103	LEWIS #5	CLAYTON	27.4	FORAKER GAS CO
8126727		3412724599	107	LEWIS #5	CLAYTON	27.4	FORAKER GAS CO
8126726		3412724600	103	LEWIS #6	CLAYTON	0.0	FORAKER GAS CO
8126726		3412724600	107	LEWIS #6	CLAYTON	0.0	FORAKER GAS CO
8126722		3412122196	103	MESSICK #2	NOBLE	36.5	CORNING GLASS WORKS
8126722		3412122196	107	MESSICK #2	NOBLE	36.5	CORNING GLASS WORKS
8126731		3411925081	103	PATTON #1	UNION	36.5	COLUMBIA GAS TRANSMI
8126731		3411925081	107	PATTON #1	UNION	36.5	COLUMBIA GAS TRANSMI
8126724		3412724394	103	RANDOLPH #1	CLAYTON	36.5	FORAKER GAS CO
8126724		3412724394	107	RANDOLPH #1	CLAYTON	36.5	FORAKER GAS CO
8126721		3412724426	103	RANDOLPH #2	CLAYTON	36.5	FORAKER GAS CO
8126721		3412724426	107	RANDOLPH #2	CLAYTON	36.5	FORAKER GAS CO
8126718		3415123223	103	SCHNEIDER #1-B	MARLBORO	0.0	EAST OHIO GAS CO
8126718		3415123223	107	SCHNEIDER #1-B	MARLBORO	0.0	EAST OHIO GAS CO
8126720		3412724327	103	SWEENEY #1	CLAYTON	36.5	NATIONAL GAS & OIL C
8126720		3412724327	107	SWEENEY #1	CLAYTON	36.5	NATIONAL GAS & OIL C
8126725		3412724384	103	SWEENEY #2	CLAYTON	36.5	NATIONAL GAS & OIL C
8126725		3412724384	107	SWEENEY #2	CLAYTON	36.5	NATIONAL GAS & OIL C
-FORAKER PRODUCING COMPANY INC				RECEIVED: 05/01/81 JA: CH			
8126733		3400921993	103	STILLWELL AND ROSS #1	ROME	8.0	COLUMBIA GAS TRANSMI
8126733		3400921993	107	STILLWELL AND ROSS #1	ROME	8.0	COLUMBIA GAS TRANSMI
-GASEARCH INC				RECEIVED: 05/01/81 JA: CH			
8126736		3415521534	103	STEHLIK #1	MESAPOTAMIA	20.0	COLUMBIA GAS TRANSMI
8126736		3415521534	107	STEHLIK #1	MESAPOTAMIA	20.0	COLUMBIA GAS TRANSMI
8126750		3415521448	103	HAGOOD UNIT #1	VIENNA	20.0	EAST OHIO GAS CO
8126750		3415521448	107	HAGOOD UNIT #1	VIENNA	20.0	EAST OHIO GAS CO
8126751		3415521446	103	HAGOOD UNIT #2	VIENNA	20.0	EAST OHIO GAS CO
8126751		3415521446	107	HAGOOD UNIT #2	VIENNA	20.0	EAST OHIO GAS CO
8126752		3415521444	103	HAGOOD UNIT #3	VIENNA	20.0	EAST OHIO GAS CO
8126752		3415521444	107	HAGOOD UNIT #3	VIENNA	20.0	EAST OHIO GAS CO
8126749		3415521535	103	HAWKINS UNIT #1	WEATHERFIELD	20.0	COLUMBIA GAS TRANSMI
8126749		3415521535	107	HAWKINS UNIT #1	WEATHERFIELD	20.0	COLUMBIA GAS TRANSMI
8126741		3415521437	103	HERROCK-PANNUNZIO #1	VIENNA	20.0	EAST OHIO GAS CO
8126741		3415521437	107	HERROCK-PANNUNZIO #1	VIENNA	20.0	EAST OHIO GAS CO
8126742		3415521181	103	SACCLICK UNIT #1	WEATHERSFIELD	20.0	COLUMBIA GAS TRANSMI
8126742		3415521181	107	SACCLICK UNIT #1	WEATHERSFIELD	20.0	COLUMBIA GAS TRANSMI
8126743		3415521522	103	SCOTT #1	VIENNA	20.0	COLUMBIA GAS TRANSMI
8126743		3415521522	107	SCOTT #1	VIENNA	20.0	COLUMBIA GAS TRANSMI
8126735		3413322027	103	SPOLARICH #1	NELSON	20.0	COLUMBIA GAS TRANSMI
8126735		3413322027	107	SPOLARICH #1	NELSON	20.0	COLUMBIA GAS TRANSMI
8126734		3415521721	103	TOCHTENHAGEN #1	WEATHERSFIELD	20.0	EAST OHIO GAS CO
8126734		3415521721	107	TOCHTENHAGEN #1	WEATHERSFIELD	20.0	EAST OHIO GAS CO
8126740		3415521470	103	YOUNGSTOWN AIRPORT #10	VIENNA	20.0	COLUMBIA GAS TRANSMI
8126740		3415521470	107	YOUNGSTOWN AIRPORT #10	VIENNA	20.0	COLUMBIA GAS TRANSMI
8126739		3415521578	103	YOUNGSTOWN AIRPORT #11	VIENNA	20.0	COLUMBIA GAS TRANSMI
8126739		3415521578	107	YOUNGSTOWN AIRPORT #11	VIENNA	20.0	COLUMBIA GAS TRANSMI
8126738		3415521484	103	YOUNGSTOWN AIRPORT #12	FOWLER	20.0	COLUMBIA GAS TRANSMI
8126738		3415521484	107	YOUNGSTOWN AIRPORT #12	FOWLER	20.0	COLUMBIA GAS TRANSMI
8126744		3415521521	103	YOUNGSTOWN AIRPORT #2	VIENNA	20.0	COLUMBIA GAS TRANSMI
8126744		3415521521	107	YOUNGSTOWN AIRPORT #2	VIENNA	20.0	COLUMBIA GAS TRANSMI
8126745		3415521472	103	YOUNGSTOWN AIRPORT #3	VIENNA	20.0	COLUMBIA GAS TRANSMI
8126745		3415521472	107	YOUNGSTOWN AIRPORT #3	VIENNA	20.0	COLUMBIA GAS TRANSMI

JT NO	JA DKT	API NO	SEC	D	WELL NAME	FIELD NAME	PROD	PURCHASER
8128746		3415521520	103		YOUNGSTOWN AIRPORT #4	VIENNA	20.0	COLUMBIA GAS TRANSMI
8128746		3415521526	107		YOUNGSTOWN AIRPORT #4	VIENNA	20.0	COLUMBIA GAS TRANSMI
8128747		3415521471	103		YOUNGSTOWN AIRPORT #5	VIENNA	20.0	COLUMBIA GAS TRANSMI
8128747		3415521471	107		YOUNGSTOWN AIRPORT #5	VIENNA	20.0	COLUMBIA GAS TRANSMI
8128748		3415521523	103		YOUNGSTOWN AIRPORT #8	VIENNA	20.0	COLUMBIA GAS TRANSMI
8128748		3415521523	107		YOUNGSTOWN AIRPORT #8	VIENNA	20.0	COLUMBIA GAS TRANSMI
8128737		3415521525	103		YOUNGSTOWN AIRPORT #9	VIENNA	20.0	COLUMBIA GAS TRANSMI
8128737		3415521525	107		YOUNGSTOWN AIRPORT #9	VIENNA	20.0	COLUMBIA GAS TRANSMI
-H LESLIE BOWER					RECEIVED: 05/01/81 JA: OH			
8128592		3410321962	103		BOWES #1 1962	SHARON	0.0	COLUMBIA GAS TRANS
8128592		3410321962	107		BOWES #1 1962	SHARON	0.0	COLUMBIA GAS TRANS
-JOHN G FORAKER					RECEIVED: 05/01/81 JA: OH			
8128732		3400922061	103		JOHNSON #6	AMES	12.0	COLUMBIA GAS TRANSMI
-OSCAR F DAVIDSON					RECEIVED: 05/01/81 JA: OH			
8128672		3403124163	103		OSCAR B JOHNS #1	PERRY	0.0	NATIONAL GAS & OIL C
-PETER A BARTLO					RECEIVED: 05/01/81 JA: OH			
8128583		3415723137	103		CENTRAL CATHOLIC UNIT #1	GOSHEN	20.0	LIBBEY-OWENS-FORD CO
8128583		3415723137	107		CENTRAL CATHOLIC UNIT #1	GOSHEN	20.0	LIBBEY-OWENS-FORD CO
8128584		3415723169	103		T LARKIN #1	GOSHEN	20.0	LIBBEY-OWENS-FORD CO
8128584		3415723169	107		T LARKIN #1	GOSHEN	20.0	LIBBEY-OWENS-FORD CO
-R GENE BRASEL DBA BRASEL & BRASEL					RECEIVED: 05/01/81 JA: OH			
8128593		3405320610	103		JAMES MINK #2	ADDISON	0.0	COLUMBIA GAS TRANSMI
8128595		3405320571	103		ROUSH PROPERTY #1	ADDISON	1.0	COLUMBIA GAS TRANSMI
8128596		3405320574	103		SHAVER #2	ADDISON	0.0	COLUMBIA GAS TRANSMI
8128594		3405320518	103		THOMAS C MCKINNEY #1	ADDISON	1.0	COLUMBIA GAS TRANSMI
**********								
PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES								
**********								
-ADOBE OIL & GAS CORPORATION					RECEIVED: 05/01/81 JA: PA			
8128477	6707	3706324711	108		DONALD J BURNS #1	BURNSIDE	8.0	CONSOLIDATED GAS SUP
8128498	6799	3706324711	103		DONALD J BURNS #1	BURNSIDE	8.0	CONSOLIDATED GAS SUP
8128497	6798	3706324751	103		JOHN BAKER #3	BURNSIDE	12.0	CONSOLIDATED GAS SUP
8128499	6800	3700522173	103		W E POWERS #3	RURAL VALLEY	21.0	T W PHILLIPS
8128496	6797	3706325307	103		WOODROW DUNLAP #1	BURNSIDE	25.0	CONSOLIDATED GAS SUP
-CENTER BAR GAS CO					RECEIVED: 05/01/81 JA: PA			
8128438	6723	3703920896	103		SERBIAN ORTHODOX #80-31 20896	CONNEAUT	0.0	COLUMBIA GAS TRANSMI
-CONSOLIDATED GAS SUPPLY CORPORATION					RECEIVED: 05/01/81 JA: PA			
8128466	5311	3706323099	108		ALBERT PEFFER WN-1437	BIG RUN 063423	21.0	GENERAL SYSTEM PURCH
-DORAN & ASSOCIATES INC					RECEIVED: 05/01/81 JA: PA			
8128489	6790	3706325799	103		J GETTY #1-K-A-63	UPPER DEVONIAN SANDS	30.0	COLUMBIA GAS TRANSMI
8128468	6594	3706323743	108		R PALMER #1 K-L-7	UPPER DEVONIAN SANDS	20.0	INDUSTRIAL GAS SALES
-ENERGY QUEST INC					RECEIVED: 05/01/81 JA: PA			
8128502	6814	3706325795	103		MURRAY C KNUPP #2	CLYMER	30.0	COLUMBIA GAS TRANSMI
8128501	6813	3706325887	103		WILLIAM C HOUSER JR 159 A #2	CLYMER	30.0	COLUMBIA GAS TRANSMI
-ENVIROGAS INC					RECEIVED: 05/01/81 JA: PA			
8128492	6793	3704921201	103		#2 A SCHULTZ	NORTH EAST DEEP	18.0	NATIONAL FUEL GAS SU
8128491	6792	3704921142	103		#4 K MEEHL	NORTH EAST DEEP	18.0	NATIONAL FUEL GAS SU
-GOE PRO INC					RECEIVED: 05/01/81 JA: PA			
8128503	6818	3704921160	103		ALBION SPORTSMAN CLUB #1-ERI-21160	ALBION-WEST	0.0	NATIONAL FUEL GAS DI
-J & J ENTERPRISES INC					RECEIVED: 05/01/81 JA: PA			
8128500	6802	3703321032	103		W R HEVENER #1 (98A)	BURNSIDE	0.0	CONSOLIDATED GAS SUP
-KALTSAS OIL CO					RECEIVED: 05/01/81 JA: PA			
8128475	6693	3704920811	103		LENT & GERALD ORTON SN E-2	VENANGO	25.6	COLUMBIA GAS TRANSMI
-MERIDIAN EXPLORATION CORP					RECEIVED: 05/01/81 JA: PA			
8128490	6791	3704921064	102		R ROBERTSON #1-531	EDINBORO NORTH	30.0	NATIONAL FUEL GAS SU
-MID-EAST OIL CO					RECEIVED: 05/01/81 JA: PA			
8128459	2589	3706323552	108		JAMES AND FRANK CAMPBELL #1	BRUSH VALLEY	12.0	NATIONAL FUEL GAS SU

JC NO	JA INT	API NO	SEC	WELL NAME	FIELD NAME	PROD	PURCHASER
8128460	2590	3706323530	108	JAMES AND FRANK CAMPBELL #2	BRUSH VALLEY	10.0	NATIONAL FUEL GAS SU
8128461	2592	3706323558	108	JAMES AND FRANK CAMPBELL #4	BRUSH VALLEY	2.5	NATIONAL FUEL GAS SU
8128462	2594	3706323582	108	JAMES AND FRANK CAMPBELL #6	BRUSH VALLEY	16.0	NATIONAL FUEL GAS SU
8128463	2734	3706323629	108	JOHN S SIMPSON ET AL #1	BRUSH VALLEY	10.0	NATIONAL FUEL GAS SU
8128464	2735	3706323630	108	JOHN S SIMPSON ET AL #2	BRUSH VALLEY	3.5	NATIONAL FUEL GAS SU
8128465	2736	3706323648	108	JOHN S SIMPSON ET AL #3	BRUSH VALLEY	2.5	NATIONAL FUEL GAS SU
-PENN STATE JOINT VENTURE				RECEIVED: 05/01/81 JA: PA			
8128457	6767	3705392138	108	K 1422	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128455	6765	3705321949	108	KJG1401	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128444	6770	3705321953	108	KJG1405	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128458	6771	3705321954	108	KJG1406	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128442	6749	3705321950	108	KJ61402	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128456	6766	3705321951	108	KJ61403	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128443	6750	3705321952	108	KJ61404	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128446	6755	3705321867	108	K1407	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128447	6756	3705321833	108	K1410	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128449	6758	3705321832	108	K1411	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128445	6754	3705321831	108	K1412	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128440	6746	3705321829	108	K1414	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128448	6757	3705321695	108	K1416	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128441	6748	3705322135	108	K1419	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128478	6772	3705322144	108	K1428	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128480	6774	3705322145	108	K1429	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128450	6759	3705322147	108	K1431	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128451	6760	3705300000	108	K1438	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128452	6761	3705322430	108	K1439	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128439	6747	3705322427	108	K1440	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128453	6762	3705322410	108	K1443	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128479	6773	3705322411	108	K1444	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128481	6775	3705322412	108	K1445	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128454	6764	3705322413	108	K1447	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128483	6777	3705321181	108	10JV	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128484	6778	3705321183	108	12JV	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128486	6780	3705321224	108	3JV	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128487	6781	3705321174	108	3JV	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128482	6776	3705321175	108	4JV	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128488	6782	3705321224	108	6JV	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
8128485	6779	3705321180	108	9JV	QUEEN SAND GLADE FORMATI	4.0	QUAKER STATE OIL REF
-PETROLEUM DEVELOPMENT CORP				RECEIVED: 05/01/81 JA: PA			
8126436	6711	3712521744	103	KREK-FLEEMER #1	CANONSBURG	0.0	COLUMBIA GAS TRANSMI
-POI ENERGY INC				RECEIVED: 05/01/81 JA: PA			
8128476	6698	3703920885	102	ALLEN #1	SPARTA	20.0	COLUMBIA GAS TRANSMI
8128474	6691	3703920884	102	DORN #1 CRA 20884	SPARTA	20.0	COLUMBIA GAS TRANSMI
-TORCAL RESOURCES INC/GOE PRO INC				RECEIVED: 05/01/81 JA: PA			
8128437	6712	3704921020	103	HARRISON #1-ERI-21020	NEW IRELAND	0.0	COLUMBIA GAS TRANSMI
-UNION DRILLING INC				RECEIVED: 05/01/81 JA: PA			
8128470	6685	3704921226	102	ANNA RAPTYZEL ESTATE #1 0687	UNION TOWNSHIP	0.0	COLUMBIA GAS TRANSMI
8128472	6689	3704921230	102	DAVID A COOPER #1 0689	UNION TOWNSHIP	0.0	COLUMBIA GAS TRANSMI
8128469	6670	3704921176	102	DORIS O WESTER #1 0646	WATERFORD TOWNSHIP	0.0	COLUMBIA GAS TRANSMI
8128471	6686	3704921224	102	HAROLD & BARBARA GOODWILL #1 0685	UNION TOWNSHIP	0.0	COLUMBIA GAS TRANSMI
8128473	6690	3704921225	102	JIMMY DOWNOR #1 0686	UNION TOWNSHIP	0.0	COLUMBIA GAS TRANSMI
-VICTORY DEVELOPMENT CO				RECEIVED: 05/01/81 JA: PA			
8128493	6794	3703321033	103	BRINTON-GRIMMINGER #1 - CLE - 21033	W PA UPPER DEVONIAN SAND	0.0	COLUMBIA GAS TRANSMI
8128494	6795	3703321034	103	BRINTON-GRIMMINGER #2 - CLE - 21034	W PA UPPER DEVONIAN SAND	0.0	COLUMBIA GAS TRANSMI
8128495	6796	3703321035	103	BRINTON-GRIMMINGER #4 - CLE - 21035	W PA UPPER DEVONIAN SAND	286.0	COLUMBIA GAS TRANSMI
-ZETA S T JOINT VENTURE 80				RECEIVED: 05/01/81 JA: PA			
8128467	6548	3706522280	103	NOLA ZOARMAN #1		25.0	NATIONAL FUEL GAS SU

BILLING CODE 6450-85-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" after the section code. Estimated annual production (PROD) is in million cubic feet (MMcf). An (*) preceding the control number indicates that other purchasers are listed at the end of the notice.

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426.

Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before June 15, 1981.

Please reference the FERC Control Number (JD No) in all correspondence related to these determinations.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-16056 Filed 5-27-81; 8:45 am]

BILLING CODE 6450-85-M

Office of Hearing and Appeals

Cases Filed; Week of May 8 through May 15, 1981

During the week of May 8 through May 15, 1981, the appeals and applications for exception or other relief listed in the Appendix to this Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Under DOE procedural regulations, 10 CFR Part 205, any person who will be aggrieved by the DOE action sought in these cases may file written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of the regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20461.

George B. Breznay,

Director, Office of Hearings and Appeals.

May 21, 1981.

List of Cases Received by the Office of Hearings and Appeals

[Week of May 8 through May 15, 1981]

Date	Name and location of applicant	Case No.	Type of Submission
May 8, 1981	Chevron USA Inc., Washington, D.C	BES-0157	Request for Stay. If granted: Chevron USA Inc. would receive a stay of the April 27, 1981 Decision and Order (Case No. BED-0110) issued to Asamera Oil (U.S.) Inc. by the Office of Hearings and Appeals.
May 8, 1981	Little America Refining Co., Washington, D.C	BES-0158	Request for Stay. If granted: Little America Refining Co. would receive a stay of the April 27, 1981 Decision and Order (Case No. BED-0110) issued to Asamera Oil (U.S.) Inc. by the Office of Hearings and Appeals.
May 8, 1981	Masonite Corp., Chicago, Ill	BEA-0670; BES-0670	Appeal of the Entitlements Notice and Request for Stay. If granted: The March 1981 Entitlements Notice would be modified with respect to Masonite Corp.'s participation in the Entitlements Program. Masonite Corp. would receive a stay of the provisions of 10 CFR 211.67 pending a final determination on its Appeal.
May 8, 1981	Office of Enforcement (Gorco), Washington, D.C	BRX-0208	Request for Supplemental Order. If granted: The May 16, 1977 Decision and Order (Case No. FES-4105) issued to Guam Oil and Refining Co. would be rescinded.
May 8, 1981	Public Systems, Washington, D.C	BRZ-0099 through BRZ-0103.	Interlocutory Order. If granted: Public Systems would be provided with unexpurgated copies of all pleadings in remedial order processings involving Atlantic Richfield Company, Gulf Oil Corporation, Standard Oil Co. of California, Standard Oil Co. (Ohio), and Texaco, Inc. (Case Nos. DRO-0193, DRO-0194, DRO-0196, DRO-0197, and DRO-0199, respectively) and would be made a party to all protective orders.
May 11, 1981	A. O. Smith Corp., Milwaukee, Wis	BEE-1661; BEL-1661	Exception and Temporary Exception from the Energy Conservation Program for Consumer Products. If granted: A. O. Smith Corp. would not be required to perform energy efficiency tests of its gas-fired water heaters equipped with thermal compensating dip tubes.
May 11, 1981	Husky Oil Co., Denver, Colo	BEX-0210	Supplemental Order. If granted: The Office of Hearings and Appeals would review the financial information submitted by Husky Oil Co. for the period March 1978 through January 1981 to determine the appropriate level of entitlements exception relief for the firm.
May 11, 1981	Michelle Pailthorp, Seattle, Wash	BFA-0671	Appeal of Information Request Denial. If granted: The Information Request Denial issued by the Bonneville Power Administration would be rescinded, and Michelle Pailthorp would receive access to certain DOE information.
May 11, 1981	Texaco, Inc., White Plains, N.Y	BES-0156	Request for Stay. If granted: Texaco, Inc. would receive a stay of the April 27, 1981 Decision and Order (Case No. BED-0110) issued to Asamera Oil (U.S.) Inc. by the Office of Hearings and Appeals.
May 11, 1981	Tricentennial Corp., Washington, D.C	BEE-1662	Exception to Reporting Requirements. If granted: Tricentennial Corp. would not be required to file Form EIA-9A ("No. 2 Distillate Price Monitoring Report").
May 12, 1981	Atlantic Richfield Co., Los Angeles, Calif	BRR-0127	Motion for Modification/Rescission. If granted: The January 30, 1981 Decision and Order (Case Nos. BRD-1247 and BRH-1247) issued to Atlantic Richfield Co. by the Office of Hearings and Appeals would be rescinded.
May 12, 1981	Kern County Refinery, Inc., Bakersfield, Calif	BES-0159	Request for Stay. If granted: Kern County Refinery, Inc. would receive a stay of the April 22, 1981 Decision and Order (Case No. DEX-0195) regarding its entitlements purchase obligation.
May 12, 1981	Uncle Ben's Foods, Inc., Houston, Tex	BEA-0672; BES-0672	Appeal of the Entitlements Notice and Request for Stay. If granted: The March 1981 Entitlements Notice would be modified with respect to Uncle Ben's Foods, Inc.'s participation in the Entitlements Program. The firm would receive a stay of the provisions of 10 CFR 211.67 pending a final determination on its Appeal.
May 12, 1981	Warrior Asphalt Co. of Alabama, Tuscaloosa, Ala	BYR-0137	Request for Modification. If granted: The April 20, 1981 Decision and Order (Case No. DEX-0211) issued to Warrior Asphalt Co. of Alabama by the Office of Hearings and Appeals would be modified with respect to the firm's entitlements purchase obligations.
May 13, 1981	Cranston Oil Service Co., Providence, R.I	BEX-0209	Supplemental Order. If granted: The Office of Hearings and Appeals would direct the disbursement of an escrow account containing overcharge refunds of the Cranston Service Co.

List of Cases Received by the Office of Hearings and Appeals—Continued

[Week of May 8 through May 15, 1981]

Date	Name and location of applicant	Case No.	Type of Submission
May 13, 1981	Little America Refining Co./Chevron USA Inc., Washington, D.C.	BEJ-0198	Protective Order. If granted: Little America Refining Co. and Chevron USA Inc. would enter into a Protective Order regarding the exchange of proprietary information in connection with Little America Refining Co.'s, Application for Exception (Case No. BEE-1064).
May 13, 1981	Miller & Chevalier, Washington, D.C.	BFA-0673	Appeal of Information Request Denial. If granted: The April 9, 1981 Information Request Denial issued by the Office of Hearings and Appeals would be rescinded, and Miller & Chevalier would receive access to documents relating to the 341 Tract Unit of the Citronelle Field.
May 13, 1981	Office of Enforcement (J & C Drilling Company), Corpus Christi, Tex.	BEF-0050	Implementation of Special Refund Procedures. If granted: The Office of Hearings and Appeals would implement Special Refund Procedures pursuant to 10 CFR Part 205, Subpart V in connection with the July 25, 1979 Consent Order entered into by J & C Drilling Co.
May 13, 1981	Office of Enforcement (Perry Gas Processors, Inc.), Odessa, Tex.	BEF-0048	Implementation of Special Refund Procedures. If granted: The Office of Hearings and Appeals would implement Special Refund Procedures pursuant to 10 CFR Part 205, Subpart V in connection with the August 13, 1979 Consent Order entered into by Perry Gas Processors, Inc.
May 13, 1981	Office of Enforcement (Worldwide Energy Corporation), Denver, Colo.	BEF-0049	Implementation of Special Refund Procedures. If granted: The Office of Hearings and Appeals would implement Special Refund Procedures pursuant to 10 CFR Part 205, Subpart V in connection with the February 26, 1980 Consent Order entered into by Worldwide Energy Corp.
May 15, 1981	Marcum Oil Co., Savannah, Mo.	BRR-0138	Request for Modification or Rescission. If granted: The December 18, 1978 Decision and Order (Case No. DRO-0214) issued to Marcum Oil Co. by the Office of Hearings and Appeals would be rescinded.

Notices of Objection Received

[Week of May 8 through May 15, 1981]

Date	Name and location of applicant	Case No.
April 17, 1981	Texas City Refining, Inc., Washington, D.C.	BEE-1419.
May 12, 1981	Clark Oil & Refining Corporation, Washington, D.C.	BEE-1582.
May 12, 1981	Marlex Oil & Refining, Inc., Los Angeles, California	BEE-1481.

[Fil Doc. 81-16081 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-01-M

Implementation of Special Refund Procedures

AGENCY: Office of Hearings and Appeals, Department of Energy.

ACTION: Notice of implementation of special refund procedures and solicitation of comments.

SUMMARY: The Office of Hearings and Appeals of the Department of Energy solicits comments concerning the appropriate procedures to be followed in refunding to adversely affected parties $4,436,679.97 obtained by the DOE under the terms of consent orders entered into with four natural gas processors. The funds were provided by the four firms in order to settle enforcement proceedings brought by the Office of Enforcement in the matters of Belridge Oil Company ($95,821.49), Texas Oil and Gas Corporation ($4,200,000), Triton Oil and Gas Corporation ($78,358.48), and Liquid Products Recovery, Inc. ($62,500).

DATE AND ADDRESS: Comments must be filed on or before June 29, 1981, and should be addressed to the Office of Hearings and Appeals, Department of Energy, 2000 M Street, N.W., Washington, D.C. 20461. All comments should display conspicuously a reference to case numbers BEF-0014, BEF-0027, BEF-0038, and BEF-0029.

FOR FURTHER INFORMATION CONTACT: Thomas O. Mann, Acting Deputy Director, Office of Hearing and Appeals, Department of Energy, 2000 M Street, N.W., Washington, D.C. 20461, (202) 653-3137.

SUPPLEMENTARY INFORMATION: In accordance with § 205.282(b) of the procedural regulations of the Department of Energy, 10 CFR 205.282(b), notice is hereby given of the issuance of the Proposed Decision and Order set out below. The Proposed Decision and Order tentatively establishes procedures to distribute to adversely affected parties a total of $4,436,679.97 obtained by the DOE under the terms of consent orders entered into with four natural gas processors: Belridge Oil Company ($95,821.49), Texas Oil and Gas Corporation ($4,200,000.00), Triton Oil and Gas Corporation ($78,358.48), and Liquid Products Recovery, Inc. ($62,500). The funds were provided to the DOE by the four firms in order to settle all claims and disputes between the firms and the DOE regarding the first sales prices of natural gas liquids (NGLs) charged by each of the firms during differing periods between September 1973 and August 1979. In each of the four consent orders, the parties stipulated that the funds were to be distributed by the DOE pursuant to 10 CFR, Part 205, Subpart V.

The Proposed Decision and Order sets forth the procedures and standards that the DOE has tentatively formulated in order to distribute the contents of the escrow accounts funded by the four firms. The DOE has tentatively decided that Applications for Refund should be accepted from the seventeen initial purchasers of NGLs from the four firms during the covered periods. In addition, the DOE determined that Applications for Refund also should be accepted from persons who bought products produced with or from the NGLs sold by Belridge, TOGCO, Triton, or LPR during the relevant time periods. The Proposed Decision and Order states that in order to be entitled to receive any portion of the settlement funds, a purchaser must furnish the DOE with evidence that the claimant was injured by the alleged unlawful prices for NGLs charged by the natural gas processors, including specific documentation concerning the date, place, price, and volume of product purchased, whether the increased costs were absorbed by the claimant or passed through to other purchasers, and the extent of any injury alleged to have been suffered.

The Proposed Decision and Order also provides for the distrubution of any funds remaining after all valid claims are paid. The Proposed Decision and Order states DOE's view that the

remainder of the consent order funds should be distributed through the seventeen initial purchasers to persons or groups of persons who are likely to have been injured by the alleged unlawful sales price for NGLs charged by Belridge, TOGCO, Triton, or LPR. The DOE therefore invites those seventeen firms to develop and submit plans for distributing the funds to the parties who likely paid increased prices as a result of the alleged overcharges. The DOE also solicits proposals from other interested parties as well.

In the Proposed Decision and Order the DOE recognizes that in some cases a firm may not be inclined to spend the time and resources necessary to develop and implement an effective restitution plan. This is particularly the case where the costs associated with developing and administering a restitution plan exceed the fund available for distribution. Therefore, the DOE is proposing that any remaining funds which would otherwise go undistributed be deposited in the Treasury of the United States. It should be pointed out that until final procedures are adopted, no claims for refunds will be accepted. Applications for Refund therefore should *not* be filed at this time. Appropriate public notice, including notice published in the **Federal Register**, will be provided prior to the acceptance of claims.

Any member of the public may submit written comments regarding the proposed refund procedures. Commenting parties are requested to submit two copies of their comments. Comments should be submitted on or before June 29, 1981 and should be sent to the address set forth at the beginning of this notice. All comments received in this proceeding will be available for public inspection in the Public Docket Room of the Office of Hearings and Appeals, Room B–120, 2000 M Street, N.W., Washington, D.C. between the hours of 1:00 to 5:00 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, D.C., on May 22, 1981.

George B. Breznay,

Director, Office of Hearing and Appeals.

Department of Energy,
Washington, D.C.
May 22, 1981.

Proposed Decision and Order of the Department of Energy

Special Refund Procedures

Name of Petitioner: Office of Enforcement, Economic Regulatory Administration: In the Matters of Belridge Oil Company, Texas Oil and Gas Corporation, Triton Oil and Gas Corporation, and Liquid Products Recovery, Inc.

Dates of Filing: December 5, 1980, January 7, 1981, March 16, 1981, January 29, 1981.

Case Numbers: BEF–0014, BEF–0027, BEF–0038, BEF–0029.

Under the procedural regulations of the Department of Energy, the Economic Regulatory Administration's Office of Enforcement (OE) may request the Office of Hearings and Appeals (OHA) to formulate and implement special procedures to make refunds to injured persons in order to remedy the effects of alleged violations of the DOE regulations. See 10 CFR, Part 205, Subpart V.

In accordance with these regulatory provisions, the OE recently filed Petitions for the Implementation of Special Refund Procedures in connection with Consent Orders entered into with Belridge Oil Company (Belridge), Texas Oil and Gas Corporation (TOGCO), Triton Oil and Gas Corporation (Triton), and Liquid Products Recovery, Inc. (LPR). Under the terms of these Consent Orders, the four firms agreed to make refunds for their alleged violations of the DOE price regulations in the following amounts: $95,821.49 (Belridge), $4,200,000 (TOGCO), $78,358.48 (Triton), and $62,500 (LPR). The funds have been paid to the DOE and are now being held in an escrow account under the jurisdiction of the DOE pending receipt of instructions from the Office of Hearings and Appeals regarding their final distribution.

I. Background

Belridge, TOGCO, Triton, and LPR are all "gas plant operators" as that term is defined in 10 CFR § 212.162. During the relevant time periods, they were therefore subject to the Mandatory Petroleum Price Regulations set forth in 6 CFR, Part 150, Subpart L and 10 CFR, Part 212, Subparts E and K. Those regulations governed the maximum prices that could lawfully be charged in the first sales of natural gas liquids and products (NGLs). As a part of its enforcement activities, the OE conducted audits of a number of these firms' natural gas processing plants. The funds involved in these proceedings were obtained as a result of consent orders agreed to in settlement of alleged overcharges in the sales of NGLs by the four firms.

An audit of Belridge's natural gas processing plants revealed possible pricing violations with respect to the firm's first sales of NGLs during the period August 1, 1975 through July 31, 1979. Included among Belridge's first purchasers at that time were the Standard Oil Company of California (Chevron) and Coast Gas, Inc. (Coast). In order to settle all claims and disputes between Belridge and the DOE regarding Belridge's first sale prices of NGLs, Belridge and the DOE entered into a Consent Order on July 10, 1980, in which Belridge agreed to refund $95,821.49 to the DOE. The parties further agreed that the funds remitted by Belridge would be distributed by the DOE pursuant to 10 CFR, Part 205, Subpart V. Notice of the Consent Order was published in the **Federal Register** on August 28, 1980. *See* 45 FR 57520 (1980). Interested parties were invited to submit written notice to the DOE of potential claims against the settlement fund. On September 24, 1980, Chevron notified the DOE that it intended to file a claim against the settlement fund.

The OE audit of TOGCO's natural gas processing plants also revealed possible pricing violations with respect to TOGCO's first sales of NGLs during the period September 1973 to March 1976. TOGCO's first purchasers during this period included Conoco, Inc., Mobil Oil Corporation (Mobil), the Coastal Corporation (Coastal), Koch Oil Company (Koch), Warren Petroleum Corporation (Warren), Wanda Petroleum Company (Wanda), and UPG, Inc. (UPG). On March 12, 1980, TOGCO and the DOE entered into a Consent Order in order to settle all claims and disputes between the parties arising from TOGCO's first sales of NGLs during the audit period. Under the terms of the Consent Order, TOGCO agreed to remit $4,200,000 to the DOE. The parties further stipulated that these funds would be distributed by the DOE in accordance with 10 CFR Part 205, Subpart V. The terms of the Consent Order were published in the **Federal Register** on April 8, 1980, *see* 45 FR 23720 (1980), and interested parties were invited to comment on the terms of the Consent Order and to submit written notice of claims against the settlement fund. Mobil, Koch, Coastal, and Conoco responded and identified themselves as potential claimants.

In its audits of Triton's gas plants, the OE found possible violations with respect to Triton's first sales of NGLs during the period September 1, 1973 to July 31, 1976. Triton sold the NGLs to four companies: Tenneco Oil Company (Tenneco), American Oil Company, Cities Service Oil Company (CITGO), and Dorchester Gas Processing Company (Dorchester). On June 27, 1979, the DOE and Triton entered into a Consent Order under which Triton agreed to refund $78,358.48 to the DOE in settlement of all claims and disputes between the parties arising from the audits of Triton's gas plants. The parties also stipulated that the funds were to be distributed by the DOE pursuant to 10 CFR Part 205, Subpart V. The terms of the final consent order were published in the **Federal Register** on July 11, 1979. *See* 44 FR 40548 (1979). Interested parties were given an opportunity to comment on the terms of the Consent Order and to submit written notice of potential claims against the refund account. The DOE received no claims in response to that notice.

The DOE's audit of LPR revealed possible overcharges with respect to first sales of NGLs during the period September 1, 1973 through June 30, 1976. In order to settle all claims and disputes between the parties regarding the firm's first sales of NGLs, LPR and the OE entered into a Consent Order in which LPR agreed to pay $62,500 to the DOE. The parties further agreed that this sum would be distributed by the DOE pursuant to 10 CFR Part 205, Subpart V. Notice of the Consent Order was published in the **Federal Register** on September 11, 1979. *See* 44 FR 52862 (1979). Interested persons were provided an opportunity to comment on the terms of the Consent Order and to submit notice of potential claims against the settlement funds. No claims or comments were received by the DOE.

Tables listing the firms which were the first purchasers of NGLs from Belridge, TOGCO, Triton, and LPR and the amounts of their respective purchases expressed as a percentage of the total sales from the plants during the periods covered by the Consent Orders, appear in the Appendix to this Proposed Decision and Order.

II. Subpart V Jurisdiction and Authority to Fashion Refund Procedures

In an Interlocutory Order issued on April 6, 1981, the Office of Hearings and Appeals determined that the jurisdictional prerequisites had been satisfied in each of the cases presently before us. *Office of Enforcement, Economic Regulatory Administration: In The Matters of National Helium*, 8 DOE ¶——, No. BRZ–0091 (April 6, 1981).

In several recent decisions we have considered Petitions for the Implementation of Special Refund Procedures under 10 CFR Part 205, Subpart V. *See, e.g., Office of Enforcement*, No. DFF–0006 (February 27, 1981) (proposed decision), 46 FR 15320 (1981) (hereinafter referred to as *Vickers*); *Office of Enforcement*, No. BEF–0021 (March 13, 1981) (proposed decision), 46 FR 17639 (1981) (hereinafter referred to as *Alcoa*); *Office of Enforcement*, No. BEF–0030 (May 1, 1981), 46 FR 25535 (1981) (hereinafter referred to as *Fagadau*). Subpart V authorizes the Office of Hearings and Appeals, upon request by the appropriate enforcement official, to fashion special procedures to distribute refunds obtained as part of settlement agreements. 10 CFR 205.281, 205.282. The special refund procedures are part of an overall regulatory program which is intended to implement several different statutes. Congress provided for the mandatory allocation and pricing of crude oil, residual fuel oil, and refined petroleum products in the Emergency Petroleum Allocation Act of 1973 (EPAA), 15 U.S.C. § 751 *et seq.* (1976). Natural gas liquids are included within the definition of petroleum products and were therefore subject to the provisions of the DOE price regulations during the periods covered by the consent orders. *Mobil Oil Corp. v. FEA*, 566 F.2d 87 (Temp. Emer. Ct. App. 1977).

The authority to enforce regulations issued under the EPAA was granted by the Economic Stabilization Act (ESA), 12 U.S.C. 1904 note (1970). EPAA, § 5(a), 15 U.S.C. 754(a). The statutory authority to enforce the regulations governing the allocation and pricing of petroleum products was delegated to the Administrator of the Federal Energy Administration and subsequently to the Secretary of Energy. Federal Energy Administration Act (FEAA), § 5, 15 U.S.C. 765 (1974); Department of Energy Organization Act (DOE Act), § 201(a), 42 U.S.C. 7151(a) (1979). To carry out these statutory mandates, the regulations of the Cost of Living Council, the Federal Energy Office, the Federal Energy Administration, and the Department of Energy have provided throughout the existence of the price control program for the issuance of remedial orders "requiring a person to cease a violation or to eliminate or compensate for the effects of a violation, or both." 6 CFR 155.81(b) (1973); 10 CFR 205.2 (1974) (defining "remedial order").

In order to implement these statutory and regulatory goals, the DOE's enforcement process is designed to accomplish two independent purposes: disgorgement of the fruits of a regulatory violation from the wrongdoers, and restitution to persons injured by the regulatory violation. *See generally Vickers*, slip op. at 4; *Sauder v. DOE*, —— F.2d ——, No. 10–25 (Temp. Emer. Ct. App. April 24, 1981). The latter objective—restitution to overcharged persons—furthers the specific EPAA goal of providing for the "equitable distribution of . . . refined petroleum products at equitable prices . . . among all users." 15 U.S.C. 753(b)(1)(F).

III. Proposed Refund Procedures

In view of the objectives expressed in the statutes and regulations discussed above, and the Consent Orders themselves, the procedures to be implemented in these four cases should, to the maximum extent practicable, provide for the distribution of the refund amounts to parties on whose behalf the settlements were negotiated.

As we have stated before, restitution is the primary focus of Subpart V, which authorizes the Office of Hearings and Appeals to formulate and implement a process "pursuant to which refunds may be made to injured persons in order to remedy the effects of a violation" of DOE regulations. 10 CFR 205.280; *see Alcoa, Vickers*. It offers a means of compensating many individuals who, because they either lack the resources or do not have a substantial financial stake in the outcome to institute their own private lawsuits under Section 210 of the ESA, have suffered injuries which would otherwise go unredressed. The Subpart V process is also an efficient administrative mechanism for returning overcharges to injured parties because it eliminates the need for long and costly court actions.

The distribution of funds to overcharged persons should generally take place in two primary ways: (i) payment to persons and firms who file applications for refunds and prove they are entitled to a portion of the funds held in trust, and (ii) payment on behalf of injured persons to entities which are in a position to devise and implement compensatory measures which effectuate the restitutionary purposes discussed above. *Fagadau*, slip op. at 6; *Alcoa*, slip op. at 6; *Vickers*, slip op. at 6. Finally, in the event that implementation of the methods discussed above would not accomplish its intended objectives or fails to exhaust all of the settlement fund, Section 205.288(c) provides that "any remaining funds . . . shall bne deposited in the United States Treasury or distributed in any other manner specified in the Decision and Order referred to in Section 205.282(c)." 10 CFR 205.288(c).

A. Refunds to Identifiable Purchasers

As a first step, the consent order funds should be distributed to claimants who satisfactorily demonstrate that they have been adversely affected by the alleged overcharges in sales of NGLs by Belridge, TOGCO, Triton, or LPR. While we recognize that it is likely that the first purchasers listed in the Appendix to this Decision and Order passed on some portions of the alleged overcharges to their own customers, they will of course be given an opportunity to demonstrate that they were in fact injured and the extent of that injury. To the extent that any of these firms can establish that it absorbed the overcharges rather than passed them on to its customers, it will be entitled to a *pro rata* share of the consent order funds. In order to qualify for a refund, however, a first purchaser will be required to demonstrate that during the period covered by the relevant Consent Order it could have kept its prices at the same level had it experienced a cost reduction equal to the amount of the refund claimed. In other words, a firm must demonstrate that at the time it purchased covered products from its supplier it had unrecovered product costs which were at least equal to the amount of the refund claimed, and that market conditions would not permit it to increase its prices to pass through the higher costs. In addition, the firm must have maintained a "bank" of unrecovered costs during each month thereafter in order to demonstrate that it did not subsequently recover these costs by increasing its prices. The amount of the refund will be limited to the amount of unrecovered costs available to the claimant for recovery through price increases. *See Office of Special Counsel for Compliance*, 4 DOE ¶ 82,511 (1979). If the initial purchasers are able to make these showings, the entire amount of the funds at issue in this proceeding will be disbursed to them. In the event they are unable to make a satisfactory showing, the next group of persons who will be entitled to receive a portion of these funds are those firms and individuals who purchased NGLs from the first purchasers.

In order to establish entitlement to a refund, any person claiming to be an injured party must satisfactorily demonstrate that it purchased, during the relevant time period, a specific quantity of products which were produced with or from the NGLs sold by Belridge, TOGCO, Triton, or LPR. Privity with either the firm or one of its first purchasers need not be established; evidence need only be presented that the products purchased by the claimants flowed through a chain of distribution leading back to one of the natural gas processors. In addition, unless the purchaser is an ultimate consumer, it must demonstrate that it did not pass through any cost increases resulting from the alleged overcharges to its own customers. For example, purchasers who resold the identified product must show that market conditions did not permit them to raise prices charged to downstream customers, and that consequently they were forced to absorb any cost increase incurred. In the absence of that showing, we must conclude that the claimant was not injured in a monetary sense by the alleged overcharge. *See Vickers*, slip. op. at 6; *Office of Special Counsel for Compliance*, 4 DOE ¶ 82,511 at 85,043–44. Refunds to first purchasers who establish their entitlement to a refund would be made on a volumetric basis—i.e., the refund would be based on the proportion of NGLs purchased by the applicant to the total amount of NGLs sold by its supplier during the relevant period.

Any purchaser claiming a portion of the refund amount will be entitled to file an Application for Refund pursuant to 10 C.F.R. § 205.283. Applications should provide all relevant information necessary to establish a claim, including specific documentation concerning the date, place, price, and volume of product purchased, the retention of increased costs, and the extent of any injury alleged.

Detailed procedures for filing applications will be provided in a final Decision and Order. Before disposing of any of the funds received as a result of the consent orders involved in this proceeding, we intend to widely publicize the distribution process and to provide an opportunity for any affected party to file a claim. In addition to publishing notice in the **Federal Register**, notice will be provided in trade journals and in other publications in the areas in which the first purchasers identified in the Appendix marketed their respective products during the period covered by the Consent Orders. As a final matter, we note that refund applications filed on behalf of groups of claimants identifying themselves as adversely affected purchasers also will be considered. Applications that are submitted on behalf of groups of purchasers will be evaluated on a case-by-case basis.

B. Distribution of the Remainder of the Refund Amount

After all of the claims of parties identifying themselves as adversely affected purchasers of the NGLs sold by Belridge, TOGCO, Triton and LPR have been filed and the share of the settlement fund to which they are entitled has been determined, the settlement fund provided by each firm pursuant to its Consent Order, while diminished, is not likely to be exhausted. In view of the relatively small sums of money likely to be involved in many ultimate consumer claims, and the improbability that such consumers will possess the detailed records necessary to establish their claims, we anticipate that only a limited number of persons will be able to prove that they are entitled to receive refunds. *See Vickers*, slip. op. at 7. The fact that claims to specific refunds may not have been proven, however, does not mean that injuries to ultimate consumers have not occurred. Rather, the absence of claims for the full amount of the settlement would tend to reflect the difficulty such parties encounter in establishing a valid claim for a portion of the consent order funds.

As discussed above, the remainder of the funds should be distributed in accordance with the goals set forth in the DOE's enabling legislation and implementing regulations. Consequently, the remaining funds should, if administratively and economically feasible, be distributed to groups of ultimate consumers who were likely to have borne a portion of the higher prices charged by Belridge, TOGCO, Triton and LPR. This conclusion was reached in our recent decision in *Vickers*, in which we proposed to return unclaimed portions of the consent order funds to ultimate consumers through public utilities which are required by law to pass through to their customers the benefits of any cost reductions. In that proposed decision we stated our belief that the class of customers of public utilities in the affected area was likely to bear a close relationship to the class of customers, *viz.*, persons who purchased gasoline through independent retail outlets, who were adversely affected by Vickers' pricing policies. *See Vickers*, slip. op at 8–10.

However, in *Alcoa* we recognized that the marketing and distribution of NGLs differs significantly from the marketing of motor gasoline through independent retail outlets in a particular geographic region. It is very possible that a significant portion of the NGLs involved in these cases were purchased for processing into other types of products. Moreover, nothing in the record indicates that the impact of any unlawful price increase was confined to an identifiable geographic area, and it is likely that these products were quite widely distributed.

In *Alcoa* and *Fagadau* we observed that the first purchasers of NGLS are in the best position to assist the DOE in identifying and distributing refunds to those persons who were injured by the alleged overcharges. *Alcoa*, slip op. at 9; *Fagadau*, slip op. at 9. In this case as well, we believe that the first purchasers of NGLs from Belridge, TOGCO, Triton, and LPR can most effectively assist the DOE in channeling the remaining consent order funds to persons who are most likely to have been injured by the overcharges. Consequently, we propose that after payments are made to successful claimants, any remaining funds be distributed through the first purchasers listed in the Appendix. We invite those firms to develop and submit to this Office a plan for returning these funds to the parties who likely paid increased prices as a result of the alleged overcharges. The plans should identify the end-users, or groups of end-users, who were most likely to have been adversely affected by the alleged unlawful conduct of Belridge, TOGCO, Triton, and LPR. To this end, each firm should take into account its distribution and marketing system and its method of calculating prices during the relevant period. To the extent that product purchases from particular gas plants can be isolated in the appropriate distribution system, the plans should limit the proposed refunds to customers who were downstream purchasers of the NGLs covered by the Consent Orders. The plans should also be designed to exclude from participation in this stage of the refund proceeding any purchasers who recovered a portion of the consent order funds during the prior distribution to successful claimants. In developing the plans, first purchasers should give paramount consideration to the cost efficiency and administrative ease of any proposed refund plan. For example, to the extent that the NGLs were used by agricultural producers, the plan may propose to distribute funds through agricultural cooperatives in the affected areas rather than to individuals. *See Fagadau*, slip op. at 10; *Alcoa*, slip op. at 9.

Although the primary aim of the Subpart V process is to distribute the consent order funds to the parties who were injured as a result of alleged unlawful activity, we recognize that in some cases a firm would not be inclined to spend the time or resources necessary to develop and implement an effective restitutionary plan and thus, in several instances injuries may go unredressed. For example, the funds to be distributed by a particular firm may be so small in relation to the number of parties entitled to share in the proceeds that the economic costs to the firm would far outweigh the intended benefits of the plan. In this regard, we note that preliminary data supplied by the OE indicates that four of LPR's first purchasers, Forest Oil Company, Petro Lewis Corporation, Koch Oil Company, and Sun Oil Company, would have available for distribution the following amounts: $56.25, $43.75, $518.75, and $537.50. It may very well be the case that the costs associated with administering a plan which any of these firms proposed would actually exceed the fund available for distribution. In such circumstances, the firm would have to absorb the administrative costs if the intended purpose of making whole the parties who were injured by the alleged overcharge is to be accomplished. The greater likelihood, however, is that a firm would not be inclined to develop and implement a restitutionary plan unless it be permitted to recoup its administrative costs from the fund, in which case the injured parties will not receive the full amount of the refund to which they are entitled.

In view of these considerations, we are proposing that the portion of the settlement fund which, because of prohibitive administrative costs, would otherwise go undistributed, be deposited in the Treasury of the United States. Subpart V regulations specifically sanction this course of action, *see* 10 C.F.R. § 205.288(c), and direct payments to the Treasury may well be appropriate in those cases where other remedies would be ineffectual or administratively burdensome. *See Citronelle-Mobile Gathering, Inc.* v. *O'Leary*, 499 F. Supp. 871 (S. D. Ala. 1980); *Golden Eagle Oil Company*, 6 DOE ¶83,005 at 86,065 (1980). *Cf. Chana's Auto Service Center*, 8 DOE ¶ ——, No. BRO–0458 (April 20, 1981).

Although we believe that the first purchasers of Belridge, TOGCO, Triton, and LPR are, in the present cases, uniquely situated to develop and implement an effective plan for distributing the settlement funds to the parties who absorbed the overcharges, nothing contained herein should be interpreted to suggest that we are discouraging the submission by other parties of proposals containing alternative distribution schemes. We will fully consider any plan submitted and we encourage any party interested in submitting such a plan to do so.

It is therefore ordered that:

The settlement funds provided by Belridge, TOGCO, Triton, and LPR in the amounts of $95,821.49, $4,200,000, $78,358.48, and $62,500, respectively, will be distributed in accordance with this Decision.

Appendix

Table I.—*Belridge Oil Company, Settlement Fund: $95,821.49*

Name of first purchaser	Percentage of NGLs[1]
Coast Gas, Inc.	18.7664
Standard Oil Company of California (Chevron)	81.2336

[1] Bought by first purchaser.

Table II.—*Texas Oil and Gas Corporation, Settlement Fund: $4,200,000*

Name of first purchaser	Percentage of NGLs[1]
Continental Oil Company	.06
The Coastal Corporation	1.44
Koch Oil Company	38.06
Mobil Oil Corporation	41.21
UPG	2.59
Wanda Petroleum Company	12.79
Warren Petroleum Company	3.32

[1] Bought by first purchaser.

Table III.—*Triton Oil and Gas Corporation, Settlement Fund: $78,358.48*

Name of first purchaser	Percentage of NGLs[1]
American Oil Company	36.0436
Cities Service Oil Company	10.1640
Dorchester Gas Processing Company	42.6789
Tenneco Oil Company	10.5845

[1] Bought by first purchaser.

Table IV.—*Liquid Products Recovery, Inc., Settlement Fund: $62,500*

Name of first purchaser	Percentage of NGLs[1]
Forest Oil Company	.09
Koch Oil Company	.83
Petro Lewis Corporation	.07
Sun Oil Company	.86
Texas Petro Gas	18.20
Wanda Petroleum Company	80.13

[1] Bought by first purchaser.

[FR Doc. 81-16086 Filed 5-28-81; 8:45 am]
BILLING CODE 6450-01-M

Issuance of Decisions and Orders; Week of April 20 Through April 24, 1981

During the week of April 20 through April 24, 1981, the decisions and orders summarized below were issued with respect to appeals and applications for exception or other relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

Appeals

Ephraim and Flint, 4/20/81, BFA-0623

The law firm of Ephraim and Flint filed an Appeal from a partial denial by the Director of Contract Execution Division "A" of the Office of Procurement Operations of the DOE of a Request for Information which the firm had submitted under the Freedom of Information Act (the FOIA). In considering the Appeal, the DOE found that certain of the documents which were initially withheld under exemptions 4 and 6 should be released to the public. Important issues that were considered in the Decision and Order were whether exemption 4 protects from mandatory disclosure the names of employees designated as key employees on DOE contracts and whether release of the names of such persons would constitute a clearly unwarranted invasion of privacy.

Larkin, Hoffman, Daly & Lindgren, 4/22/81, BFA-0634

Larkin, Hoffman, Daly & Lindgren filed an Appeal from a denial by the Disclosure Officer, Office of Special Counsel for Compliance, of a request for information submitted by the firm under the Freedom of Information Act. The DOE found that although the documents contained material exempt from public disclosure pursuant to 10 CFR 1004.10(b) (4) and (5), certain portions of the documents relating to the history of the audited firm and to the fact that an audit had been conducted contained reasonably segregable factual information which should be released to the public. The DOE ordered these portions of the documents released. In addition, the DOE found that the request required further identification of the records being sought. Accordingly, the DOE remanded this matter to the Disclosure Officer to clarify the scope of the request pursuant to 10 CFR 1004.4(c)(2) and to determine the releasability of any documents found responsive to the clarified request.

Pester Refining Company, 4/21/81, BEA-0370

Pester Refining Company filed an Appeal from a denial by the Economic Regulatory Administration of an application the firm had filed under § 211.65(c)(2) of the DOE Crude Oil Buy/Sell Program. In considering the Appeal, the DOE found that the ERA Order denying the application did not contain sufficient findings to support its determinations with respect to whether Pester's application contained statements explaining why the firm believed it had exhausted all supply possibilities, whether the firm's effort to secure crude oil supplies was sufficient, and whether the prices offered Pester were significantly in excess of the range of prices being paid for most crude oil purchased on the world market. The DOE therefore rescinded the ERA Order and remanded the matter to the ERA for appropriate Action.

Rock Island Refining Corporation, 4/20/81, BEA-0383

Rock Island Refining Corporation filed an Appeal from a denial by the Economic Regulatory Administration of an application the firm had filed under § 211.65(c)(2) of the DOE Crude Oil Buy/Sell Program. In considering the Appeal, the DOE found that the ERA Order denying the application did not contain sufficient findings to support its determination with respect to whether the prices for crude oil offered to Rock Island were significantly in excess of the range of prices being paid for most crude oil purchased on the world market. The DOE therefore rescinded the ERA Order and remanded the matter to the ERA for appropriate action.

Thriftway Company, 4/22/81, BEA-0585

Thriftway Company filed an Appeal from a Decision and Order issued to the firm on December 10, 1980, by the Economic Regulatory Administration. That Order denied an application for a buy/sell allocation of crude oil that Thriftway had sought for its Bloomfield, New Mexico, refinery. On April 22, 1981, the Office of Hearings and Appeals issued a Decision and Order which upheld the ERA's denial of Thriftway's buy/sell application and denied the firm's Appeal.

Remedial Orders

Chana's Auto Service Center, 4/20/81, BRO-0458

Chana's Auto Service Center objected to a Proposed Remedial Order which the Western District Office of Enforcement of the ERA issued to the firm on October 12, 1979. In the Proposed Remedial Order, the ERA found that Chana had violated the provisions of 10 CFR 212.93 by selling motor gasoline to its retail customers at prices which exceeded the firm's maximum lawful selling price. After considering the firm's objections, the DOE concluded that the Proposed Remedial Order should be issued as a final Order of the Department of Energy. The important issues resolved in the Decision and Order include (i) whether Section 324 of the Clean Air Act Amendments, 42 U.S.C. 7624, supercedes the DOE's fixed cents per gallon markup rule embodied in 10 CFR 212.93 and (ii) whether the provisions in the PRO requiring Chana to implement a price roll-back in order to refund to its retail customers the amounts by which they had been overcharged by Chana should be modified, in light of Executive Order 12287, to require Chana to make restitution directly to the United States Treasury.

Remedial Order

In the following case involving a Proposed Remedial Order and/or Interim Remedial Order for Immediate Compliance, no Statement of Objections was filed. The DOE therefore issued the order in final form.

Company Name and Case No.

West Ashley Exxon (Montgomery), BRW-0094

Requests for Exception

American Agri-Fuels Corporation, 4/20/81, BXE-1255

American Agri-Fuels Corporation filed an Application for Exception in which it sought an extension of exception relief previously granted in *American Agri-Fuels Corp.*, 4 DOE ¶81,139 (1979). In the prior proceeding the firm had been granted an allocation of unleaded motor gasoline for the purpose of blending and marketing gasohol. The DOE tentatively granted the firm's request on September 3, 1980 and issued an Interim Order immediately implementing the exception

relief. Three of the assigned suppliers filed Statements of Objections to the grant of exception relief. In considering the matter, the DOE noted that because of the Executive Order decontrolling petroleum products, the Interim Order no longer had any current effect. The DOE found that only one of the objecting parties, Getty Refining and Marketing Company, had supplied ACF with any unleaded motor gasoline prior to the Executive Order and was therefore the only party with a material interest in the proceeding. Since Getty raised no new issues in its Statement of Objections that had not been considered in the Proposed Decision, the DOE concluded that the Proposed Decision should be issued as a final Order.

Dunigan Operating Company, Inc., 4/24/81, BEE–1233

Dunigan Operating Company, Inc. filed an application for Exception from the provisions of 10 CFR Part 212 in which the firm sought to classify the M. B. Davis Lease as a stripper well property. In considering the request, the DOE found that the firm was not experiencing a financial hardship or gross inequity as a result of the lease's classification. Accordingly, exception relief was denied.

National Pest Control Association, 4/22/81, BEE–1522

The National Pest Control Association filed an Application for Exception from the provisions of 10 CFR Part 211 in which the firm sought first priority status for structural pest control operators in the allocation of motor gasoline. In considering the request, the DOE found that the applicant's concern was purely speculative and that it related not to any adverse affect of DOE regulations on the current operations of its members but to the potential effect that future restrictions might have on its members in the event of a future motor gasoline shortage. Accordingly, the exception relief was dismissed.

Northern Arizona Gas Service, Inc., 4/21/81, BEE–0438

Northern Arizona Gas Service, Inc., filed an application for Exception from the provisions of 10 CFR Part 211 in which the firm requested that it be assigned a new base period supplier of propane. Northern requested that the DOE proceed with its consideration of the application for Exception notwithstanding the January 28, 1981 executive order that immediately exempted motor gasoline, crude oil and propane from the provisions of the DOE Mandatory Petroleum Price and Allocation Regulations. The firm stated that it believes that the Mandatory Petroleum Price and Allocation Regulations will be revived by a judicial ruling or an executive order. The DOE concluded that the possibility that these regulations will be reinstituted is extremely unlikely at this time, and that any opinion which might be issued on the merits of the case would be purely advisory. The firm's request for further consideration of its exception was therefore denied.

Motion for Discovery

Atlantic Richfield Company, 4/23/81, BRD–0193

Atlantic Richfield Company (ARCO) filed a Motion for Depositions in connection with its objections to a Proposed Remedial Order which the DOE Office of Special Counsel issued to the firm on May 1, 1979. In considering the motion, the DOE determined that deposition discovery could not be granted until ARCO identified specific factual disputes at issue in the enforcement proceeding. Accordingly, ARCO's Motion for Depositions was denied, but the firm was provided with an opportunity to file a revised Motion for Depositions after it filed its Statement of Factual Objections.

Supplemental Orders

Beacon Oil Company, 4/22/81, DEX–0153

On April 22, 1981, the DOE issued a Decision and Order to Beacon Oil Company that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1978 fiscal year. The Decision and Order determined that Beacon received excessive relief during its 1978 fiscal year.

Beacon Oil Company, 4/22/81, BEX–0051

On April 22, 1981, the DOE issued a Decision and Order to Beacon Oil Company that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1979 fiscal year. The Decision and Order determined that Beacon received insufficient relief during its 1979 fiscal year.

Robert E. Brain, Cooper & Brain, Inc., 4/21/81, BEX–0188

On April 21, 1981 the DOE issued a Supplemental Order modifying certain provisions of a December 3, 1980 Decision and Order issued to Robert E. Brain and Cooper & Brain, Inc. The Supplemental Order modified a provision ordering the Director of the DOE Division of FOI and Privacy Acts Activities to refund to petitioners a portion of charges they had been assessed because both parties had subsequently discovered that the charges had not been paid.

Caribou Four Corners, Inc., 4/20/81, BEX–0082

On April 20, 1981, the DOE issued a Decision and Order to Caribou Four Corners, Inc. that reviewed the firm's exception relief from purchasing entitlements as required by 10 C.F.R. § 211.67 during its 1980 fiscal year. The Decision and Order determined that Caribou received excessive relief during its 1980 fiscal year.

Champlin Petroleum Company, 4/21/81, BRX–0147

Champlin Petroleum Company filed a Motion to Clarify the terms of a stay of the requirements of a Modified Remedial Order granted the firm by Decisions and Orders issued November 21 and December 22, 1980. In its motion, Champlin sought to be relieved of any present obligation to file certain calculations that the Modified Remedial Order directed the firm to submit. In considering the Motion, the DOE determined that the requirement that Champlin prepare such calculations was not inconsistent with an earlier Decision and Order issued to Champlin in this enforcement proceeding, that Champlin's disregard of prior directives of the Office of Hearings and Appeals to submit the calculations militated against the approval of its request for equitable relief, and that the public interest strongly favored an expeditious resolution of the Champlin enforcement proceeding. Consequently, the Champlin Motion to Clarify was denied.

Charter Oil Company, 4/20/81, DEX–0152

On April 20, 1981, the DOE issued a Decision and Order to Charter Oil Company that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1978 fiscal year. The Decision and Order determined that Charter received excessive relief during its 1978 fiscal year.

Edgington Oil Company, 4/20/81, DEX–0160

On April 20, 1981, the DOE issued a Decision and Order to Edgington Oil Company that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1978 fiscal year. The Decision and Order determined that Edgington received insufficient relief during its 1970 fiscal year.

Edgington Oil Company, 4/20/81, BEX–0042

On April 20, 1981, the DOE issued a Decision and Order to Edgington Oil Company that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1979 fiscal year. The Decision and Order determined that Edgington received excessive relief during its 1979 fiscal year.

Edgington Oil Company, 4/20/81, DEX–0060

On April 20, 1981, the DOE issued a Decision and Order to Edgington Oil Company that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1977 fiscal year. The Decision and Order determined that Edgington received excessive relief during its 1977 fiscal year.

Kern County Refinery, Inc., 4/20/81, BEX–0083

On April 20, 1981, the DOE issued a Decision and Order to Kern County Refinery, Inc. that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1980 fiscal year. The Decision and Order determined that Kern received insufficient relief during its 1980 fiscal year.

Kern County Refinery, Inc., 4/22/81, DEX–0195

On April 22, 1981, the DOE issued a Decision and Order to Kern County Refinery, Inc. that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1979 fiscal year. The Decision and Order determined that Kern received excessive relief during its 1979 fiscal year.

Laketon Asphalt Refining, Inc., 4/20/81, DEX–0155

On April 20, 1981, the DOE issued a Decision and Order to Laketon Asphalt Refining, Inc. that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1978 fiscal year. The Decision and Order

determined that Laketon received excessive relief during its 1978 fiscal year.

Laketon Asphalt Refining, Inc., 4/22/81, BEX-0062

On April 22, 1981, the DOE issued a Decision and Order to Laketon Asphalt Refining, Inc. that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1979 fiscal year. The Decision and Order determined that Laketon received insufficient relief during its 1979 fiscal year.

Laketon Asphalt Refining, Inc., 4/20/81, DEX-0053

On April 20, 1981, the DOE issued a Decision and Order to Laketon Asphalt Refining, Inc. that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1977 fiscal year. The Decision and Order determined that Laketon received excessive relief during its 1977 fiscal year.

Lunday-Thagard Oil Company, 4/20/81, BEX-0002

On April 20, 1981, the DOE issued a Decision and Order to Lunday-Thagard Oil Company that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1979 fiscal year. The Decision and Order determined that Lunday-Thagard received insufficient relief during its 1979 fiscal year.

Newhall Refining Company, Inc., 4/20/81, DEX-0133

On April 20, 1981, the DOE issued a Decision and Order to Newhall Refining Company, Inc. that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1978 fiscal year. The Decision and Order determined that Newhall received excessive relief during its 1978 fiscal year.

Sage Creek Refining Company, Inc., 4/20/81, BEX-0144

On April 20, 1981, the DOE issued a Decision and Order to Sage Creek Refining Company, Inc. that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1980 fiscal year. The Decision and Order determined that Sage Creek received excessive relief during its 1980 fiscal year.

San Joaquin Refining Company, 4/20/81, DEX-0201

On April 20, 1981, the DOE issued a Decision and Order to San Joaquin Refining Company that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1979 fiscal year. The Decision and Order determined that San Joaquin received excessive relief during its 1979 fiscal year.

Southwestern Refining Company, Inc., 4/22/81, BEX-0091

On April 22, 1981, the DOE issued a Decision and Order to Southwestern Refining Company, Inc. that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1980 fiscal year. The Decision and Order determined that Southwestern received excessive relief during its 1980 fiscal year.

Warrior Asphalt Company of Alabama, Inc., 4/20/81, DEX-0211

On April 20, 1981, the DOE issued a Decision and Order to Warrior Asphalt Company that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1979 fiscal year. The Decision and Order determined that Warrior received insufficient relief during its 1979 fiscal year.

Young Refining Corporation, 4/20/81, BEX-0080

On April 20, 1981, the DOE issued a Decision and Order to Young Refining Corporation that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1980 fiscal year. The Decision and Order determined that Young received excessive relief during its 1980 fiscal year.

Young Refining Corporation, 4/20/81, DEX-0190

On April 20, 1981, the DOE issued a Decision and Order to Young Refining Corporation that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1979 fiscal year. The Decision and Order determined that Young received excessive relief during its 1979 fiscal year.

Young Refining Corporation, 4/22/81, DEX-0104

On April 22, 1981, the DOE issued a Decision and Order to Young Refining Corporation that reviewed the firm's exception relief from purchasing entitlements as required by 10 CFR 211.67 during its 1978 fiscal year. The Decision and Order determined that Young received excessive relief during its 1978 fiscal year.

Petitions Involving the Motor Gasoline Allocation Regulations

The following firm filed an Application for Exception from the provisions of the Motor Gasoline Allocation Regulations. The DOE issued a Decision and Order which determined that the request be dismissed:

Company Name and Case No.

Mountain View Coach Lines, Inc., BEO-1013

DISMISSALS

The following submissions were dismissed:

Company Name and Case No.

Amoco Oil Company, BEL-0045
Arizona Fuels Corporation, BEX-0050
Husky Oil Company of Delaware, DXE-0079
J. J. Doherty and Co., Inc., BEE-0739
O. K. Petroleum Products Corporation, BEA-0559
Oklahoma Refining Company, BEL-0925

Copies of the full text of these Decisions and Orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room B-120, 2000 M Street NW., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except Federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system.

George B. Breznay,

Director, Office of Hearings and Appeals.

May 21, 1981.

[FR Doc. 81-16085 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-01-M

Issuance of Proposed Decisions and Orders; Period of May 4 Through May 15, 1981

During the period May 4 through May 15, 1981, the proposed decisions and orders summarized below were issued by the Office of Hearings and Appeals of the Department of Energy with regard to applications for exception.

Under the procedural regulations that apply to exception proceedings (10 CFR Part 205, Subpart D), any person who will be aggrieved by the issuance of a proposed decision and order in final form may file a written notice of objection within ten days of service. For purposes of the procedural regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date an aggrieved person receives actual notice, whichever occurs first.

The procedural regulations provide that an aggrieved party who fails to file a Notice of Objection within the time period specified in the regulations will be deemed to consent to the issuance of the proposed decision and order in final form. An aggrieved party who wishes to contest a determination made in a proposed decision and order must also file a detailed statement of objections within 30 days of the date of service of the proposed decision and order. In the statement of objections, the aggrieved party must specify each issue of fact or law that it intends to contest in any further proceeding involving the exception matter.

Copies of the full text of these proposed decisions and orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room B-120, 2000 M Street NW., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays.

May 21, 1981.

George B. Breznay,

Director, Office of Hearings and Appeals.

Golden Gate Petroleum Co., Emeryville, California, BEE-1644 Reporting Requirements

Golden Gate Petroleum Co. filed an Application for Exception from the reporting requirements of Form EIA-9A ("No. 2 Distillate Price Monitoring Report"). The

exception request, if granted, would relieve Golden Gate of the obligation to prepare and submit Form EIA-9A. On May 11, 1981, the Department of Energy issued a Proposed Decision and Order in which it tentatively determined that the exception request should be denied.

Oasis Petro Energy Corp., Culver City, California, DEE-7983 crude oil

Oasis Petro Energy Corp. filed an Application for Exception from the provisions of 10 CFR 212.183. The exception request, if granted, would permit Oasis to apply a portion of the crude oil reseller price rules applicable to resellers that did not sell crude oil prior to December 1, 1977 in calculating its maximum legal selling prices for the period January 1979 through November 1980. On May 11, 1981, the Department of Energy issued a Proposed Decision and Order in which it tentatively determined that the exception request should be granted.

Placid Refining Company, Washington, D.C., BEE-1352 crude oil

Placid Refining Company filed an Application for Exception from the provisions of 10 CFR 211.67 (the Entitlement Program). The exception request, if granted, would permit Placid to receive additional entitlements benefits for the crude oil the firm purchased to establish a starting inventory for its Mount Belview refinery. On May 15, 1981, the Department of Energy issued a Proposed Decision and Order in which it tentatively determined that the exception request should be denied.

Ross Oil Company, Holden, Missouri, BEE-1592 reporting requirements

Ross Oil Company filed an Application for Exception from the reporting requirements of Form EIA-172 ("Sales of Fuel Oil and Kerosene"). The exception request, if granted, would relieve Ross of the obligation to complete and file Form EIA-172 for calendar year 1979. On May 11, 1981, the Department of Energy issued a Proposed Decision and Order in which it tentatively determined that exception relief should be granted.

Shell Oil Company, Houston, Texas, BEE-0889; BEE-1307 crude oil

Shell Oil Company filed two Applications for Exception from the provisions of 10 CFR 212.75. The exception requests, if granted, would permit the firm to establish the base production control level and to calculate the volumes of imputed stripper and upper tier crude oil for the North Hobbs and the South Wasson Units in a manner different from that set forth under 212.75. On May 11, 1981, the Department of Energy issued a Proposed Decision and Order in which it tentatively determined that exception relief should be denied.

[FR Doc. 81-16086 Filed 5-28-81; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[A-7-FRL-1839-4]

Approval of PSD Permit to American Modern Food Energy Systems, Inc., Ames, Iowa

Notice is hereby given that the Environmental Protection Agency (EPA) has issued a construction permit under the Prevention of Significant Air Quality Deterioration (PSD) regulations (40 CFR 52.21) as amended August 7, 1980 (45 FR 52735) to: American Modern Food Energy Systems, Inc.

On April 15, 1981, the EPA formally approved, with conditions, a proposal by the American Modern Food Energy Systems, Inc. to construct a new anhydrous ethanol plant to be located in Ames, Iowa. The facility is considered a major source of air pollution because it will have potential emissions of sulfur dioxide (SO_2) and nitrogen oxides (NO_x) both in excess of 100 tons per year. All other applicable pollutant emissions will each be controlled to less than 100 tons per year.

Under Section 307(b)(1) of the Clean Air Act, as amended in August 1977, judicial review of the above action is available only by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under Section 307(b)(2) of the Clean Air Act, as amended in August 1977, the requirements which are the subject of today's notice may not be challenged later in civil or criminal proceedings brought by the EPA to enforce these requirements.

In this case, the appropriate court is the Eighth Circuit Court of Appeals. A petition for review must be filed with this court on or before July 28, 1981.

Copies of this permit and related information are available for public inspection at: U.S. Environmental Protection Agency, Air and Hazardous Materials Division, Air, Noise and Radiation Branch, 324 East 11th Street, Kansas City, Missouri 64106.

Dated: May 18, 1981.

William W. Rice,

Acting Regional Administrator, Region VII.

[FR Doc. 81-16109 Filed 5-28-81; 8:45 am]

BILLING CODE 6560-38-M

[A-7-FRL-1839]

Non-Applicability of PSD Regulation to Cargill Inc., Wichita, Kansas

Notice is hereby given that the Environmental Protection Agency (EPA), on April 2, 1981, pursuant to the regulations for the prevention of significant deterioration, 40 CFR 52.21, as amended August 7, 1980, at 45 FR 52735, issued a non-applicability determination to Cargill Inc. for the modification of their edible oil refinery located in Wichita, Kansas.

The modification will consist of two boilers with a total heat input of about 44 million BTU's per hour. Emissions of all pollutants will be less than the de minimis level qualifying the project as a major modification as defined in 40 CFR 52.21(b)(2), as amended, under Section 307(b)(1) of the Clean Air Act, as amended in August 1977, judicial review of this determination is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today.

In this case, the appropriate court is the Tenth Circuit Court of Appeals. A petition for review must be filed with this court on or before July 28, 1981.

This determination and related background information are available for public inspection at: U.S. Environmental Protection Agency, Air and Hazardous Materials Division, Air, Noise and Radiation Branch, 324 East 11th Street, Kansas City, Missouri 64106.

Dated: May 18, 1981.

William W. Rice,

Acting Regional Administrator, Region VII.

[FR Doc. 81-16110 Filed 5-28-81; 8:45 am]

BILLING CODE 6560-38-M

[A-7-FRL-1839-6]

Approval of PSD Permit to General Motors, Kansas City, Kansas

Notice is hereby given that the Environmental Protection Agency (EPA) has issued a construction permit under the Prevention of Significant Air Quality Deterioration (PSD) regulations (40 CFR 52.21) as amended August 7, 1980 (45 FR 52735) to: General Motors Corporation.

On April 13, 1981, the EPA formally approved, with conditions, a proposal to construct a new passenger car assembly plant in Kansas City, Kansas. The proposed plant is subject to PSD review because it will have the potential to emit the following pollutants in excess of 100 tons per year: sulfur dioxide (SO_2), nitrogen oxides (NO_x), carbon monoxide (CO), and particulate matter. The major pollution emitting components of the source will be proposed coal-fired boiler units (and related coal handling operations), auto painting facilities, and gas-fired paint curing ovens.

Under Section 307(b)(1) of the Clean Air Act, as amended in August 1977, judicial review of the above action is available *only* by the filing of a petition

for review in the United States Court of Appeals for the appropriate circuit within 60 days from today. Under Section 307(b)(2) of the Clean Air Act, as amended in August 1977, the requirements which are the subject of today's notice may *not* be challenged later in civil or criminal proceedings brought by the EPA to enforce these requirements.

In this case, the appropriate court is the Tenth Circuit Court of Appeals. A petition for review must be filed with this court on or before July 28, 1981.

Copies of this permit and related information are available for public inspection at: U.S. Environmental Protection Agency, Air and Hazardous Materials Division, Air, Noise and Radiation Branch, 324 East 11th Street, Kansas City, Missouri 64106.

Dated: May 18, 1981.

William W. Rice,

Acting Regional Administrator, Region VII.

[FR Doc. 81-16111 Filed 5-28-81; 8:45 am]

BILLING CODE 6560-38-M

[A-7-FRL-1839-5]

Nonapplicability of PSD Regulations to Gulf Coast Grain Inc., Commanche, Iowa, et al.

Notice is hereby given that the Environmental Protection Agency (EPA) has determined that construction proposals by the above companies are not subject to the review requirements of the Prevention of Significant Air Quality Deterioration (PSD) regulations (40 CFR 52.21), as amended August 7, 1980, (45 FR 52735).

On March 4, 1981, the EPA issued a non-applicability determination to Gulf Coast Grain Incorporated, Commanche, Iowa. This determination is based on calculations showing that the emissions will not qualify the facility as a major stationary source, as defined in 40 CFR 52.21(b)(1), as amended.

On April 9, 1981, the EPA issued a non-applicability determination to Union Carbide Corporation, Centerville, Iowa, for the proposed expansion in Centerville, Iowa. The emissions of all applicable pollutants will not exceed amounts qualifying the project as a major modification, as defined in 40 CFR 52.21(b)(2), as amended.

On March 17, 1981, the EPA issued a non-applicability determination to Van Buren County Alcohol Incorporated in Bonaparte, Iowa. This determination of non-applicability was based on a determination that emissions from the source in compliance with emission limitations established standards in the permit they received from the Iowa Department of Environmental Quality, will not exceed amounts qualifying the project as a major stationary source as defined in 40 CFR 52.21(b)(1), as amended. Under Section 307(b)(1) of the Clean Air Act, as amended in 1977, judicial review of any of these determinations is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today.

In these cases, the appropriate court is the Eighth Circuit Court of Appeals. A petition for review must be filed with this court on or before July 28, 1981.

These determinations and related background information are available for public inspection at: U.S. Environmental Protection Agency, Air and Hazardous Materials Division, Air, Noise and Radiation Branch, 324 East 11th Street, Kansas City, Missouri 64106.

Dated: May 18, 1981.

William W. Rice,

Acting Regional Administrator, Region VII.

[FR Doc. 81-16112 Filed 5-28-81; 8:45 am]

BILLING CODE 6560-38-M

(ER-FRL-1841-2)

Availability of Environmental Impact Statements

AGENCY: Office of Federal Activities (A-104), Environmental Protection Agency.

PURPOSE: This notice lists the Environmental Impact Statements (EISS) which have been officially filed with the EPA and distributed to federal agencies and interested groups, organizations and individuals for review pursuant to the Council on Environmental Quality's regulations (40 CFR Part 1506.9) during the week of May 18, 1981 to May 22, 1981.

REVIEW PERIODS: The 45-day review period for Draft EISs' listed in this notice is calculated from May 29, 1981 and will end on July 13, 1981. The 30-day review period for Final EISs' as calculated from May 29, 1981 will end on June 29, 1981.

EIS AVAILABILITY: To obtain a copy of an EIS listed in this notice you should contact the federal agency which prepared the EIS. If a federal agency does not have the EIS available upon request you may contact the Office of Federal Activities, EPA, for further information. Copies of EIS's previously filed with EPA or CEQ which are no longer available from the orginating agency are available with charge from the following source: Information Resources Press, 1700 North Moore Street, Arlington, Virginia 22209, (703) 558-8270.

FOR FURTHER INFORMATION CONTACT: Kathi L. Wilson, Office of Federal Activities, Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, (202) 245-3006.

Dated: May 26, 1981.

William N. Hedeman, Jr.,

Director, Office of Federal Activities (A-104).

Department of Agriculture

FS: Final—Taos Ski Valley Master Plan, Carson National Forest, Taos County, New Mexico (EIS Order #810401).

Army Corps of Engineers

Draft—Brush Creek and Tributaries Flood Control Plan, Jackson County, Missouri and Johnson and Wyandotte Counties, Kansas (EIS Order #810389).

Draft—Lafourche Parish Sand Dredging Operations, Louisiana (EIS Order #810390).

Draft Supplement—San Juan Harbor Navigation Improvement, Puerto Rico (EIS Order #810392).

Final—Redwood River Flood Control Project, Lyon County, Minnesota (EIS Order #810385).

Department of Commerce

NOAA: Draft—Western Pacific Billfish Fishery Management Plan, Pacific Ocean (EIS Order #810399).

Department of Interior

BLM: Final—Mid-Atlantic OCS Oil and Gas Lease Sale, No. 59 (EIS Order #ι810396).

Department of Transportation

FHWA: Draft—TH-610/TH-552 Construction and Reconstruction, Anoka and Hennepin Counties, Minnesota; the review period for this EIS has been extended until July 24, 1981 (EIS Order #ι810402).

FHWA: Final—Route 129 Improvement, Wilmington to Reading, Middlesex County, Massachusetts (EIS Order #810391).

FHWA: Final—US 50/Choptank River Crossing Improvement, Talbot and Dorchester Counties, Maryland (EIS Order #810393).

Delaware River Basin Commission

Final—Delaware River Basin Level B Study, Delaware, New Jersey, New York, and Pennsylvania (EIS Order #810386).

Environmental Protection Agency

EPA2: Draft—Lojas-Boqueron 201 Facilities Plan, Grant, Puerto Rico (EIS Order #810394).

EPA6: Final—Gibbons Creek Lignite Project, NPDES Permit, Grimes County, Texas (EIS Order #810395).

EPA9: Final—South Shore Lake Tahoe Basin Wastewater Treatment Facilities, NDPES Permit, Douglas County, Nevada and Alpine and El Dorado Counties, California (EIS Order #810400).

Department of Housing and Urban Development

Draft—Country Meadow Subdivision, Mortgage Insurance, Chambers County, Texas (EIS Order #810384).

Final—Parkwood Meadows Residential Development, Mortgage Insurance, Tulare County, California (EIS Order #810388).

104H: Draft—Times Square Hotel, UDAG, New York City, New York (EIS Order #810398).

Nuclear Regulatory Commission

Draft—Comanche Peak Steam Electric Station Units 1 and 2, Licences, Somervell County, Texas (EIS Order #810403).

Veterans' Administration

Draft—New York VA Medical Center Addition, Rehabilitation, Engineering and Outpatient Clinic, New York (EIS Order #810397).

[FR Doc. 81-16151 Filed 5-28-81; 8:45 am]
BILLING CODE 6560-37-M

[AMS-FRL-1840-4]

Fuel Economy Retrofit Devices; Announcement of Fuel Economy Retrofit Device Evaluation for "Automotive Cylinder Deactvator System"

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of fuel economy retrofit device evaluation.

SUMMARY: This document announces the conclusions of the EPA evaluation of the "Automotive Cylinder Deactoivator System" Device under provisions of Section 511 of the Motor Vehicle Information and Cost Savings Act.

BACKGROUND INFORMATION: Section 511(b)(1) and section 511(c) of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2011(b)) requires that:

(b)(1) "Upon application of any manufacturer of a retrofit device (or prototype thereof), upon the request of the Federal Trade Commission pursuant to subsection (a), or upon his own motion, the EPA Administrator shall evaluate, in accordance with rules prescribed under subsection (d), any retrofit device to determine whether the retrofit device increases fuel economy and to determine whether the representations (if any) made with respect to such retrofit devices are accurate."

(c) "The EPA Administrator shall publish in the **Federal Register** a summary of the results of all tests conducted under this section, together with the EPA Administrator's conclusions as to—

(1) The effect of any retrofit device on fuel economy;

(2) The effect of any such device on emmissions of air pollutants; and

(3) Any other information which the Administrator determines to be relevant in evaluating such device."

EPA published final regulations establishing procedures for conducting fuel economy retrofit device evaluations on March 23, 1979 [44 FR 17946].

Origin of request for evaluation: On October 2, 1979, the EPA received a request from ACDS, Inc. for evaluation of a fuel saving device termed "Automotive Cylinder Deactivator System (ACDS)." This Device is designed to deactivate engine cylinders as a means of increasing a vehicle's fuel economy.

Availability of Evaluation Report: An evaluation has been made and the results are described completely in a report entitled: "EPA Evaluation of the Automotive Cylinder Deactivator System (ACDS) Under Section 511 of the Motor Vehicle Information and Cost Savings Act," report number EPA-AA-TEB-511-81-7 consisting of 97 pages including all attachments.

EPA also tested the Automotive Cylinder Deactivator System (ACDS) Device. The EPA testing is described completely in the report "Emissions and Fuel Economy of the Automotive Cylinder Deactivator System (ACDS)," EPA-AA-TEB-81-7, consisting of 40 pages. This report is contained in the preceding Automotive Cylinder Deactivator System (ACDS) 511 Evaluation as an attachment.

Copies of these reports may be obtained from the National Technical Information Service by using the above report numbers. Address requests to: National Technical Information Service, U.S. Department of Commerce, Springfield, VA 22161, Phone: Federal Telecommunications System (FTS) 737-4650, Commercial 703-487-4650.

Summary of Evaluation

EPA fully considered all of the information submitted by the Device manufacturer in the Application. The evaluation of the "Automotive Cylinder Deactivator System (ACDS)" Device was based on that information and the results of the EPA test program.

Test data submitted by the Applicant did indicate the ACDS system could significantly improve fuel economy. However, the data did not quantify the amount of improvement.

The Applicant did not clearly identify either the device model/models to be marketed or their design.

The suitability of the ACDS system for engines with valve rocker shafts is unknown. ACDS does claim to have developed hardware for these engines.

The suitability of the ACDS hydraulic cylinder deactivation system is unknown since detailed information on this hardware was not provided.

Installation of the ACDS system would require the skills of a trained mechanic. Activation and deactivation of cylinders (manual system) may require similar skills.

The EPA evaluation of the ACDS system included vehicle testing by the Federal Test Procedure (FTP) urban driving cycle and the Highway Fuel Economy Test (HFET) highway driving cycle. During these tests, measurements were made of the fuel economy (FE) and the emissions of hydrocarbon (HC), carbon monoxide (CO), carbon dioxide (CO_2), and oxides of nitrogen (NO_x).

The testing performed by EPA showed:

A. The operation of an 8 cylinder engine on 4 cylinders through the use of the ACDS hardware caused an increase in vehicle CO and NO_x emissions to levels exceeding the 1979 standards. FTP CO emissions were typically increased several times to levels near or above the standards. FTP NO_x emissions were typically twice the standard. HC emissions were relatively unaffected. These emission increases violate the tampering provisions of the Clean Air Act. (See "F" below).

B. The operation of an 8 cylinder engine on 4 cylinders through the use of the ACDS hardware did improve vehicle fuel economy 5 to 16% for the FTP and 3 to 20% for the HFET for the vehicles tested, but with the associated emission increases described in "A" above.

C. The vehicles tested had poor driveability when using the ACDS to operate an 8 cylinder engine on 4 cylinders.

D. Vehicle acceleration times were substantially increased when the 8 cylinder vehicles were operated with 4 cylinders using ACDS. Acceleration times were typically double the comparable times for 8 cylinder operation.

E. The operation of a vehicle on 4 cylinders caused a serious loss of braking power assist under some driving conditions.

F. Because EPA tests showed that use of this Device on the vehicles tested caused emissions to exceed applicable

standards, the installation of this Device by a person in the business of servicing, repairing, selling, leasing, or trading motor vehicles, fleet operators, or new car dealers will be considered a violation of section 203(a)(3), the Federal prohibition against tampering with emission control systems. That is, there is currently no reasonable basis for believing that the installation or use of this Device will not adversely affect emission performance. This determination does not preclude the use of the ACDS device on a different vehicle or vehicles than those tested by EPA if Federal Test Procedure tests performed on such vehicles clearly establish that emission performance on such vehicles is not adversely affected.

Many state laws prohibit the operation or registration for use on public highways of a motor vehicle on which the emission control device has been removed or rendered inoperative. EPA has concluded that this Device will render inoperative an element of design of the emission control devices or systems of a motor vehicle on which it is installed. Therefore, the installation or use of this Device by individuals may be prohibited under some state laws.

FOR FURTHER INFORMATION CONTACT: Merrill W. Korth, Emission Control Technology Division, Office of Mobile Source Air Pollution Control, Environmental Protection Agency, 2565 Plymouth Road, Ann Arbor, Michigan 48105, 313–668–4299.

Dated: May 20, 1981.

Edward F. Tuerk,

Acting Assistant Administrator for Air, Noise, and Radiation.

[FR Doc. 81–16143 Filed 5–28–81; 8:45 am]

BILLING CODE 6560–26–M

[ER–FRL–1840–6]

Intent To Prepare a Draft Environmental Impact Statement

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of intent to prepare a draft environmental impact statement (EIS).

PURPOSE: To fulfill the requirements of Section 102(2)(C) of the National Environmental Policy Act, EPA has identified a need to prepare an EIS and therefore issues this Notice of Intent pursuant to 40 CFR 1501.7.

FOR FURTHER INFORMATION CONTACT: Gene Wojcik, Environmental Engineering Branch (5WEE), U.S. Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, Telephone: (Commercial) 312/353–2157, (FTS) 8–353–2157.

SUMMARY:

Description of Proposed Action: The EPA action would be the approval of a sludge management plan and the issuance of grant monies for the implementation of a cost-effective and environmentally sound plan located in the City of Indianapolis, Marion County, Indiana.

Scoping: Region V will hold a scoping meeting to discuss the alternatives and the scope of the draft EIS. The meeting will be held on June 10, 1981, at 7:00 pm at the Public Assembly Room of the City-County Building in Indianapolis, Indiana. Full participation by interested Federal, State and local agencies as well as other interested private organizations and parties is invited. The public will be involved to the maximum extent possible and is encouraged to participate in the planning process.

Timing: EPA estimates the draft EIS will be available for public review and comment around June 1982 or approximately one month following the release of the draft sludge management plan being developed by the City of Indianapolis. All interested parties are encouraged to submit their name and address to the person indicated above for inclusion on the distribution list for the draft EIS and related public notices.

Dated: May 21, 1981.

William N. Hedeman, Jr.,

Director, Office of Federal Activities (A–104).

[FR Doc. 81–16152 Filed 5–28–81; 8:45 am]

BILLING CODE 6560–37–M

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

OFFICE OF THE FEDERAL INSPECTOR FOR THE ALASKA NATURAL GAS TRANSPORTATION SYSTEM

Memorandum of Understanding Establishing Discrimination Complaint Handling and Information Sharing Procedures

AGENCIES: Equal Employment Opportunity Commission and Office of the Federal Inspector.

ACTION: Final notice.

SUMMARY: This document sets forth a Memorandum of Understanding between the Equal Employment Opportunity Commission (EEOC) and the Office of the Federal Inspector (OFI) of the Alaska Natural Gas Transportation System (ANGTS) for the handling of complaints of employment discrimination and for the sharing of information. Both agencies have equal employment opportunity responsibilities and wish to administer these responsibilities in a manner that promotes efficiency and eliminates conflict, competition, duplication and inconsistency in the operation of their programs.

EFFECTIVE DATE: This Memorandum of Understanding is effective May 29, 1981.

FOR FURTHER INFORMATION CONTACT: Francesta E. Farmer, Director, Office of Interagency Coordination, Equal Employment Opportunity Commission, 2401 "E" Street, N.W., Room 4208, Washington, D.C. 20506, Area Code (202) 634–6916, or John Alexander, Director, Office of Equal Employment Opportunity and Minority Business Enterprise, Alaska Natural Gas Transportation System, Room 3212, Post Office Building, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20044, Area Code (202) 275–0582.

SUPPLEMENTARY INFORMATION: On September 11, 1980, the EEOC and the OFI published for comment a proposed memorandum of understanding (MOU). See 45 FR 60368. The purpose of the MOU is to establish procedures for handling complaints of employment discrimination within the jurisdiction of both agencies which may be filed during the construction of the Alaska Natural Gas Transportation System in a manner which promotes efficiency and eliminates conflict, competition, duplication and inconsistency between the agencies.

The EEOC and the OFI have adopted the MOU which appears below. The final MOU differs in a number of respects from the proposal which appeared in the **Federal Register**. In large part, the changes have been adopted in response to public comment received concerning the proposal.

Summary of Comments Received and Changes Made

The agencies received two comments on the proposal. The State of Alaska Human Rights Commission favored the proposal, "because it represents an orderly and rational division of workload between the EEOC and the Federal Inspector and will make appropriate use of the EEOC's expertise in processing discrimination complaints under Title VII (of the Civil Rights Act of 1964)." The State recommended a number of modifications to its worksharing arrangements with EEOC which do not affect this MOU.

The project sponsors, i.e. the three companies which are financing and will

own the pipeline, felt that the proposal provided "help in clarifying the possible overlap in functions between the EEOC and the OFI." Nevertheless, they raised a number of concerns. Their principal problems are summarized below. They are addressed in an order which corresponds sequentially to the final memorandum.

1. *Exchange of Information.* The project sponsors had several objections to the section on exchange of information. Their major concern was that the restrictions on the sharing of information "provide little or no indication of what restriction on information sharing and release will be placed on the EEOC." They believed that information collected by one agency should remain subject to that agency's confidentiality requirements. They recommended, therefore, that the MOU "provide that EEOC will not disclose to third parties information which it has obtained from the OFI; rather the EEOC should refer such requests for information back to the OFI." In addition, they argued that the MOU should limit types of information that the OFI shares with the EEOC to information directly related to a specific charge of employment discrimination and that the nature of the information to be shared should be specifically enumerated in the memorandum.

The section dealing with the exchange of information has been rewritten, and responds to some of the concerns raised by the sponsors.

The EEOC and OFI are bound by the confidentiality provisions of their respective statutes and regulations. The agencies see no need to reiterate such requirements in this memorandum. The OFI is not bound by the confidentiality requirements of Title VII when the EEOC investigates a complaint on the OFI's behalf, because the information received by the EEOC during the course of such an investigation is obtained pursuant to the Alaska Natural Gas Transportation Act (ANGTA) and its implementing regulations, as well as pursuant to Title VII. The final MOU makes explicit that the OFI is, therefore, entitled to use information collected by the EEOC in an ANGTA enforcement proceeding.

The EEOC and the OFI do not believe that the Freedom of Information Act allows them to fail to respond to requests made to them by third parties, notwithstanding that the information requested was initially collected by another federal agency. The policy of the EEOC is to coordinate requests for information which originated in another federal agency with the originating agency and to honor its decision with respect to such data. 29 CFR 1610.6 (1980). The proposed policy of the OFI is similar.

Finally, the EEOC and the OFI reject the project sponsors' assertion that the MOU should definitively state the type of information that the OFI will make available to the EEOC and that such information should be directly relevant to a specific charge of employment discrimination. The MOU lists examples of the types of information that will be exchanged. It also makes clear the intent to exchange information relevant to the concurrent jurisdiction of the agencies. The EEOC and the OFI believe, however, that they need the flexibility in sharing information. The EEOC may need pre-charge access to employment information possessed by the OFI to assist the Commission's systemic unit in making informed recommendations for the initiation of systemic cases. During the course of processing a charge, the EEOC may become aware of information possessed by the OFI which is relevant to a charge, but which is not enumerated in the memorandum. The EEOC needs the flexibility to request and receive such information from the OFI. The MOU allows such flexibility.

2. *Standards of Liability.* The project sponsors questioned the assertion in Part II of the MOU that the standard governing employment discrimination for ANGTS is substantially similar under the governing statutes of the OFI and the EEOC. They argued that the MOU "should take into consideration the fact that the coverage and procedures under (Title VII and Section 17 of ANGTS) will not always coincide."

The EEOC and the OFI do in fact recognize differences in coverage and procedures. This MOU, for instance, does not give EEOC any authority to monitor compliance by the sponsors and then contractors of their affirmative action obligations. With respect to the standards for determining, and the remedies to cure, employment discrimination, however, the EEOC and the OFI simply cannot ignore the existence of nearly two decades of case law under Title VII, nor the expertise of EEOC in the area. EEOC cannot ignore its responsibilities under Executive Order 12067 "to maximize effort, promote efficiency, and eliminate conflict, competition, duplication and inconsistency among the operations, functions and jurisdictions" of federal agencies with responsibility to enforce equal employment opportunity statutes. In addition, the sponsors, their contractors and the general public have a need and a right to know the standards by which their actions will be judged. The EEOC and the OFI believe that this MOU meets the needs of both agencies and provides certainty as to the standards which will be applicable under Section 17. Finally, the MOU makes an effort to mesh the procedures of the two agencies in order to avoid duplicative or inconsistent efforts by each.

3. *Third Party, Systemic and Commission Charges.* The project sponsors pointed out that the proposed MOU failed to deal with third party charges, systemic charges and charges brought by an EEOC Commissioner. As to third party charges and charges alleging systemic discrimination, the memorandum provides at Section III(B)(4) that EEOC will process compaints that it receives under the memorandum according to its normal procedures. Therefore, no special procedures need be adopted in the memorandum.

As to an EEOC Commissioner charge, a new Section III(B)(5) has been added. The new section sets up special procedures for EEOC Commissioner charges to avoid any delays that might be attendant on charges processed under Section III(B)(4) and III(C). More specifically, with respect to an EEOC Commissioner charge, the OFI will utilize its authority to assist the EEOC in all stages of the processing of the charge. Because of the OFI's involvement in the processing of a Commissioner charge, it will be unnecessary to provide the OFI additional time to attempt to conciliate the charge when it appears that EEOC's own efforts may fail.

Signed at Washington, D.C. this 22nd day of May, 1981.

For the Equal Employment Opportunity Commission.

J. Clay Smith, Jr.,

Acting Chairman.

For the Office of the Federal Inspector.

John T. Rhett,

Federal Inspector, Alaska Natural Gas Transportation System.

Memorandum of Understanding

This Memorandum of Understanding between the Office of the Federal Inspector (OFI) and the Equal Employment Opportunity Commission (EEOC) is being implemented to further the objectives of both agencies in assuring against employment discrimination during the construction of the Alaska Natural Gas Transportation System (ANGTS). According to Reorganization Plan No. 1 of 1979, the OFI has exclusive responsibility for

enforcement of Section 17 of the Alaska Natural Gas Transportation Act of 1976 (ANGTS), Condition No. 11 of the President's *Decision and Report to Congress on the Alaska Natural Gas Transportation System* (the President's *Decision*), the regulations (45 FR 31,095) (May 12, 1980) (to appear at 43 CFR Part 34) and terms and conditions established pursuant to Section 17 and Condition 11, and all other Federal statutes which related in any manner to the pre-construction, construction, and initial operation of ANGTS.

The EEOC, pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Sec. 2000e, is responsible for the elimination of discriminatory employment policies and practices. It has adopted guidelines, rules and procedures designed to assure equal employment opportunities to all persons without regard to their race, color, religion, natural origin, or sex. In addition, the EEOC has jurisdiction over complaints alleging violations of the Equal Pay Act of 1963 (EPA), 29 U.S.C. Sec. 206(d) and the Age Discrimination in Employment Act (ADEA), 29 U.S.C. Sec. 621.

I. Exchange of Information

The EEOC and OFI shall make available to appropriate officials from the other agency information which may assist each agency in carrying out its responsibilities. This information will relate to the employment policies and practices of the ANGTS sponsors, contractors, sub-contractors or other ANGTS-related persons, including corporations, associations, firms, partnerships, joint stock companies, labor unions, employment agencies and individuals. Such information shall include, but shall not necessarily be limited to, affirmative action programs, annual employment reports, complaints, investigative files, conciliation or compliance agreements, and compliance review reports and files.[1] Additionally, the EEOC will send to the OFI *quarterly reports* to keep the OFI informed of all charges against ANGTS related persons. To the extent that the EEOC provides to the OFI information gathered by the EEOC pursuant to OFI's authority, the OFI shall treat such information in accordance with its own confidentiality requirements as set forth in the OFI's regulations governing, gathering, handling, and disclosing information. — FR — (to be codified at 10 CFR Part 1504). The OFI may use information collected by the EEOC in enforcement proceedings brought under ANGTS.

All requests by third parties for disclosure of information shall be coordinated with the agency which initially collected the information.

II. Complaint Procedures

The standard governing employment discrimination for ANGTS is substantially similar under the governing statutes of the OFI and the EEOC. Thus, while there are certain differences in terms of coverage, sanctions, and procedures, most instances of employment discrimination would be actionable by either the OFI or the EEOC. The EEOC and OFI share the common goal of assuring against discriminatory employment policies and practices during the pre-construction, construction and the initial operation of ANGTS. In pursuit of this common goal, and to promote efficiency and to eliminate potential conflict, competition, duplication, and inconsistency the EEOC and OFI hereby agree as follows:

A. Filing Discrimination Complaints

A complaint received by either agency alleging violations actionable under both Section 17 and Title VII shall be deemed a charge filed with both. For the purpose of determining the timeliness of the charge (under any statute within the jurisdiction of the EEOC) which is first received by the OFI, the date that the matter was received by the OFI shall be deemed the date it was received by EEOC.

B. Processing Discrimination Complaints

If a charge is filed with either the EEOC or the OFI alleging discrimination in employment by an ANGTS related person, the EEOC and the OFI will proceed as follows:

(1) The agency receiving the complaint shall:

(a) date stamp the complaint;

(b) notify the complainant of its receipt; and

(c) notify the ANGTS respondent(s) named in the complaint that such a complaint has been received, and, in the event that the complaint is forwarded by the receiving agency to the other, so notify both the complainant and the ANGTS respondent. In every instance, the OFI and the EEOC will inform each other of ANGTS complaints initially received.[2]

(2) If the EEOC receives a discrimination complaint which does not fall within the jurisdiction of either the EEOC or a State or local agency to which the EEOC must defer pursuant to Section 706 of the Civil Rights Act of 1964, the EEOC shall forward the complaint to the OFI. The OFI shall process such complaints in accordance with its own rules, policies and procedures. Upon request, the EEOC shall provide technical advice and guidance to the OFI in its investigation of such complaint.

(3) If the OFI receives an employment discrimination complaint which does not fall within the jurisdiction of the OFI as prescribed by ANGTS, the President's *Decision*, and Reorganization Plan No. 1 of 1979, the OFI shall forward it to the EEOC. The EEOC shall process such complaints according to its normal procedures, which may include referral to an appropriate State or local agency. An example of a complaint contemplated by this subsection is one which alleges a violation of the Age Discrimination in Employment Act.

(4) If the EEOC or the OFI receives a discrimination complaint, other than a charge filed by an EEOC Commissioner, which falls within the jurisdiction of both the EEOC and the OFI, the complaint shall be processed by the EEOC or the Section 706 agency according to its normal procedures, except as provided below in Section C.

(5) If a charge filed by an EEOC Commissioner falls within the jurisdiction of both the EEOC and the OFI, it will be processed by EEOC in accordance with EEOC procedures applicable to Commissioner charges, except as follows:

(a) The EEOC will forward a copy of the charge to the OFI, and will notify the OFI of any reasonable cause determination, conciliation agreement, or contemplated enforcement action relating to the charge.

(b) Upon agreement of the EEOC and the OFI, the OFI will utilize its authority to assist the EEOC in the investigation, conciliation, and/or enforcement of the Commissioner charge.

---

[1] It is the intent of the OFI and the EEOC to exchange information relevant to matters of concurrent jurisdiction. Therefore, for example, the EEOC will not provide the OFI with information relating to claims of age discrimination. The OFI will not ordinarily provide EEOC with information relating to its minority and female business enterprise programs.

[2] The procedures outlined above do not apply to EPA complaints or ADEA complaints or charges. Potentially aggrieved individuals will be counseled that they have the option of filing confidential EPA and ADEA complaints, whereby the respondent is not notified that a complaint has been received. The individual also has a right to file an ADEA charge which is a written statement which identifies the respondent and generally describes the unlawful practices. Filing an ADEA charge assures the individual's right to file a private suit. EEOC or an appropriate Section 706 agency will notify the respondent of receipt of an ADEA charge.

C. Action on Discrimination Complaints

(1) The EEOC will notify the OFI by letter of all reasonable cause determinations on discrimination charges involving an ANGTS respondent and, upon specific request, will provide the OFI with any additional information regarding the determination. However, nothing herein is intended to prevent an ANGTS respondent from entering into a conciliation agreement with EEOC, if the ANGTS respondent so desires.

(2) When the EEOC determines that an ANGTS respondent is in violation of employment discrimination laws, but appears unable to resolve the matter by conciliation, it shall so notify the OFI. In those cases processed under Section B(4) of the Memorandum of Understanding, the OFI may then attempt to resolve the matter by conciliation. EEOC shall allow the OFI thirty (30) days to attempt such conciliation. If the OFI's conciliation efforts resolve the matter to the satisfaction of the OFI and the EEOC, the terms of the agreement shall be reduced to writing and signed by the designated representatives of both agencies.

(3) If the OFI and the EEOC's efforts are unable to resolve the matter, the EEOC shall take appropriate action according to its normal procedures.

(4) For those cases of employment discrimination acted upon by EEOC under Subsection C(3) the OFI shall consult with the EEOC before taking further actions as deemed appropriate by the OFI pursuant to the OFI's enforcement authorities (Section 11 of the ANGTS and Section 102(h)(1) of the Reorganization Plan).

III. Liaison and Monitoring

To provide for complete exchange of information, so that both agencies will be utilized to the maximum effectiveness in the public interest, each agency will designate a liaison officer to serve as the primary contact. These liaison officers will be responsible for informing each other of proposed proceedings and of developments in areas of joint concern. Additionally, the parties shall review implementation of this agreement to assure proper effectuation. Meetings between appropriate senior officials of both agencies (to exchange views on matters of common interest and responsibility) shall be held from time to time, as determined by such laision officers to be necessary.

Designated liaison officers:

(a) Equal Employment Opportunity Commission—The Executive Director or his designee.

(b) The Office of the Federal Inspector—The EEO/MBE Director or his designee.

IV. Amendment and Termination

This agreement, when signed by both parties, shall continue in effect. It may be modified by or expanded with the mutual consent of both parties, or it may be terminated by either party upon thirty (30) days' advance written notice. As provided in Section 203(a) of the Reorganization Plan No. 1 of 1979, however, this agreement shall not exceed the first anniversary of the date of the initial operation of ANGTS or the abolishment of the Office of the Federal Inspector on that date. All cases filed with, and in the processing, investigation or resolution stages with EEOC will continue to be the responsibility of the EEOC.

Approved and accepted for the Equal Employment Opportunity Commission.

J. Clay Smith, Jr.,

Acting Chairman, Equal Employment Opportunity Commission.

Approved and accepted for the Office of the Federal Inspector for the Alaska Natural Gas Transportation System.

John T. Rhett, Jr.,

Federal Inspector, Alaska Natural Gas Transportation System.

Signed at Washington, D.C. this 22nd day of May, 1981.

[FR Doc. 81-16069 Filed 5-28-81; 8:45 am]

BILLING CODE 6820-AW-M

FEDERAL COMMUNICATIONS COMMISSION

Study Group A of the U.S. Organization for the International Telegraph and Telephone Consultative Committee (CCITT); Address Change of Public Meeting

May 21, 1981.

In the April 15, 1981 FCC Public Notice of the meeting of Study Group A of the U.S. CCITT National Committee (46 FR 23531), it was stated that the next meeting of this Study Group would be held on May 28, 1981, at the offices of the FCC.

This notice is to advise that the meeting will take place as scheduled, but in Room 856, at 1919 M Street, NW., at the original time of 10:00 a.m. on May 28.

As indicated, members of the general public may attend the meeting and join in the discussion subject to instructions of the Chairman.

Requests for further information should be directed to Earl S. Barbely, Federal Communications Commission, Washington, D.C., telephone number (202) 632-3214.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 81-16222 Filed 5-28-81; 8:45 am]

BILLING CODE 6712-02-M

FEDERAL ELECTION COMMISSION

[Notice 1981-7]

Filing Dates for Pennsylvania Special Election

AGENCY: Federal Election Commission.

ACTION: Notice of filing dates for Pennsylvania special election.

SUMMARY: Committees required to file reports in connection with the special election to be held in the 3rd Congressional District of Pennsylvania on July 21, 1981 must file the 12-day pre-election report by July 9, 1981 and the 30-day post-election report by August 20, 1981.

The semi-annual report is waived for committees involved in the special election.

FOR FURTHER INFORMATION CONTACT: Ms. Judith Corley, Public Information Office, 1325 K Street, N.W., Washington, D.C. 20463, Tel. (202) 523-4068, Toll-free: (800) 424-9530.

Notice of Filing Dates for Special General Election, 3rd Congressional District, Pennsylvania

All principal campaign committees of candidates in the special election and all other political committees not filing monthly that support candidates in this special election shall file a 12-day pre-election report due on July 9, 1981, with coverage dates from date of candidacy, or last report, through July 1, 1981 and a 30-day post-election report due on August 20, 1981, with coverage dates from July 2, 1981 through August 10, 1981.

The semi-annual report is waived for committees involved in the special election.

Dated: May 22, 1981.

John Warren McGarry,

Chairman, Federal Election Commission.

[FR Doc. 81-16062 Filed 5-28-81; 8:45 am]

BILLING CODE 6715-01-M

FEDERAL MARITIME COMMISSION

[Agreement No. 10419]

Agreement Between Frederick Richards, Inc. and Frederick Richards of Georgia, Inc.; Availability of Finding of No Significant Impact

Upon completion of an environmental assessment, the Federal Maritime Commission's Office of Energy and Environmental Impact has determined that the Commission's decision on Agreement No. 10419 will not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321 *et seq.*, and that preparation of an environmental impact statement is not required. The agreement, between Frederick Richards, Inc., and Frederick Richards of Georgia, Inc., is for the purpose of allowing a marketing manager presently employed by Frederick Richards of Georgia to solicit cargo and clients for Frederick Richards, Inc.

This Finding of No Significant Impact (FONSI) will become final within 20 days unless a petition for review is filed pursuant to 46 CFR 547.6(b).

The FONSI and related environmental assessment are available for inspection on request from the Office of the Secretary, Room 11101, Federal Maritime Commission, Washington, D.C. 20573, telephone (202) 523–5725.

Francis C. Hurney,

Secretary.

[FR Doc. 81-15089 Filed 5-28-81; 8:45 am]

BILLING CODE 6730-01-M

[Agreement No. 10107-10]

Application for Approval of Intermodal Authority; Availability of Finding of No Significant Impact

Upon completion of an environmental assessment, the Federal Maritime Commission's Office of Energy and Environmental Impact has determined that the Commission's decision on Agreement No. 10107–10 will not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321 *et seq.*, and that preparation of an environmental impact statement is not required. The agreement is a rate-making agreement covering the all-water trades from Hong Kong, Taiwan and Macao to Pacific Coast ports of the United States. Members of the agreement desire to enlarge its scope to include intermodal authority.

This Finding of No Significant Impact (FONSI) will become final within 10 days unless a petition for review is filed pursuant to 46 C.F.R. 547.6(b).

The FONSI and related environmental assessment are available for inspection on request from the Office of the Secretary, Room 11101, Federal Maritime Commission, Washington, D.C. 20573, telephone (202) 523–5725.

Francis C. Hurney,

Secretary.

[FR Doc. 81-15002 Filed 5-28-81; 8:45 am]

BILLING CODE 6730-01-M

[Docket No. 81-34]

California Freight Specialists, West Coast/Puerto Rico Tariff FMC–F No. 2; Order To Show Cause

The domestic offshore tariff files of the Federal Maritime Commission contain Tariff FMC–F No. 2, which was filed with this Commission by California Freight Specialists (CFS), a nonvessel operating common carrier, on March 3, 1980, and became effective April 2, 1980. This publication holds out service for commodities from Los Angeles, California to San Juan, Puerto Rico.

The underlying carriers proposed to be utilized by CFS are the Puerto Rico Maritime Shipping Authority, Sea-Land Service, Inc., and Trailer Marine Transport Corporation, all of which offer only intermodal rail/water and truck/water service from the West Coast to Puerto Rico. Such intermodal service from the mainland United States to Puerto Rico is within the exclusive jurisdiction of the Interstate Commerce Commission. *Trailer Marine Transport Corporation* v. *FMC*, 602 F. 2d 379 (D.C. Cir. 1979); *Puerto Rico Maritime Shipping Authority* v. *ICC*, D.C. Cir. No. 79–2228 March 27, 1981. The Federal Maritime Commission, therefore, does not have jurisdiction over nonvessel operating common carriers, such as CFS, participating in this form of through intermodal movement. There presently is no all-water, FMC-regulated service from the West Coast to Puerto Rico. Should a carrier institute such a service in the future, CFS could utilize that carrier and file an appropriate tariff with the FMC; however, at this time, CFS's tariff is "inactive" with respect to all-water service. See *Publication of Inactive Tariffs by Carriers in Foreign Commerce*, 20 F.M.C. 433 (1978).

Since August 12, 1980, correspondence and phone advice have been directed to CFS explaining the apparent lack of Federal Maritime Commission jurisdiction and advising that CFS's Tariff FMC–F No. 2 appears to reflect inaccurate information to the shipping public and serves no useful purpose in the Commission's files. However, the numerous attempts by the Commission's staff to obtain voluntary cancellation by CFS of its tariff have proven unsuccessful. It is, therefore, necessary to institute formal proceedings and require CFS to show cause why its tariff should not be cancelled.

Now, therefore, it is ordered, That pursuant to sections 18(a) and 22 of the Shipping Act, 1916, and section 2 of the Intercoastal Shipping Act, 1933, California Freight Specialists be named respondent in this proceeding, and be ordered to show cause why its Tarriff FMC–F No. 2 indicating rates for the common carriage of commodities from Los Angeles, California to San Juan, Puerto Rico, should not be cancelled;

It is further ordered, That in accordance with Rule 42 of the Commission's Rules of Practice and Procedure (46 CFR 502.42), the Bureau of Investigation and Enforcement shall be a party to this proceeding;

It is further ordered, That this proceeding shall be limited to the submission of affidavits of fact and memoranda of law and replies thereto pursuant to the following schedule:

By the close of business June 26, 1981 affidavits of fact and memoranda of law shall be filed by respondent and served upon all parties.

By the close of business July 24, 1981 reply affidavits and memoranda shall be filed by the Commission's Bureau of Investigation & Enforcement and served upon all parties.

By the close of business July 31, 1981 all parties must file requests for evidentiary hearing and/or discovery, if desired, which requests must be accompanied by a statement setting forth in detail the facts to be proven or developed, their relevance to the issues in this proceeding and why such proof cannot be submitted through further affidavit.

Oral argument will be scheduled at a later date if requested and/or deemed necessary by the Commission;

It is further ordered, That a notice of this Order be published in the **Federal Register** and that a copy thereof be served upon respondent;

It is further ordered, That persons other than those already parties to this proceeding who desire to become parties to this proceeding and to participate therein shall file a petition to intervene pursuant to Rule 72 of the Commission's Rule of Practice and Procedure (46 CFR 502.72) no later than close of business on June 1, 1981.

It is further ordered, That persons permitted to intervene in support of Respondent's position shall conform to the filing schedule assigned to California Freight Specialists; and, that persons permitted to intervene in opposition to Respondent's position shall conform to the filing schedule assigned to the Commission's Bureau of Investigation and Enforcement.

It is further ordered, That all documents submitted by any party of record in this proceedings shall be directed to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, in an original and fifteen copies as well as being mailed directly to all parties of record.

By the Commission.

Joseph C. Polking,

Acting Secretary.

[FR Doc. 81-16010 Filed 5-28-81; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Eldorado Bancorp; Formation of Bank Holding Company

Eldorado Bancorp, Tustin, California, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 per cent of the voting shares of Eldorado Bank, Tustin, California. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of San Francisco. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than June 20, 1981. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, May 20, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-16092 Filed 5-28-81; 8:45 am]

BILLING CODE 6210-01-M

United Michigan Corporation; Formation of Bank Holding Company

United Michigan Corporation, Flint, Michigan, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by being the successor by merger to a Delware bank holding company, United Michigan Corporation, and thus acquiring Genesee Merchants Bank & Trust Co., Flint, Michigan, and The Peoples State Bank of Caro, Caro, Michigan, and Community State Bank of Fowlerville, Fowlerville, Michigan. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

United Michigan Corporation, Flint, Michigan, has also applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR 2254.4(2)), for permission to acquire voting shares of United Michigan Mortgage Corporation, Flint, Michigan.

Applicant states that the proposed subsidiary would engage in the activities of originating and servicing all types of mortgages. These activities would be performed from offices of Applicant's subsidiary in Flint, Michigan, and the geographic areas to be served are Flint, Michigan and the vicinity. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the pubic, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago.

Any views or requests for hearing should be submitted in writing and received by the Reserve Bank not later than June 20, 1981.

Board of Governors of the Federal Reserve System, May 21, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 16093 Filed 5-28-81; 8:45 am]

BILLING CODE 6210-01-M

GENERAL ACCOUNTING OFFICE

Regulatory Reports Review; Information Requests Issued Under Generic Clearance R0072 by the Nuclear Regulatory Commission

The following information requests used to collect information from operating licensees, permit holders, and applicants for license were issued by the NRC under a special generic clearance B-180225 (R0072) during the period November 26, 1980, through March 31, 1981. This generic clearance was granted by GAO to permit NRC to make information collections without additional clearance in instances where a health or safety incident at one licensee's plant indicated an immediate potential for occurrence at other licensees' plants having the same type system or equipment.

The purpose of publishing this notice in the **Federal Register** is to inform the public of the uses made of this generic clearance from the last issuance by GAO on November 26, 1980, to the time GAO's clearance activities were transferred to OMB by the Paperwork Reduction Act of 1980 on April 1, 1981. This notice is intended only to show the instances in which NRC cited the generic clearance as authority for information collections. It is not intended to imply either concurrence or nonconcurrence with the conditions of the generic clearance agreement. One case of nonconcurrence was the subject of a **Federal Register** notice. (See 46 FR 24299.)

The following table identifies the individual information requests and respondent burden data for each use of the generic clearance made by NRC during the period November 26, 1980, through March 31, 1981.

Information Requests Issued Under Generic Clearance R0072

[During the period Nov. 26, 1980, through Mar. 31, 1981]

Date of issue	Title	Number	Type of respondent	Number of respondents	Average staff hour burden	Total staff hour burden
IE Bulletin						
Dec. 18, 1980	Operating Problems with Target Rock Safety Relief Valves at BRW's.	I & E 80-25	Operating Licensees	71	19	1,350
Generic Letters						
Dec. 22, 1980	Control of Heavy Loads	NA	Operating Licensees, Applicants, and Permit Holders.	98	16	1,560
Feb. 16, 1981	Implementation of NUREG-0313, Rev. 1, "Technical Report on Material Selection and Processing Guidelines for BWR Coolant Pressure Boundary Piping".	81-03	Applicant for License and Permit Holders for BWR's.	26	102	2,652
Feb. 25, 1981	Emergency Procedures and Training for Station Blackout Events.	81-04	Operating Licensees and Applicants	31	40	1,240
Feb. 18, 1981	Post TMI Requirements for the Emergency Operations Facility	81-10	Operating Licensees and Permit Holders	46	40	1,840
Feb. 10, 1981	Seismic Qualification of Auxiliary Feedwater Systems	81-14	Operating PWR Licensees	43	320	13,760

Norman F. Heyl,

Regulatory Reports, Review Officer.

[FR Doc. 81-15944 Filed 5-28-81; 8:45 am]

BILLING CODE 1610-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Alcohol, Drug Abuse, and Mental Health Administration

Interagency Committee on Federal Activities for Alcohol Abuse and Alcoholism; Federal Employee Alcoholism Programs Work Group; Notice of Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. Appendix I), announcement is made of the following national advisory body scheduled to assemble during the month of June 1981.

The Federal Employee Alcoholism Programs Work Group of the Interagency Committee on Federal Activities For Alcohol Abuse and Alcoholism

June 9; 1:00–4:00 p.m. Open
Conference Room 4131, North Building, Department of Health and Human Services, 330 Independence Avenue, SW., Washington, D.C. 20201
Contact: Ms. Lisa Teems, Room 509–F, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, D.C. 20201 202–245–7153

Purpose: The Federal Employee Alcoholism Programs (FEAP) Work Group: (1) evaluates the adequacy and technical soundness of all internal programs dealing with employee alcoholism within all Federal military and civilian organizations of 1,000 employees or more; (2) provides for the communication and exchange of information necessary to maintain the coordination and effectiveness of such programs and activities; (3) seeks to coordinate efforts among Federal agencies for internal employee alcoholism programs; and (4) submits reports and recommendations to the Interagency Committee as necessary in order to perform the above functions.

Agenda: The meeting will consist of a discussion on future activities for the FEAP Work Group and possible appointment of a subcommittee to address this issue, a study of consortia and standards for their development, a report on regional FEAP activities, and reports by Federal agencies.

The Notice was delayed because of late plans to convene the Work Group prior to a meeting of the Interagency Committee on June 23, 1981.

Substantive program information may be obtained from the contact person listed above. Summary of the meeting and roster of Committee members may be obtained from Mrs. Helen Garrett, Committee Management Officer, Room 16C–21, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857 301–443–2860.

Dated: May 26, 1981.

Elizabeth A. Connolly,

Committee Management Officer, Alcohol, Drug Abuse, and Mental Health Administration.

[FR Doc. 81-16084 Filed 5-28-81; 8:45 am]

BILLING CODE 4110-88

Alcohol Human Resource Development Review Committee et al.; Notice of Meetings

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. Appendix I), announcement is made of the following national advisory bodies scheduled to assemble during the month of June 1981.

Alcohol Human Resource Development Review Committee

June 4–5; 6:30 p.m.
Bethesda Marriott Hotel, The Gaithersburg Room, 5151 Pooks Hill Road, Bethesda, Maryland 20014
Open—June 4; 6:30–10:00 p.m.
Closed—June 5; 9:00 a.m.—Adjournment
Contact: Ms. Doris L. Banks, Room 14C–17, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857 301–443–4640

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute on Alcohol Abuse and Alcoholism, relating to manpower and training activities and makes recommendations to the National Advisory Council on Alcohol Abuse and Alcoholism for final review.

Agenda: From 6:30–10:00 p.m., June 4, the meeting will be open for discussion of administrative announcements, and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Acting Administrator, Alcohol, Drug Abuse, and Mental Health Administration, pursuant to the provisions of Section 552b(c)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92–463 (5 U.S.C. Appendix I).

Community Alcoholism Services Review Committee

June 17–22; 7:00 p.m.
Key Bridge Marriott Hotel, 1401 Lee Highway, P.O. Box 9191, Arlington, Virginia 22209
Open—June 17; 7:00–9:30 p.m.
Closed—Otherwise
Contact: Mr. Phillip Dawes, Room 16C–26, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857 301–443–2473

Purpose: The Committee is charged with the initial review of grant applications for Federal assistance in the program areas administered by the National Institute on Alcohol Abuse and Alcoholism, relating to alcoholism service activities and makes recommendations to the National Advisory Council on Alcohol Abuse and Alcoholism for final review.

Agenda: From 7:00–9:30 p.m., June 17, the meeting will be open for reports and discussion of administrative and program developments. Otherwise, the Committee will be performing initial review of grant applications for Federal assistance and will not be open to the public in accordance with the determination by the Acting Administrator, Alcohol, Drug Abuse, and

Mental Health Administration, pursuant to the provisions of Section 552b(c)(6), Title 5 U.S. Code and Section 10(d) of Public Law 92-463 (5 U.S.C. Appendix 1).

The Secretary of Health and Human Services recently approved a charter for the Alcohol Human Resource Development Review Committee and the Community Alcoholism Services Review Committee. The notification of the scheduled meetings had to be delayed until authority for the Committees' continuation was given.

Substantive program information may be obtained from the contact persons listed above. Summaries of the meetings and rosters of Committee members may be obtained from Mrs. Helen Garrett, Committee Management Officer, Room 16C-21, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857 301-443-2860.

Dated: May 26, 1981.

Elizabeth A. Connolly,

Committee Management Officer, Alcohol, Drug Abuse, and Mental Health Administration.

[FR Doc. 81-16083 Filed 5-28-81; 8:45 am]

BILLING CODE 4110-88-M

Food and Drug Administration

[Docket No. 80P-0234/P]

Hearing on Petition of the Health Research Group To Withdraw Premarket Approval for Gonorrhea Test Kits (GAT's)

AGENCY: Food and Drug Administration.

ACTION: Notice of Hearing.

SUMMARY: The Food and Drug Administration (FDA) announces that a public hearing will be held on the petition of the Health Research Group requesting FDA to withdraw premarket approval of gonorrhea antibody test kits (GAT's). In preparing a final response to the petition, FDA will consider the administrative record of the hearing along with all comments and other information received.

DATES: The time, date, and place of the hearing will be announced in the **Federal Register** in the near future. Written notices of participation must be filed by June 29, 1981; Applications for reimbursement by June 23, 1981.

ADDRESS: Written notices of participation or applications for reimbursement should be sent to the Dockets Management Branch (formerly the Hearing Clerk's office) (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT:

Tenny Neprud, Office of Regulatory Affairs (HFC-10), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3480.

SUPPLEMENTARY INFORMATION: FDA announced in the **Federal Register** of June 13, 1980 (45 FR 40234 and 40235), the approval of three gonorrhea antibody test kits (GAT's). FDA also announced that summaries of safety and effectiveness data relating to the approved devices were available to the public under the authority of section 520(h) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 360j(h)). Further, FDA announced an opportunity for interested persons to seek review of the approval orders in accordance with section 515(d) of the act (21 U.S.C. 360e(d)). Prior to this action, on July 18, 1979, FDA approved the three devices by orders delivered to Fisher Scientific Co., Bioquest, and Organon Diagnostics, the manufacturers of the GAT's.

On June 5, 1980, the Health Research Group petitioned FDA to require the agency to remove the products from the market on the grounds that the approval orders were illegally issued, that the approval orders should be rescinded if effective, that the products should be seized as misbranded and adulterated, and that the summaries of safety and effectiveness data were inadequate.

The petition was amended on July 13, 1980, to include a request for a hearing. The petitioner waived its right to a formal evidentiary hearing under section 515(g) of the act and Part 12 (21 CFR Part 12). The waiver was made on the condition that FDA grant an informal public hearing before either the Commissioner of Food and Drugs under Part 15 (21 CFR Part 15), or the Microbiology Section of the Immunology and Microbiology Devices Panel (an FDA scientific advisory committee), expanded to include recognized experts who have not previously addressed the issue.

By letter of May 22, 1981, FDA, in part, denied the petition and, in part, reserved final decision on the petition. For the reasons stated in the May 22, 1981 response, FDA accepted petitioner's waiver of its right to the formal hearing under section 515(g) of the act and Part 12 and granted petitioner an informal hearing under 21 CFR Part 15. FDA believes that a public discussion of whether there is a basis for FDA to initiate proceedings to withdraw approval of these products is in the public interest. Pending the outcome of this hearing, FDA is reserving decision on the petitioner's request that FDA initiate proceedings to withdraw approval of the GAT's. FDA denied all other portions of the petition. The petition and the May 22, 1981 response to the petition are on file in the Dockets Management Branch (address above), and may be seen by interested persons between 9 a.m. and 4 p.m., Monday through Friday.

The procedures governing the hearing are those applicable to a public hearing before the Commissioner under Part 15. The parties to the hearing will be the Health Research Group and the Bureau of Medical Devices. The time, date, and place of the hearing and the designation of the presiding officer will be announced in the **Federal Register** in the near future. The hearing will be confined to scientific and factual matters related to whether FDA should initiate proceedings under section 515(e) of the act to withdraw approval of the devices. The Health Research Group, as petitioner, will have the burden of coming forward with evidence sufficient to require FDA to initiate such proceedings and the burden of persuasion in whether sufficient evidence has been presented.

The parties, and other interested persons who wish to participate, must file a notice of participation, on or before June 29, 1981, in the Dockets Management Branch, Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857. All notices submitted should be identified with the docket number found in brackets in the heading of this notice and should contain the name, address, telephone number, any business affiliation of the person desiring to make a presentation, a brief summary of the presentation, and the approximate amount of time requested for the presentation.

Groups having similar interests are requested to consolidate their comments and present them through a single representative. FDA may require joint presentations by persons with common interests. After reviewing the notices of participation, FDA will notify each participant of the schedule and time allotted to each person.

FDA has established a pilot program for financial assistance to participants in certain agency proceedings, including hearings under Part 15. This program is described in 21 CFR Part 10, Subpart C. Subject to the availability of funds and other factors, FDA may reimburse participants meeting the criteria set forth in these regulations for certain costs of participating in this proceeding. Applications for reimbursement must be filed by June 23, 1981 in accordance with § 10.210(a) (21 CFR 10.210(a)). For more information regarding the

reimbursement program, contact Alexander Grant, Office of Consumer Affairs (HFE–1), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–5006.

The administrative record will remain open for 15 days after the hearing to allow comment on matters raised at the hearing.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (sec. 515, 90 Stat. 552–559 (21 U.S.C. 360e)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.1).

Dated: May 21, 1981.

Mark Novitch,

Acting Commissioner of Food and Drugs.

[FR Doc. 81-16080 Filed 5-28-81; 8:45 am]

BILLING CODE 4110-03-M

[Docket No. 81N-0140]

Safety of Certain Food Ingredients; Opportunity for Public Hearing

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces an opportunity for public hearing on the safety of diferrous, dipotassium ferrous and potassium ferrocyanides, sodium metasilicate, and sodium zinc metasilicate to determine whether they are generally recognized as safe (GRAS) or subject to a prior sanction. This action accords with procedures of a comprehensive safety review that the agency is conducting. Interested persons are invited to give their views on the safety of these substances.

DATE: Requests to make oral presentations to the public hearing must be postmarked on or before June 29, 1981.

ADDRESSES: Written requests to the Select Committee on GRAS Substances, Life Sciences Research Office, Federation of American Societies for Experimental Biology, 9650 Rockville Pike, Bethesda, MD 20014, and to the Dockets Management Branch (formerly the Hearing Clerk's office) (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857. .

FOR FURTHER INFORMATION CONTACT: Hortense S. Macon, Bureau of Foods (HFF–335), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–426–8950.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of July 26, 1973 (38 FR 20053), FDA issued a notice advising the public that an opportunity would be provided for oral presentation of data, information, and views at public hearings to be conducted by the Select Committee on GRAS Substances of the Life Sciences Research Office, Federation of American Societies for Experimental Biology (the Select Committee) about the safety of ingredients used in food to determine whether they are GRAS or subject to a prior sanction. The agency now announes that the Select Committee is prepared to conduct a public hearing on diferrous, dipotassium ferrous and potassium ferrocyanides, sodium metasilicate, and sodium zinc metasilicate as direct and indirect food ingredients. The public hearing will provide an opportunity for interested persons to present to the Select Committee scientific data, information, and views on the safety of these substances.

The Select Committee has reviewed all the available data and information on the food ingredients listed above and has reached one of the following five tentative conclusions on the status of each:

1. There is no evidence in the available information that demonstrates, or suggests reasonable grounds to suspect, a hazard to the public when the substance is used at levels that are now current or that might reasonably be expected in the future.

2. There is no evidence in the available information that demonstrates, or suggests reasonable grounds to suspect, a hazard to the public when the substance is used at levels that are now current and in the manner now practiced. However, it is not possible to determine, without additional data, whether a significant increase in consumption would constitute a dietary hazard. (This finding does not apply to the substances covered by this notice.)

3. Although no evidence in the available information demonstrates a hazard to the public when the substance is used at levels that are now current and in the manner now practiced, uncertainties exist requiring that additional studies be conducted. (This finding does not apply to the substances covered by this notice.)

4. The evidence is insufficient to determine that the adverse effects reported are not deleterious to the public health when the substance is used at levels that are now current and in the manner now practiced. (This finding does not apply to the substances covered by this notice.)

5. The information available is not sufficient to make a tentative conclusion.

The Select Committee will evaluate the information received at the public hearing and use it in reaching its conclusion.

The following table lists the ingredients, the Select Committee's tentative conclusions (keyed to the five types of conclusions listed above), and the available information on which the Select Committee reached its conclusions:

Substance	Select committee tentative conclusion	Order no., price code, price [1]		Other information
		Scientific literature review	Animal study report	
Diferrous, dipotassium ferrous and potassium ferrocyanides.	1	PB 289-591; A04; $8.00		1. Committee on GRAS List Survey—Phase III. The 1977 survey of industry on the use of food additives. (PB 113418; E19; $50.50) 2. Letter, February 6, 1979, P. L. Crantz, Finer Filter Products, Newark, CA, to F. R. Senti, FASEB, Bethesda, MD. 3. Letter, June 1, 1959, J. L. Harvey, FDA, Washington, DC, to D. E. Avis, U.S. Treasury Department, Washington, DC. 4. Letter, February 7, 1979, R. S. Scott, Scott Laboratories, Inc., San Rafael, CA, to F. R. Senti, FASEB, Bethesda, MD. 5. Subcommittee on Review of the GRAS List—Phase II. A comprehensive survey of industry on the use of food chemicals generally recognized as safe (GRAS). (PB 221-921 through PB 221-949 or PB 221-920 for the set; E99; $173.00.)
Sodium metasilicate and sodium zinc metasilicate.	5 5	PB 287-766; A03; $6.50	Toxicology report L & H 56333 on sodium metasilicate 1961, by Philadelphia Quartz Co.	1. Letter, July 29, 1968, L. E. Buckley, FDA, Washington, DC, to H. E. Crotty, Food, Beverage, & Dairy Products Laboratory, Sharonville, OH. 2. Letter, October 2, 1962, F. A. Cassidy, FDA, Washington, DC to W. R. Day, Wyandotte Chemical Corp., Wyandotte, MI.

Substance	Select committee tentative conclusion	Order no., price code, price[1]		Other information
		Scientific literature review	Animal study report	

3. Technical bulletins on anhydrous sodium metasilicate and pentahydrate sodium metasilicate (1978), Philadelphia Quartz Co., Valley Forge, PA.
4. Memorandum, September 2, 1975, W. M. Schaefer, FDA, Washington, DC.
5. Evaluation of the health aspects of certain silicates as food ingredients. (SCOGS-61) (PB 301-402; A03; $6.50.)
6. Subcommittee on Review of the GRAS List—Phase II. A comprehensive survey of industry on the use of food chemicals generally recognized as safe (GRAS), Table 1, Part A. (PB 221-921; A02; $5.00.)

[1] Price subject to change.

Reports in the table with "PB" prefixes may be obtained from the National Technical Information Service, U.S. Department of Commerce, 5285 Port Royal Rd., Springfield, VA 22161.

In addition to the information contained in the documents listed in the table above, the Select Committee supplemented its reviews, where appropriate, with specific information from specialized sources as announced in a previous hearing opportunity notice published in the **Federal Register** of September 23, 1974 (39 FR 34218).

The Select Committee's tentative reports on diferrous, dipotassium ferrous and potassium ferrocyanides, sodium metasilicate and sodium zinc metasilicate are available for review at the Dockets Management Branch (HFA-305), Food and Drug Administration, (address above), and also at the Public Information Office, Food and Drug Administration, Rm. 3807, 200 C St. SW., Washington, DC 20204. In addition, all reports and documents used by the Select Committee to review the ingredients are available for review at the Dockets Management Branch.

To schedule the public hearing, the Select Committee must be informed of the number of persons who wish to attend and the time required to give their views. Accordingly, any interested person who wishes to appear at the public hearing to make an oral presentation shall inform the Select Committee in writing addressed to the Select Committee on GRAS Substances, Life Sciences Research Office, Federation of American Societies for Experimental Biology, 9650 Rockville Pike, Bethesda, MD 20014. A copy of each request shall be sent to the Dockets Management Branch, Food and Drug Administration. All requests will be placed on public display in the Dockets Management Branch. Any such request must be received by or postmarked on or before June 29, 1981. Requests shall state the substances on which an opportunity to present oral views is requested and how much time is being requested for the presentation. As soon as possible after the request deadline, a notice announcing the date, time, and place of scheduled presentations for any public hearing that has been requested will be published in the **Federal Register.**

The purpose of the public hearing is to receive data, information, and views not previously available to the Select Committee about the substances listed above. Information, already contained in the scientific literature reviews and in the tentative Select Committee reports shall not be duplicated, although views on the interpretation of this material may be presented.

Depending on the number of requests for opportunity to make oral presentations it receives, the Select Committee may reduce the time requested for any presentation. Because of time limitations, individuals and organizations with common interests are urged to consolidate their presentations. Any interested person, in lieu of an oral presentation, may submit written views, which shall be considered by the Select Committee. Three copies of such written views, identified with the docket number found in brackets in the heading of this notice shall be addressed to the Select Committee at the address noted above and must be postmarked not later than 10 days before the scheduled date of the hearing. A copy of any written views shall be sent to the Dockets Management Branch, Food and Drug Administration, and will be placed on public display in that office.

A public hearing will be presided over by a member of the Select Committee. Hearings will be transcribed by a reporting service. A transcript of each hearing may be purchased directly from the reporting service and will be placed on public display in the Dockets Management Branch, Food and Drug Administration.

Dated: May 22, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-16009 Filed 5-28-81; 8:45 am]

BILLING CODE 4110-03-M

[Docket No. 81P-0143]

Tomato Juice Deviating From Identity Standard; Temporary Permit for Market Testing

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces that a temporary permit has been issued to California Canners and Growers to market test tomato juice from concentrate to which ascorbic acid is added to attain a vitamin C level of 3.5 milligrams per fluid ounce. The purpose of this temporary permit is to permit the applicant to measure consumer acceptance of the food.

DATES: This permit is effective for 15 months, beginning on the date the food is introduced into or caused to be introduced into interstate commerce, but no later than August 27, 1981. The permit, however, may terminate sooner, depending upon the final action on FDA's proposal to amend the standard of identity for tomato juice published in the **Federal Register** of May 9, 1978 (43 FR 19864). If the proposal is affirmed, the permit will terminate on the effective date of the final regulation. If the proposal is rejected, the permit will expire 30 days after such negative ruling on the proposal.

FOR FURTHER INFORMATION CONTACT: F. Leo Kauffman, Bureau of Foods (HFF-214), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-245-1164.

SUPPLEMENTARY INFORMATION: In accordance with § 130.17 (21 CFR 130.17) concerning temporary permits to facilitate market testing of foods

deviating from the requirements of the standards of identity promulgated under section 401 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 341), notice is given that a temporary permit has been issued to California Canners and Growers, San Francisco, CA 94106. The permit covers limited interstate marketing tests of tomato juice that deviates from the standard of identity prescribed for tomato juice under § 156.145 (21 CFR 156.145). The product is prepared from tomato paste that complies with the requirements of § 155.191(a)(1) (21 CFR 155.191(a)(1)). The test product is equivalent to a single-strength tomato juice normally found in the marketplace. The finished produce contains not less than 5.5 percent tomato-soluble solids. In addition, ascorbic acid is added to attain a level of 3.5 milligrams per fluid ounce of vitamin C in the finished product. The permit provides for the temporary marketing of 167,000 cases of twelve 46-ounce cans, 42,000 cases of forty-eight 6-ounce cans, 13,000 cases of twenty-four 18-ounce cans, 2,000 cases of twenty-four 12-ounce cans, and 5,000 cases of twelve 32-ounce glass containers per month in all States, the District of Columbia, and the Commonwealth of Puerto Rico.

The test product is to be packed at California Canners and Growers Plant 4 in San Jose, CA, and Plant 6 in Thornton, CA; Juice-Bowl Products, Inc., Lakeland, FL; Hanover Brands, Hanover, PA, and Keystone Packing in Northeast, PA.

The principal display panel of the label states the product's name as "tomato juice from concentrate". Each of the ingredients used is stated on the label as required by the applicable sections of 21 CFR Part 101, except that the tomato ingredient complying with the requirements of § 155.191(a)(1) is declared as "tomato concentrate". This permit is effective for 15 months, beginning on the date the food is introduced or caused to be introduced into interstate commerce, but no later than August 27, 1981. The permit, however, may terminate sooner, depending upon the final action on FDA's proposal to amend the standard of identity for tomato juice published in the **Federal Register** of May 9, 1978. If the proposal is affirmed, the permit will terminate on the effective date of the final regulation. If the proposal is rejected, the permit will expire 30 days after such negative ruling on the proposal.

Dated: May 21, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-15863 Filed 5-28-81; 8:45 am]

BILLING CODE 4110-03-M

Public Health Service

Privacy Act of 1974; New System Notice

AGENCY: Department of Health and Human Services; Public Health Service.

ACTION: Notification of a proposed new system of records, "Records of Subjects in Certification, Testing and Safety Studies of Personal Protective Devices for Hazardous Work Environments," HHS/CDC/NIOSH, 09-20-0159.

SUMMARY: In accordance with the requirements of the Privacy Act, the Public Health Service (PHS) is publishing notice of a proposal to establish a new system of records to permit acquisition of information related to certification of personal protective equipment, hazard-measuring devices, and safety research studies. The information acquired will be used to develop performance standards for instruments and equipment utilized in the workplace to protect workers or to identify hazardous work environments. The system of records will be maintained by the National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control (CDC). PHS invites interested persons to submit comments on the proposed routine uses on or before June 29, 1981.

DATES: PHS has sent a report of the new system to the Congress and to the Office of Management and Budget (OMB) on May 20, 1981. The system of records will be effective 60 days from the date submitted to OMB unless PHS receives comments on the routine uses which would result in a contrary determination.

ADDRESS: Comments should be addressed to: Director, Division of Safety Research, National Institute for Occupational Safety and Health, Room S-117, 944 Chestnut Ridge Road, Morgantown, West Virginia 26505. Comments received will be available for inspection at that address from 8:00 a.m. to 4:30 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: James H. Cavender, Program Management Officer, DSR/NIOSH, 944 Chestnut Ridge Road, Morgantown, West Virginia 26505, (304) 599-7595.

SUPPLEMENTARY INFORMATION: The purpose of this system is to assist in the development of performance standards for instruments and equipment utilized in the workplace to protect workers and to identify hazardous work environments and work tasks, allowing rigorous scientific studies to be carried out as a part of the Division of Safety Research's (DSR) injury epidemiology program. The use of human subjects for research and evaluation of both personal protective devices and hazard-measuring instruments requires the establishment and maintenance of subject "pools." Case-control studies of injured workers and their non-injured co-workers will require that the system of records be developed in a way that allows for scientific testing and validation of previously gathered data.

Name, assigned number, plant name, and year tested are some of the indices used to retrieve records from these systems. Other retrieval methods are utilized as individual research dictates. Two or more safeguards will be selected from the following list, as appropriate to the type of records to be secured: locked buildings, locked rooms, locked file cabinets, personnel screening, locked computer room and computer tape vaults, 24-hour guard service, and limited access only to authorized personnel.

NIOSH has examined a number of alternative means of accomplishing these investigations, including the option to maintain no Privacy Act system of records. The Institute concluded that maintenance of a system of records is necessary for the investigations, and that the relatively minor risk to personal privacy involved in furnishing NIOSH researchers with individually identifiable medical records is outweighed by the potential improvement in worker well-being which will be derived from the research.

A variety of individuals will be covered by this system of records. Included are individuals exposed to hazardous work environments and individuals selected as control groups. Additionally, the system pertains to individuals selected to test the interaction between personal protection or safety equipment, users of such equipment, and identification of hazardous work environments. Some examples include: individuals selected to perform respirator facepiece fit tests, to evaluate hearing protectors, lifting and manual handling studies, strength test studies, and hand speed tests.

The records will be retained for use solely within the agency unless releases are made in conjunction with the routine uses or which are otherwise permitted under Section 552a(b) of the Privacy Act. The proposed releases outlined in

the routine use section will allow the Institute to effectively perform the proposed research, and ensure that no releases are made for purposes which are not the same or compatible with those for which the information is originally collected, without the individual's permission.

Dated: May 20, 1981.

Peter J. Bersano,

Acting Director, Office of Management.

09-20-0159

SYSTEM NAME:

Records of Subjects in Certification, Testing and Safety Studies of Personal Protective Devices for Hazardous Work Environments—HHS/CDC/NIOSH.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Division of Safety Research (DSR), National Institute for Occupational Safety and Health (NIOSH), 944 Chestnut Ridge Road, Morgantown, West Virginia 26505.

Data are also occasionally located at field worksites and contractor sites as studies are developed, data collected and reports written. A list of field and contractor sites where individually identifiable data are currently located is available upon request to the System Manager.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals exposed to hazardous work environments and individuals selected as control groups will be covered by this system. Additionally, the system pertains to individuals selected to test the interaction between people, personal protection or safety equipment, users of such equipment, and a hazardous environment. Some examples include individuals selected to: perform respirator facepiece fit tests, evaluate hearing protectors, perform lifting and manual materials handling studies, perform strength test studies, and perform hand speed tests.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system will contain such records as physical examinations, questionnaires, results of laboratory test (physiological acceleration measures, and performance tests), workplace performance records, results of hearing tests, occupational histories, medical histories, demographic data, and related medical information. The specific types of records to be collected and maintained are determined by the needs of the individual study.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The Public Health Service Act, Section 301 (42 U.S.C. 241); the Occupational Safety and Health Act, Section 20 (29 U.S.C. 669); and the Coal Mine Health and Safety Act, Section 501 (30 U.S.C. 951).

PURPOSE OF SYSTEM:

The purpose of this system is to permit acquistion of information related to certification of personal protective equipment, hazard-measuring devices, and safety research studies.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosures may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office, made at the the requrest of that individual.

In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the Department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected. For example, records may be released to the Department of Justice in defending claims against the U.S. when the claim is based upon an individual's mental or physical condition and is alleged to have arisen because of activities of the Public Health Service in connection with such individual.

In the event of litigation initiated at the request of NIOSH, the Institute may disclose such records as it deems desirable or necessary to the Department of Justice to enable the Department to effectively represent the Institute, provided such disclosure is compatible with the purpose for which the records were collected. The only types of litigative proceedings that NIOSH is authorized to request are (1) enforcement of a subpoena issued to an employer to provide relevant information, or (2) contempt citation against an employer for failure to comply with a warrant obtained by the Institute.

Portions of records (name, Social Security number if known, date of birth, and last known address) may be disclosed to one or more sources selected from those listed in Appendix I. This may be done to determine if the individual has died so that a death certificate can be obtained. Knowing the cause of death will enable NIOSH to evaluate whether excess occupationally-related mortality is occurring.

Records subject to the Privacy Act will be disclosed to private firms for data entry, computer systems analysis, and computer programming services. The contractors will promptly return all data entry records, and all computer work will be done on Government-owned computers. The contractors will be required to maintain Privacy Act safeguards.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual files, computer tape, microfilm, computer cards, index audiogram files, audiograms, questionnaire forms.

RETRIEVABILITY:

Name, assigned number, plant name, and year tested are some of the indices used to retrieve records from these systems. Other retrieval methods are utilized as individual research dictates.

SAFEGUARDS:

Locked buildings, locked rooms, locked file cabinets, personnel screening, locked computer room and computer tape vaults, 24-hour guard service, limited access only to authorized personnel. The particular safeguards used are selected as appropriate for the type of records covered by an individual study. For computerized records, safeguards are in accordance with Part 6, ADP Systems Security, of the HHS/ADP Systems Manual. Safeguards for non-automated records are in accordance with the NIOSH Sensitive Data Security Program Briefing Booklet.

RETENTION AND DISPOSAL:

Records will be maintained from three to twenty years in accordance with retention schedules. Personal identifiers will be stripped from records, and records will be destroyed when they are no longer needed. All paper records which are disposed of will be shredded or burned and computer tapes will be erased.

SYSTEM MANAGER(S) AND ADDRESS:

Program Management Officer (PMO), Division of Safety Research, NIOSH, 944 Chestnut Ridge Road, Morgantown, WV 26505.

NOTIFICATION PROCEDURE:

An individual may learn if a record exists about herself/himself upon written request, with notarized signature if request is made by mail, or with suitable identification (i.e., driver's license, passport) if request is made in person. All individuals requesting records will be informed that anyone who knowingly and willfully requests access to a record pertaining to an individual under false pretenses is committing a criminal offense under the Act and subject to a maximum fine of 5,000 dollars.

To determine if a record exists, write to: Director, Division of Safety Research, NIOSH, 944 Chestnut Ridge Road, Morgantown, WV 26505.

An individual who requests notification of or access to medical records shall, at the time the request is made, (1) provide a written notarized request designating a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion, (2) supply the name of the study, if known, (3) provide the approximate date and place of the study, if known, and (4) provide the approximate date and place of treatment or questionnaire administration.

RECORD ACCESS PROCEDURES:

Same as notification procedures.

CONTESTING RECORD PROCEDURES:

Contact the official at the address specified under notification procedures above and reasonably identify the record and specify the information to be contested.

RECORD SOURCE CATEGORIES:

Information needed is obtained either directly from the individual, or from employee records whenever possible. Other sources may include those listed in Appendix I.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

Appendix I: Potential Sources for Determination of Vital Status

Military Records
Appropriate State Motor Vehicle Registration Departments
Appropriate State Drivers' License Departments
Appropriate State Government Divisions of: Assistance Payments (Welfare), Social Services, Medical Services, Food Stamp Program, Child Support, Board of Corrections, Aging, Indian Affairs, Workers' Compensation, Disability Insurance
Retail Credit Association Follow-up
Veterans' Administration Files
Appropriate Employee Union or Association Records
Appropriate Company Pension or Employment Records
Company Group Insurance Records
Appropriate State Vital Statistics Offices
Life Insurance Companies
Railroad Retirement Board
Area Nursing Homes
Area Indian Trading Posts
Mailing List Correction Cards (U.S. Postal Service)
Letters and Telephone Conversations with Relatives
Letters and Telephone Conversations with Former Employees of the Same Establishment as Subject(s) Member
Appropriate Local Newspaper (Obituaries)
Social Security Administration
Internal Revenue Service

[FR Doc. 81-15688 Filed 5-27-81; 8:45 am]
BILLING CODE 4110-87-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Outer Continental Shelf Offshore Southern California; Availability of Draft Environmental Impact Statement and Locations and Dates of Public Hearings Regarding Proposed Oil and Gas Lease Sale No. 68

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Bureau of Land Management has prepared a draft environmental impact statement relating to a proposed Outer Continental Shelf (OCS) oil and gas lease sale of 218 tracts consisting of 445,190 hectares (1,112,975 acres) of submerged Federal lands off the coast of southern California.

Single copies of the draft environmental impact statement can be obtained from the Office of the Manager, Pacific Outer Continental Shelf Office, Bureau of Land Management, 1340 West 6th Street, Los Angeles, California 90017, and from the Office of Public Affairs, Bureau of Land Management (130), Washington, D.C. 20240. Copies of the draft statement will also be available for review at the following public libraries:

W. Valley Reg. Branch Library, 19036 Vanowen Street, Reseda, CA 91335
San Bernardino County Free Library, 104 W. 4th Street, San Bernardino, CA 92401
University of California Library, Government Publications Dept., P.O. Box 5900, Riverside, CA 95207
San Diego County Library, 5555 Overland Avenue, San Diego, CA 92123
Riverside Public Library, P.O. Box 468, Riverside, CA 92506
Anaheim Public Library, 500 West Broadway, Anaheim, CA 92805
San Diego State University, Malcolm A. Love Library, Government Publications Dept., San Diego, CA 92182
Culver City Library, 4975 Overland Avenue, Culver City, CA 90230
San Diego County Law Library, 1105 Front Street, San Diego, CA 92101
Calif. State Polytechnical Univ., Library, Documents Section, San Luis Obispo, CA 93401
Santa Ana Public Library, Documents Section, 26 Civic Center Plaza, Santa Ana, CA 92701
Calif. Lutheran College Library, Mountclef Village, Thousand Oaks, CA 91360
Bodkin, McCarthy, Sargent & Smith, 707 Wilshire Blvd., 51st Fl., Los Angeles, CA 90071
California State University Library, Documents Section, P.O. Box 4150, Fullerton, CA 92634
County of Los Angeles Library, Government Publications Unit, 320 W. Temple, Los Angeles, CA 90012
Long Beach Public Library, Government Publications Dept., Ocean and Pacific, Long Beach, CA 90802
San Diego Public Library, Science and Industry Dept., 820 "E" Street, San Diego, CA 92101
Downey City Library, 8490 E. 3rd Street, Downey, CA 90241
Pepperdine University Library, 8035 S. Vermont, Los Angeles, CA 90044
California Institute of Technology, Millikan Memorial Library, Pasadena, CA 91124
Pasadena Public Library, 285 E. Walnut Street, Pasadena, CA 91101
Business & Economics Dept., Los Angeles Public Library, 630 W. 5th Street, Los Angeles, CA 90071
California State University, Oviatt Library, Government Document, 18111 Nordhoff Street, Northridge, CA 91220
County of Ventura Library Service, Documents Section, P.O. Box 771, Ventura, CA 93001
Loyola University, School of Law Library, 1440 W. 9th Street, Los Angeles, CA 90015
Santa Barbara Public Library, Reference Section, P.O. Box 1019, Santa Barbara, CA 93102
Santa Monica Public Library, 1343 6th Street, Santa Monica, CA 90401
University of California, Water Resources Center Archives, 2081 Engineering I, Los Angeles, CA 90024
University of California, SERIALS, SIO Library, C-075C, La Jolla, CA 92093
University of Southern California, Government Documents Dept., P.O. Box 77983, Los Angeles, CA 90007
The Sea Library, 408 Sycamore Road, Santa Monica, CA 90402
University of California, Government Publication Dept., General Library, P.O. Box 19557, Irvine, CA 92713

University of California, The Library, Government Publications Dept., Santa Barbara, CA 93106
Pomona College Documents Collection Honnold Library, 222 E. 9th Street, Claremont, CA 91711

In accordance with 43 CFR 3314.1, public hearings on the draft environmental impact statement will be held in Santa Barbara, California at the Santa Barbara High School, 700 Anapamu Street, on July 28, 1981, from 8:00 a.m. to 10:00 p.m., and on July 29, 1981, from 8:00 a.m. to 1:00 p.m., and in Long Beach, California at the Long Beach Convention Center, 300 East Ocean Boulevard on July 30, 1981, from 8:00 a.m. to 10:00 p.m. and, if necessary, on July 31, 1981 from 8:00 a.m. to 1:00 p.m.

The hearings will provide the Secretary of the Interior with information from government agencies, public and private groups to help evaluate the potential effects of the proposed offering. Comments are solicited concerning effects of exploration, development and production resulting from the proposed sale on marine, cultural, recreational and other resources of the southern California region.

Interested individuals, representatives or organizations, and public officials wishing to testify at the public hearings are requested to contact the Manager, Pacific Outer Continental Shelf Office, Bureau of Land Management, at the above address by 4:00 p.m., July 24, 1981. Written comments from those unable to attend the hearing also should be addressed to the Manager, Pacific Outer Continental Shelf, Bureau of Land Management at the above address. The Bureau will accept written testimony and comments on the draft environmental impact statement until August 7, 1981. This will allow those unable to testify at the hearings to make their views known, and those presenting oral testimony to submit supplemental materials. Time limitations make it necessary to limit the length of oral presentations to ten (10) minutes. An oral statement may be supplemented, however, by a more complete written statement which may be submitted to a hearing official at the time of presentation. To the extent that time is available after presentation of oral statements by those who have given advance notice, others present will be given opportunity to be heard.

After all testimony and comments have been received and considered, a final environmental impact statement will be prepared.

Ed Hastey,

Associate Director, Bureau of Land Management.

Approved:

Cecil S. Hoffmann,

Special Assistant to Assistant Secretary of the Interior.

[FR Doc. 81-16020 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

Arizona; Wilderness Inventory Appeals

This announcement is to release the results of the appeal period for the Arizona Wilderness Study Area Final Decision and the Hualapai Aquarius and the Palo Verde-Devers Special Inventories.

The following units that were identified as Wilderness Study Areas (WSAs) have been appealed:

Unit name	Unit No.
Ferry Swale	AZ-010-006A.
Judd Hollow	AZ-010-006B.
Paria Rim	AZ-010-006C.
Cedar Mountain	AZ-010-006D.
Paria Plateau	AZ-010-008A/19.
Overlook	AZ-010-008B.
Emmett Wash	AZ-010-009.
Kanab Creek	AZ-010-031.
Hack Canyon (A)	AZ-010-033A.
Robinson	AZ-010-034.
Cottonwood Point	AZ-010-041.
Toroweap	AZ-010-050.
Mt. Logan	AZ-010-051.
Mt. Trumbull	AZ-010-052.
Poverty Mountain	AZ-010-091.
Parashaunt	AZ-010-093.
Darnsil Canyon	AZ-010-096A.
Grassy Mountain	AZ-010-096C.
Andrus Canyon	AZ-010-096D.
North Dellenbaugh	AZ-010-097.
G&F	AZ-010-099.
Salt House	AZ-010-104A.
Mustang Point	AZ-010-104B.
Last Chance	AZ-010-111.
Purgatory	AZ-010-132.
Mt. Emma	AZ-010-136.
Nevershine Mesa	AZ-010-105A.
Snap Point	AZ-010-105B.
Tincanebitts	AZ-010-105C.
Pigeon Canyon	AZ-010-109.
Grand Wash Cliffs	AZ-010-112.
Phoenix District	
Mt. Wilson	AZ-020-001A.
Van Deeman	AZ-020-007.
Mockingbird	AZ-020-008.
Black Mountains N	AZ-020-009.
Burns Spring	AZ-020-010.
Mt. Tipton	AZ-020-012/042.
Grapevine Wash	AZ-020-014.
Grand Wash Cliffs	AZ-020-015.
Mt. Davis	AZ-020-021.
Mt. Nutt	AZ-020-024.
Warm Springs	AZ-020-028/029.
Peoples Canyon	AZ-020-068.
Buckskin Mountains	AZ-020-071.
Harcuvar Mountains	AZ-020-075.
Hassayampa River Canyon	AZ-020-083.
Big Horn Mountains	AZ-020-099.
Hummingbird Springs	AZ-020-100.
Hells Canyon	AZ-020-119.
New Water Mountains	AZ-020-125.
Little Horn Mountains W.	AZ-020-126A.
Face Mountain	AZ-020-136.
Signal Mountain	AZ-020-138.
Woolsey Peak	AZ-020-142/144.
N. Maricopa Mtns	AZ-020-157.
Sierra Estrella	AZ-020-160.
S. Maricopa Mtns	AZ-020-163.
Butterfield Stage Memorial	AZ-020-164.
Table Top Mtn	AZ-020-172.
South Bradshaws	AZ-020-064A.
White Canyon	AZ-020-187.
Picacho Mtns	AZ-020-194.
Ragged Top	AZ-020-197.
Coyote Mtns	AZ-020-202.
Baboquivari Peak South	AZ-020-203B.
Ives Peak	AZ-020-204.
Tres Alamos	AZ-020-205.
Palo Verde-Devers Special Inventory	
Little Horn Mtns	AZ-020-127.
Eagletail Mtn	AZ-020-128.
East Clanton Hills	AZ-020-129.
Hualapai-Aquarius Special Inventory	
Wabayuma Peak	AZ-020-037/043.
Planet	AZ-020-053.
Aubrey Peak	AZ-020-054.
Black Mesa	AZ-020-056.
Rawhide Mtns	AZ-020-058.
Arrastra Mtn	AZ-020-059.
Lower Burro Creek	AZ-020-060.
Upper Burro Creek	AZ-020-062.
Safford District	
Needles's Eye	AZ-040-001A.
Black rock	AZ-040-008.
Fishhooks	AZ-040-014.
Day Mine	AZ-040-016.
Gila Box	AZ-040-022/023/024A.
Turtle Mtn	AZ-040-022/023/024B.
Javelina Peak	AZ-040-048.
Peloncillo Mtns	AZ-040-060.
Happy Camp Canyon	AZ-040-065.
Apache Box	AZ-040-076.
Hoverrocker	AZ-040-077.
Yuma District	
Needles Eastern Addition	AZ-050-005B.
Crossman Peak	AZ-050-007B.
Mohave Wash	AZ-050-007C/5-48/2-52.
Gibraltar Mtn	AZ-050-012.
Planet Peak	AZ-050-013.
Cactus Plain	AZ-050-014A/B.
Swansea	AZ-050-015A.
E. Cactus Plain	AZ-050-017.
S. Trigo Mtns	AZ-050-023A.
Trigo Mtns	AZ-050-023B.
Kofa Unit 3 S	AZ-050-031.
Kofa Unit 4 N	AZ-050-033.
Kofa Unit 4 S	AZ-050-034.

The following units that were identified to be dropped from wilderness consideration have been appealed:

Unit name	Unit No.
Phoenix District	
Painted Rocks S	AZ-020-155A.
Painted Rocks N	AZ-020-155B.
Sikort Chuapo	AZ-020-176.
Safford District	
Gila Box (adjacent lands)	AZ-040-22/23/24A.

The units identified as WSAs will continue to be studied according to the Bureau's wilderness study schedule.

Units identified to be dropped will not be studied, unless the decision is reversed through the appeal process.

All of the listed units, both WSAs and dropped units, that have been appealed, will continue to be managed under the

Bureau's wilderness interim management policy.

FOR FURTHER INFORMATION CONTACT: Arizona State Office, Bureau of Land Management, 2400 Valley Bank Center, Phoenix, Arizona 85073.

Tom Allen,

Acting State Director.

May 19, 1981.

[FR Doc. 81-15995 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

Medford District Advisory Council; Notice of Meeting

Notice is hereby given in accordance with 43 CFR 1780 that a sub-committee meeting of the Medford District Advisory Council will be held on Friday, June 12.

The meeting will begin at 9 AM and will continue until 3 PM in the Oregon Room of the Bureau of Land Management Office at 3040 Biddle Road, Medford, Oregon.

The agenda for the meeting will include:

1. A discussion of BLM's "Program Priority Guides for Oregon and Washington, Fiscal Years 1982–1989."
2. A discussion of BLM's "Draft Wilderness Management Policy" and BLM's "Wilderness Study Policy."

The meeting is open to the public and news media. Summary minutes of the Council meeting will be maintained at the District Office and be available for public inspection and reproduction at the cost of duplication.

Hugh Shera,

District Manager.

May 19, 1981.

[FR Doc. 81-15994 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

Susanville District Grazing Advisory Board; Meeting

Notice is hereby given in accordance with Pub. L. 94-579 (FLPMA) that a meeting of the Susanville District Grazing Advisory Board will be held on June 9, 1981.

The meeting will begin at 10:00 a.m. in the Susanville District Office of the Bureau of Land Management, Susanville, California.

The agenda for the meeting will include:

1. RCD Participation in Range Improvements.
2. Cowhead/Massacre Consultation.
3. Contributions for Range Improvement Projects.
4. Other Comments.
5. Public Comments.

The meeting is open to the public. Interested persons may make oral statements to the Board between 3:30 p.m. and 4:30 p.m., or file a written statement for the Board's consideration. Anyone wishing to make an oral statement must notify the District Manager, Bureau of Land Management, P.O. Box 1090, Susanville, California, 96130, by June 4, 1981. Depending on the number of persons wishing to make oral statements, a per person list limit may be established.

Summary minutes of the Board Meeting will be maintained in the District Office and will be available for public inspection and reproduction (during regular business hours) within 30 days following the meeting.

C. Rex Cleary,

District Manager.

[FR Doc. 81-16004 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

[NM 929, Amdt. 1]

New Mexico; Classification Partially Terminated; Lands Open to Entry

May 21, 1981.

1. On April 22, 1970 (FR, Vol. 35, No. 78, page 6444) lands listed under paragraphs 3 and 4 of said notice were segregated from all forms of appropriation under the public land laws, including the general mining, but not the mineral leasing laws. Lands described under paragraph 4 were further segregated from issuance of rights-of-way.

2. Pursuant to the regulations set forth in 43 CFR 2461.5(c)(2), the classification is hereby terminated as to the following described land:

New Mexico Principal Meridian

T. 10 S., R. 30 E.,
- Sec. 26, SW¼ and that part of the S½NW¼ lying south of the U.S. Highway 380;
- Sec. 27, S½ and that part of S½N½ lying south of U.S. Highway 380;
- Sec. 28, S½ and that part of S½N½ lying south of U.S. Highway 380;
- Sec. 33, all;
- Sec. 34, W½;
- Sec. 35, E½.

T. 11 S., R. 30 E.,
- Sec. 1, lots 1, 2, 3, 4 and S½;
- Secs. 11, 12, 13, 14, 23 and 24;
- Sec. 25, N½N½;
- Secs. 26 and 35.

T. 11 S., R. 31 E.,
- Sec. 6, lots 3, 4, 5, 6 and E½SW¼;
- Sec. 7, lots 1, 2, 3, 4 and E½W½;
- Sec. 19, lots 1, 2, 3, 4 and E½W½;
- Sec. 30, lot 1, N½NE¼ and NE¼NW¼.

T. 12 S., R. 30 E.,
- Sec. 23, SW¼NE¼ and S½NW¼;
- Sec. 24, SW¼NE¼ and S½NW¼.

T. 12 S., R. 31 E.,
- Sec. 19, lot 2, SW¼NE¼ and SE¼NW¼.

The areas described aggregate 9,177 acres, more or less.

3. At 10:00 a.m., on June 22, 1981, the lands described under paragraph 2 above will be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10:00 a.m., on June 22, 1981 shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. The lands will also be open to location under the United States mining laws at 10:00 a.m. on June 22, 1981.

Inquiries concerning these lands should be addressed to the Chief, Division of Technical Services, Bureau of Land Management, P.O. Box 1449, Santa Fe, New Mexico 87501.

Leroy C. Montoya,

Chief, Division of Technical Services.

[FR Doc. 81-16004 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

[NM 929, Amdt. 2]

New Mexico; Classification Partially Terminated; Lands Open to Entry

May 19, 1981.

1. On August 27, 1970 (FR, Vol. 35, No. 167, page 13670) the following described lands were classified for multiple use management under the Act of September 19, 1964 and segregated from all forms of appropriation under the public land laws, including the general mining and mineral leasing laws:

New Mexico Principal Meridian

T. 10 S., R. 30 E.,
- Sec. 1, lots 1, 2, S½NE¼, and N½SE¼.

T. 10 S., R. 31 E.,
- Sec. 6, lots 4, 5 and 6.

The areas described aggregate 362.34 acres in Chaves County.

2. Pursuant to the regulations set forth in 43 CFR 2461.5(c)(2), the classification is hereby partially terminated as to the following described lands:

New Mexico Principal Meridian

T. 10 S., R. 30 E.,
- Sec. 1, N½SE¼.

T. 10 S., R. 31 E.,
- Sec. 6, lot 6.

Aggregating approximately 120.80 acres.

Subject to valid existing rights, and the requirements of applicable law, at 10:00 a.m. on June 22, 1981, the public lands described under paragraph 2 of this notice shall be open to the operation of the public land laws generally, including the mining and mineral leasing laws. For oil and gas leasing, the land must first be made available on the simultaneous lands available list.

Inquiries concerning these lands should be addressed to the Bureau of Land Management, P.O. Box 1449, Santa Fe, New Mexico 87501.

Leroy C. Montoya,

Chief, Division of Technical Services.

[FR Doc. 81-15997 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

[NM 40314]

New Mexico; Notice of Conveyance

May 20, 1981.

Notice is hereby given that pursuant to sections 206 and 208 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716, 1718) and the regulations in 43 CFR 2201.7(a), a patent issued to Lauro Guaderrama and Jose M. and Magdalena A. Acosta on May 20, 1981 for the following described land in Dona Ana County:

New Mexico Principal Meridian, New Mexico

T. 26 S., R. 3 E.,
Sec. 11, lots 22 to 25, inclusive;
Sec. 14, lots 4 to 9, inclusive, lots 15 to 18, inclusive, lots 26 to 28, inclusive and lot 42.

Containing 44.95 acres.

A warranty deed issued to the U.S. for the following land, which becomes public land subject to administration by the Bureau of Land Management, New Mexico State Office:

T. 22 S., R. 4 E.,
Sec. 20, N½N½NE¼SE¼, S½NE¼SE¼, NW¼SE¼ and N½N½S½SE¼.

Containing 90.00 acres.

Leroy C. Montoya,

Chief, Division of Technical Services.

[FR Doc. 81-16075 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

New Mexico; Release of Wilderness Study Areas New Mexico

May 22, 1981.

AGENCY: Bureau of Land Management; Interior.

ACTION: Notice of Release of Wilderness Study Areas From Further Wilderness Consideration.

SUMMARY: Notice is hereby given of the release of the following New Mexico Wilderness Study Areas from further wilderness consideration:

BLM district	Name	Number	Total acreage
Las Cruces	Sacramento Escarpment.	NM-030-104	3,510
Las Cruces	Guadaloupe Escarpment.	NM-030-114	7,053

The BLM areas were identified as areas to receive further wilderness study in the November 14, 1980, **Federal Register** ("Notice of Final Intensive Wilderness Inventory Decisions," pp. 75590–75593).

Both of the BLM areas are divided into several parcels. Each parcel contains less than 5,000 acres of contiguous BLM-administered public land. The BLM areas were slated for wilderness study because they were contiguous with U.S. Forest Service RARE II areas, West Face of the Sacramento Mountains (3–072) and Little Dog and Pup Canyons (3–074), recommended for further planning. Neither of the BLM areas satisfy the size criterion for wilderness in the Wilderness Act of 1964 without consideration of the above contiguous Forest Service RARE II areas.

The New Mexico Wilderness Act (Pub. L. 96–550) which was signed into law December 19, 1980, released the RARE II areas (3–072 and 2–074) from management restrictions to protect wilderness suitability. The Act also specified that such areas received adequate wilderness review and shall not be evaluated for wildeness prior to revision of the Forest Service initial land management plans and in no case before 1985.

Since the BLM areas no longer satisfy the size criterion for wilderness, they are dropped from the Wilderness Review Process and are no longer protected by interim management restrictions. The final decision announced in this notice will become effective upon publication in the **Federal Register**. There is no public comment period on this decision.

ADDRESS: Send inquiries to: State Director (932), Bureau of Land Management, United States Post Office and Federal Building, South Federal Place, P.O. Box 1449, Santa Fe, New Mexico 87501.

FURTHER INFORMATION CONTACT: Dan Wood at the above Santa Fe, New Mexico address or call (505) 988–6227.

Larry L. Woodard,

Acting State Director.

[FR Doc. 81-16005 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

[W-33229]

Wyoming; Termination of Classification

May 20, 1981.

On June 29, 1972 a classification decision was issued classifying the following described lands in Fremont County, Wyoming as suitable for lease or purchase under the Recreation and Public Purposes Act of June 14, 1926, 43 U.S.C. 869 et seq. (1976). This classification action was taken in response to a petition-application filed by the Wyoming Recreation Commission who subsequently withdrew their application October 23, 1980. It has been determined by the responsible Resource Area Manager with concurrence of the District Manager that the classification is no longer necessary.

Accordingly, pursuant to 43 CFR 2450.6, Notice of Classification, Wyoming 33229, affecting the following described lands, is hereby terminated in its entirety:

Sixth Principal Meridian, Wyoming

T. 32 N., R. 100 W.,
Sec. 17, E½NE¼, SE¼SW¼, SE¼.

The area described contains 280 acres, in Fremont County, Wyoming.

At 10:00 a.m. on June 22, 1981 the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at, or prior to, 10:00 a.m. on June 22, 1981, shall be considered as simultaneously filed at that time. Those received thereafter will be considered in the order of filing.

The lands will be open to location under the United States mining laws at 10:00 a.m. on June 22, 1981. They have been and will continue to be open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, P.O. Box 1828, 2515 Warren Avenue, Cheyenne, Wyoming 82001.

Maxwell T. Lieurance,

State Director.

[FR Doc. 81-16086 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

[W-74551]

Wyoming; Application

May 21, 1981.

Notice is hereby given that pursuant to Sec. 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Cities Service Gas Company of Oklahoma City, Oklahoma, filed an application for a right-of-way to construct 4½ inch pipelines for the purpose of transporting natural gas across the following described public lands:

Sixth Principal Meridian, Wyoming

T. 17 N., R. 95 W.,
Sec. 18.
T. 17 N., R. 96 W.,
Secs. 14, 20, 24, 30 & 32.
T. 16 N., R. 97 W.,
Secs. 6, 18 & 20.
T. 17 N., R. 97 W.,
Sec. 32.
T. 15 N., R. 98 W.,
Sec. 12.
T. 16 N., R. 98 W.,
Secs. 10, 22, 28 & 34.

The proposed pipelines will serve to transport natural gas as additions to Cities Service Gas Company's gathering system within Sweetwater County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, Highway 187 N., P.O. Box 1869, Rock Springs, Wyoming 82901.

Harold G. Stinchcomb,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 81-16076 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

[W-74570]

Wyoming; Application

Notice is hereby given that pursuant to Sec. 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Cities Service Gas Company of Oklahoma City, Oklahoma, filed an application for a right-of-way to construct 4½ inch pipelines for the purpose of transporting natural gas across the following described public lands:

Sixth Principal Meridian, Wyoming

T. 22 N., R. 93 W.,
Sec. 4, SE¼SW¼, S½SE¼;
Sec. 8, N½NE¼, NE¼NW¼, S½NW¼;
Sec. 16, NW¼NE¼, S½NE¼;
Sec. 18, lot 3;
Sec. 30, lot 2, SE¼NW¼.
T. 22 N., R. 94 W.,
Sec. 2, lots 2, 3, S½NE¼, NE¼SE¼;
Sec. 12, S½NE¼, E½NW¼, SE¼SE¼;
Sec. 24, W½W½;
Sec. 36, N½NE¼, SE¼NE¼.

The proposed pipelines will serve to transport natural gas as additions to Cities Service Gas Company's gathering system within Sweetwater County, Wyoming.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, 1300 Third St., P.O. Box 670, Rawlins, Wyoming 82301.

Harold G. Stinchcomb,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 81-16072 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

[W-14982]

Wyoming; Proposed Continuation of Withdrawal

The Bureau of Land Management, U.S. Department of the Interior proposes to continue the existing withdrawal of the following public lands made by Public Land Order 4752, for a 20-year period pursuant to Section 204 of the Federal Land Policy and Management Act of October 21, 1976 (90 Stat. 2751; 43 U.S.C. 1714):

Sixth Principal Meridian, Wyoming

T. 17 N., R. 86 W.,
Sec. 17, N½, SW¼, and N½SE¼;
Sec. 18;
Sec. 19, Lots 1, 3 and 4, NW¼NE¼, NE¼NW¼, E½SW¼, and SE¼;
Sec. 20, E½NE¼, SW¼NE¼, S½NW¼, SW¼, and NW¼SE¼;
Sec. 21, N½NW¼, and SW¼NW¼;
Sec. 29, NW¼NW¼;
Sec. 30, Lots 1 to 4, incl., NE¼, E½W½, and NW¼SE¼.
T. 17 N., R. 87 W.,
Secs. 13, 14, 22 and 23;
Sec. 24, S½N½, and S½;
Sec. 25;
Sec. 26, N½, N½S½, and SE¼SE¼.

The areas described aggregate 6,899.02 acres in Carbon County, Wyoming.

The purpose of the withdrawal is to protect the Stratton Sagebrush Hydrology Study Area which is operated by the U.S. Forest Service under a cooperative agreement with the Bureau of Land Management and the State of Wyoming.

Comments, suggestions, or objections to this proposed withdrawal continuation must be submitted in writing to the undersigned authorized officer of the Bureau of Land Managment, on or before July 6, 1981.

Notice is hereby given that an opportunity for a public hearing is afforded in connection with the proposed withdrawal continuation. All interested persons who desire to be heard on the proposal must submit a written request for a hearing to the undersigned before July 6, 1981. Upon determination by the State Director, Bureau of Land Management, that a public hearing will be held, a notice will be published in the **Federal Register** giving the time and place of such hearing. Public hearings are scheduled and conducted in accordance with BLM Manual, Section 2351.16B.

The authorized officer of the Bureau of Land Management will make necessary investigations to determine the existing and potential demands for the land and its resources and review the withdrawal rejustification to insure that continuation would be consistent with the statutory objectives of the programs for which the land is dedicated. He will also prepare a report for consideration by the Secretary of the Interior, the President, and Congress, who will determine whether or not the withdrawal will be continued and, if so, for how long. The final determination on the continuation of the withdrawal will be published in the **Federal Register**. The existing withdrawal will continue until such final determination is made.

All communications in connection with this proposed withdrawal continuation should be sent to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, 2515 Warren Avenue, P.O. Box 1828, Cheyenne, Wyoming 82001.

Harold G. Stinchcomb,

Chief, Branch of Lands and Minerals Operations.

[FR Doc. 81-16007 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

Alabama; Coal Lease Offerings by Sealed Bid; Southern Appalachian Federal Coal Production Region

U.S. Department of the Interior, Bureau of Land Management, Eastern States Office, 350 South Pickett Street, Alexandria, Virginia 22304. Notice is hereby given that certain coal resources in the tracts described below in Alabama will be offered for competitive lease by sealed bid of $25.00 or more per acre to the qualified bidder submitting the highest bonus bid in accordance with the provisions of the Mineral Leasing Act of 1920 (41 Stat. 437), as amended, and the Department of Energy Organization Act of August 4, 1977 (91 Stat. 565, 42 U.S.C. 7101). The sale will be held at 2:00 p.m., June 25, 1981, at the State Capitol, House Chambers, Montgomery, Alabama. All bids must be submitted to BLM, Tuscaloosa District Office, 1315 McFarland Boulevard, East,

Tuscaloosa, Alabama 35401. No bids received after 4:00 p.m., June 24, 1981, will be considered.

Coal Offfered: Goodwin Creek Tract, ES 26900

The strippable coal resource to be offered is included in one coal bed in the following land located approximately 12 miles northeast of Winfield in Marion County, Alabama:

Huntsville Meridian (Walker County)

T. 12 S., R. 10 W.,
Sec. 19, SE¼SE¼;
Sec. 30, SW¼NE¼, W½NW¼, SE¼NW¼.

Containing 201.21 Acres.

Resources have been calculated for surface mining. In place mineable reserves are estimated to be 466,000 tons. The coal should average 14,257 Btu/lb. with 3.2% ash and 1.2% sulfur. This would classify the coal as high volatile "A" bituminous.

Coal Offered: North River Tract, ES 26901

The coal resource to be offered is included in one coal bed in the following land located approximately five miles south of Berry, Fayette County, Alabama:

Huntsville Meridian (Tuscaloosa County)

T. 17 S., R. 10 W.,
Sec. 3, NE¼, E½SE¼;
Sec. 4, N½SW¼, SW¼NW¼;
Sec. 5, E½SE¼, NE¼SW¼, E½NW¼;
Sec. 10, NW¼NE¼, NE¼NW¼;
Sec. 12, SE¼SE¼;
Sec. 13, E½SE¼;
Sec. 15, N½NE¼, SE¼NE¼;
Sec. 17, SE¼NE¼, W½SE¼;
Sec. 21, SW¼NE¼, NW¼SE¼;
Sec. 22, N½NE¼, SW¼SW¼.

Containing 1,197.50 Acres.

Resources have been calculated for undergound mining. In place mineable reserves are estimated at 5.9 million tons.

The coal should average 12,225 Btu/lb. with 13.0% ash and 2.4% sulfur. This would classify the coal as high volatile "A" bituminous.

Coal Offered: Upper North River Tract, ES 26902

The coal resource to be offered includes one coal bed in the following lands, located approximately two miles south of Berry, Fayette County, Alabama:

Huntsville Meridian (Fayette County)

T. 16 S., R. 10 W.,
Sec. 28, NW¼SW¼.

Containing 40.05 Acres.

Resources have been calculated for undergound mining. In place mineable reserves are estimated to be 338,000 tons. The coal should average 11,908 Btu/lb. with 13.8% ash and 2.0% sulfur. This would classify the coal as high volatile "A" bituminous.

Coal Offered: Rock Springs Church Tract, ES 27072

The coal resource to be offered is in two beds, the upper and lower Blue Creek beds in the following lands, located approximately 16 miles southeast of Berry, Fayette County, Alabama:

Huntsville Meridian (Tuscaloosa County)

T. 17 S., R. 9 W.,
Sec. 2, NW¼SE¼, NW¼SW¼;
Sec. 3, SW¼SE¼, SW¼;
Sec. 4, NE¼NE¼, S½NE¼, S½SW¼;
Sec. 9, E½, SW¼;
Sec. 10, NW¼SE¼, N½, SW¼;
Sec. 11, SE¼SE¼, W½NW¼;
Sec. 12, E½SE¼;
Sec. 13, N½NE¼, N½SW¼;
Sec. 14, E½NE¼, N½SE¼, SE¼SE¼, E½NW¼;
Sec. 15, W½NE¼, NW¼SE¼, NW¼SW¼, NW¼;
Sec. 22, E½SE¼, NE¼NW¼;
Sec. 23, S½NE¼, NE¼SE¼;
Sec. 24, E½SE¼, SW¼NW¼;
Sec. 25, NE¼NE¼, NE¼SE¼, E½SW¼;
Sec. 26, NW¼NW¼;
Sec. 27, NE¼NE¼;
Sec. 36, E½, NE¼SW¼.

Containing 3,479.98 Acres.

Resources have been calculated for underground mining. In place mineable reserves are estimated to be 30.9 million tons. The coal should average 12,337 Btu/lb. with 16.6% ash and 2.3% sulfur. This would classify the coal as high volatile "A" bituminous.

Rental and Royalty: Leases issued as a result of this offering will provide for payment of an annual rental of $3.00 per acre and a royalty payable to the United States of 12.5 percent of the value of coal produced by strip or auger mining methods and 6.6 percent of the value of coal produced by underground mining methods. The value of coal shall be determined in accordance with 30 CFR 211.63. The Department of Interior recognizes that the Federal royalty for surface-mined coal may be inconsistent with local prevailing rates. By order of the Secretary, the Department will, after lease issuance, immediately entertain applications for surface mining royalty reductions to the level of the prevailing market rate in the area. The Department does not guarantee that any applications for a royalty reduction will be granted.

Roger L. Hildebeidel,

Eastern States Director.

[FR Doc. 81-16060 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

Alabama; Small Business Set-Aside Coal Lease Offering by Sealed Bid; Southern Appalachian Federal Coal Production Region

U.S. Department of the Interior, Bureau of Land Management, Eastern States Office, 350 South Pickett Street, Alexandria, Virginia 22304. Notice is hereby given that certain coal resources in the tracts described below in Walker and Fayette Counties, Alabama will be offered for competitive lease by sealed bid of $25.00 or more per acre to the qualified bidder submitting the highest bonus bid in accordance with the provisions of the Mineral Leasing Act of 1920 (41 Stat. 437), as amended, and the Department of Energy Organization Act of August 4, 1977 (91 Stat. 565, 42 U.S.C. 7101). The sale will be held at 2:00 p.m., June 25, 1981, at the State Capitol House Chambers, Montgomery, Alabama. No bids received after 4:00 p.m., June 24, 1981, will be considered. All bids must be submitted to BLM, Tuscaloosa District Office, 1315 McFarland Boulevard, East, Tuscaloosa, Alabama 35401.

Coal Offered: Upper Sulfur Springs Church Tract (SBA), ES 26904

The coal resource to be offered its limited to coal recoverable by surface mining methods in the following land located approximately 10 miles southeast of Berry, Fayette County, Alabama.

Huntsville Meridian

T. 16 S., R. 9 W.,
Sec. 34, all of the NE¼SE¼ excepting that portion of a tract (one acre more or less) described in Deed Book 100, Page 477 on file in the Fayette County Court House, Fayette, Alabama.

Containing 38.94 acres.

Three surface mineable beds occur in the tract. In place mineable reserves are estimated to be 48,900 tons.

The coal quality is expected to average 14,005 Btu/lb. with 5.1% ash and 1.6% sulfur.

Coal Offered: Elm Grove Tract, ES 27220

The coal resource to be offered is limited to coal recoverable by surface mining methods in the following lands located approxiately 2 miles southwest of Carbon Hill.

Huntsville Meridian

T. 14 S., R. 10 W.,
Sec. 4, SW¼SW¼;
Sec. 5, NE¼SE¼.

Containing 79.40 acres.

One surface mineable bed occurs in this tract. In place mineable reserves are estiumated to be 69,000 tons.

The coal quality is expected to average 12,270 Btu/lb. with 14.7% ash and 2.0% sulfur.

Rental and Royalty: A lease issued as a result of this offering will provide for payment of an annual rental of $3.00 per acre and a royalty payable to the United States of 12.5 percent of the value of coal mined by surface methods. The value of coal shall be determined in accordance with 30 CFR 211.63. The Department of the Interior recognizes that the Federal royalty for surface-mined coal may be inconsistent with local prevailing rates. Therefore, by order of the Secretary, after lease issuance we will immediately entertain applications for surface mining royalty reductions to the level of the prevailing market rate in the area. However, we do not guarantee that any application for a royalty reduction will be granted.

Special Bidder Qualifications: This tract is being offered for competitive lease under the small business set-aside provision of the Federal Coal Management Program. Bidders must meet the small business qualification requirements established by the Small Business Administration in addition to meeting the Federal coal lease qualification requirements of the Federal Coal Management Program.

Notice of Availability: Bidding instructions and bidder qualifications are included in the Detailed Statement of the Lease Sale. Copies of the Statement and of the proposed coal leases are available at the Bureau of Land Management, Eastern States Office, 350 South Pickett Street, Alexandria, Virginia 22304 and the Tuscaloosa District Office. Case file documents are available for public inspection only at the Eastern States Office.

Note.—The Harris Cemetery Tract will not be offered on June 25, 1981, because of lack of surface owner consent.

Roger L. Hildebeidel,

Eastern States Director.

[FR Doc. 16061 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

Alabama; Lease Sale Schedule for Federal Coal in the Southern Appalachian Federal Coal Production Region, Alabama Subregion

AGENCY: Bureau of Land Management, Interior.

ACTION: Announcement of regional lease sale schedule.

SUMMARY: In accordance with 43 CFR 3420.7–1 and in compliance with 40 CFR 1502.2, this notice contains the Secretary of the Interior's decision for a regional lease sale schedule, as announced on April 22, 1981, for Federal coal lease tracts in the Alabama Subregion of the Southern Appalachian Federal Coal Production Region.

DATES: The first sale is scheduled for June 5, 1981. Subsequent sale dates, see the Supplementary Information section.

ADDRESSES: The June 1981 lease sale will be held at the Alabama State Capitol, Montgomery, Alabama. The location of the remaining sale will be announced at a later date.

FOR FURTHER INFORMATION CONTACT: Roger Hildebeidel, Director, Easter States Office, Bureau of Land Management, 350 South Pickett Street, Alexandria, Virginia 22304, (703) 235–2833.

SUPPLEMENTARY INFORMATION: This notice, as required by 43 CFR 3420.7–1 and 40 CFR 1505.2, is to inform the public that the Secretary of the Interior has selected 13 tracts located in the Alabama Subregion of the Southern Appalachian Federal Coal Production Region and has announced the schedule for the competitive sale of those tracts. The legal descriptions for the tracts to be offered for sale are listed at the end of this notice.

The tracts to be offered have been scheduled in two sales. The first sale will be on June 25, 1981, with the second sale no later than December 1981. If the competitive interest shown at the two sales is significant, additional tracts beyond the 13 will be considered for lease offering at a third sale to be held as soon as possible in Calendar Year 1982.

The 13 tracts for sale in 1981 have been scheduled as follows:

First Sale—June 25, 1981

Upper North River
North River
Goodwin Creek
Harris Cemetery
Upper Sulfur Springs Church
Rock Springs Church
Elm Grove

Second Sale—No Later Than December 1981

Wiley
Dividing Ridge
Jess Creek
Windham Springs
Piney Woods Church
Howard

As part of the Secretary's decision, the Geological Survey (GS) has been directed to examine the royalty rates for non-Federal coal mined by both surface and underground methods in Alabama. The GS is to report its findings to the Secretary so an appropriate royalty rate for the Federal coal can be determined prior to the lease sales for the underground tracts in Alabama. For the surface mineable coal tracts, the Department will, after lease issuance, entertain applications for a royalty reduction, *if justified under the standards in Section 39 of the Mineral Leasing Act, 30 U.S.C. 209,* to the prevailing market rate in Alabama.

A total of 26 tracts were analyzed in the regional lease sale environmental impact statement (EIS). The 13 tracts being offered for sale contain an estimated 109 million tons of Federal mineable reserves that could result in 8 million tons of new annual coal production in the Alabama Subregion by 1987. For some of the 13 recommended tracts, the Secretary's decision allows a "phased-in leading" approach that will ensure a higher degree of protection to the quality of the water supply for the City of Tuscaloosa. The EIS, released in January 1981, showed a possible significant environmental impact could occur to the water quality for Tuscaloosa if all the coal tracts were developed around the same time.

Three of the 13 tracts to be offered may prevent the bypass of Federal coal or will provide for maintenance of present production levels at existing mines. Three other tracts (Harris Cemetery, Upper Sulfur Springs Church, and Elm Grove) will be set aside for bidding by small businesses at the June 1981 sale.

The Secretarial Issue Document that includes the Secretary's decision and discusses the alternatives for leasing and the national policies considered in reaching the decision is available upon request from the Eastern States Director at the above address.

Arnold E. Petty,

Acting Associate Director, Bureau of Land Management.

Approved:

David C. Russell,

Assistant Secretary, Land and Water Resources.

May 22, 1981.

1. Legal Description of Federal Coal in Upper North River Tract.

T. 16 S., R. 10 W., Huntsville Principal Meridian
Sec. 28. NW¼SW¼.
Containing approximately 40 acres in Fayette County.

2. Legal Description of Federal Coal in North River Tract.

T. 17 S., R. 10 W., Huntsville Principal Meridian
Sec. 3. NE¼; E½SE¼;
Sec. 4. N½SW¼; SW¼NW¼;
Sec. 5. E½SE¼; NE¼SW¼; E½NW¼;
Sec. 10. NW¼NE¼; NE¼NW¼;
Sec. 12. SE¼SE¼;
Sec. 13. NE¼NE¼; E½SE¼;
Sec. 15. N½NE¼; SE¼NE¼;
Sec. 17. SE¼NE¼; W½SE¼;
Sec. 21. SW¼NE¼; NW¼SE¼;
Sec. 22. N½NE¼; SW¼SW¼.
Containing approximately 1,197.5 acres in Tuscaloosa County.

3. Legal Description of Federal Coal in Goodwin Creek Tract.

T. 12 S., R. 10 W., Huntsville Principal Meridian
Sec. 19. SE¼SE¼;
Sec. 30. SW¼NE¼; SE¼NW¼; W½NW¼.
Containing approximately 201.2 acres in Walker County.

4. Legal Description of Federal Coal in Harris Cemetery Tract.

T. 14 S., R. 10 W., Huntsville Principal Meridian
Sec. 5. SE¼SW¼.
Containing approximately 40 acres in Fayette County.

5. Legal Description of Federal Coal in Upper Sulfur Springs Church Tract.

T. 16 S., R. 9 W., Huntsville Principal Meridian
Sec. 34. All of the NE¼SE¼ except that portion of a tract (one acre more or less) described in Deed Book 100, page 477, on file in the Fayette County Courthouse, Fayette, Alabama.
Containing approximately 38.94 acres in Fayette County.

6. Legal Description of Federal Coal in Rock Springs Church Tract.

T. 17 S., R. 9 W., Huntsville Principal Meridian
Sec. 2. NW¼SE¼; NW¼SW¼;
Sec. 3. SW¼SE¼; SW¼;
Sec. 4. NE¼NE¼; S½NE¼; S½SW¼;
Sec. 9. E½; SW¼;
Sec. 10. NW¼SE¼; N½; SW¼;
Sec. 11. SE¼SE¼; W½NW¼;
Sec. 12. E½SE¼;
Sec. 13. N½NE¼; N½SW¼;
Sec. 14. E½NE¼; N½SE¼; SE¼SE¼; E½NW¼;
Sec. 15. W½NE¼; NW¼SE¼; NW¼SW¼; NW¼;
Sec. 22. E½SE¼; NE¼NW¼;
Sec. 23. S½NE¼; NE¼SE¼;
Sec. 24. E½SE¼; SW¼NW¼;
Sec. 25. NE¼NE¼; NE¼SE¼; E½SW¼;
Sec. 26. NW¼NW¼;
Sec. 27. NE¼NE¼;
Sec. 36. E½; NE¼SW¼; E½NW¼.
Containing approximately 3,479.98 acres in Tuscaloosa County.

7. Legal Description of Federal Coal in Elm Grove Tract.

T. 14 S., R. 10 W, Huntsville Principal Meridian
Sec. 4. SW¼SW¼;
Sec. 5. NE¼SE¼.
Containing approximately 79.9 acres in Fayette County.

8. Legal Description of Federal Coal in Wiley Tract.

T. 17 S., R. 9 W., Huntsville Principal Meridian
Sec. 30. E½SE¼;
Sec. 31. NE¼NE¼; S½NE¼; SE¼NW¼;
Sec. 32. E½NE¼; W½SW¼; SE¼NW¼; W½NW¼.
T. 17 S., R. 10 W.
Sec. 25. NW¼SW¼;
Sec. 26. NE¼SE¼; NW¼SW¼;
Sec. 27. W½NW¼;
Sec. 28. SE¼NE¼;
Sec. 34. NE¼SE¼;
Sec. 35. NW¼NE¼; SE¼NE¼; E½SW¼; NE¼NW¼;
Sec. 36. SE¼NE¼; N½SW¼; SE¼NW¼.
T. 8 S., R. 9 W.
Sec. 6. SW¼NE¼; W½SW¼; S½NW¼; NE¼NW¼;
Sec. 7. S½NE¼; N½NW¼.
T. 18 S., R. 10 W.
Sec. 1. N½SE¼; SW¼SE¼; SE¼SW¼; NE¼NW¼;
Sec. 11. E½NE¼;
Sec. 12. NW¼NE¼; SE¼SW¼.
Containing approximately 1,919.73 acres in Tuscaloosa County.

9. Legal Description of Federal Coal in Dividing Ridge Tract.

T. 16 S., R. 9 W., Huntsville Principal Meridian
Sec. 15. NW¼SW¼;
Sec. 21. E½NE¼; NW¼NE¼; NE¼SE¼;
Sec. 22. S½N½; N½S½; NW¼NW¼;
Sec. 23. W½SW¼.
Containing approximately 638 acres in Fayette County.

10. Legal Description of Federal Coal in Jess Creek Tract.

T. 14 S., R. 9 W., Huntsville Principal Meridian
Sec. 7. W½NE¼;
Sec. 17. NE¼; E½SE¼; W½SW¼;
Sec. 18. SE¼; S½NE¼; NW¼NE¼; E½W½;
Sec. 19. NE¼; W½SE¼; E½SW¼;
Sec. 20. W½SE¼; NW¼; SW¼NE¼; E½SW¼;
Sec. 21. SE¼; E½SW¼; NW¼SW¼; NW¼.
Containing approximately 1,960 acres in Walker County.

11. Legal Description of Federal Coal in Windham Springs Tract.

T. 18 S., R. 9 W., Huntsville Principal Meridian
Sec. 17. SW¼SW¼;
Sec. 18. N½SE¼; SE¼NW¼;
Sec. 19. S½; SW¼NW¼;
Sec. 20. SW¼SW¼;
Sec. 21. NE¼SE¼;
Sec. 22. S½NE¼; S½; SE¼NW¼; NW¼NW¼;
Sec. 27. W½NE¼; S½; NW¼;
Sec. 28. N½S½; SW¼NW¼;
Sec. 29. N½SE¼; S½SW¼;
Sec. 31. All;
Sec. 32. S½S½;
Sec. 33. N½; NE¼SE¼; S½SW¼; NE¼SW¼;
Sec. 34. N½; N½S½; S½SE¼;
Sec. 35. E½E½; W½W½; NW¼NE¼; SW¼SE¼; NE¼NW¼.
T. 18 S., R. 10 W.,
Sec. 13. NW¼SE¼; NE¼SE¼; S½S½;
Sec. 14. SE¼SE¼;
Sec. 24. N½; N½SE¼; SW¼SE¼; NE¼SW¼;
Sec. 25. NW¼NE¼; SW¼SE¼; N½SW¼; E¼NW¼;
Sec. 26. N½; N½SE¼;
Sec. 27. SE¼NE¼; NE¼SE¼;
Sec. 36. W½NE¼; SE¼NE¼; NE¼NW¼.
Containing approximately 7,439.1 acres in Tuscaloosa County.

12. Legal Description of Federal Coal in Piney Woods Church Tract.

T. 18 S., R. 9 W., Huntsville Principal Meridian
Sec. 29. N½SE¼, that portion west of Crabbe Road; S½SW¼;
Sec. 30. S½SE¼;
Sec. 31. N½N½.
T. 18 S., R. 10 W., Huntsville Principal Meridian
Sec. 25. SW¼SE¼;
Sec. 36. NW¼NE¼; NE¼NW¼.
Containing approximately 481.33 acres in Tuscaloosa County.

13. Legal Description of Federal Coal in Howard Tract.

T. 14 S., R. 10 W., Huntsville Principal Meridian
Sec. 2. SW¼NE¼; S½SE¼; NW¼SE¼; S½SW¼;
Sec. 11. W¼NE¼; partial NE¼NE¼; partial SE¼NE¼; SW¼SE¼; SW¼; E½SW¼NW¼; E½NW¼.
Containing approximately 815 acres in Fayette County.

[FR Doc. 81-16108 Filed 5-28-81; 8:45 am]
BILLING CODE 4310-84-M

[Colorado 3656 WR]

Multiple Use Classification: Partial Termination

May 21, 1981.

1. Pursuant to authority delegated by Bureau Order No. 701 dated July 23, 1964 (29 FR 10526), the Bureau of Land Management Multiple Use Classification Order dated June 4, 1968 (Serial No. C 3656), published in the **Federal Register** June 13, 1968, Vol. 33, No. 115, p. 8682, is hereby terminated as to the following described lands:

Sixth Principal Meridian

Crawford Site

T. 15 S., R. 91 W.
Section 31, Lot 1, NE¼SW¼, N½NE¼.
Containing 160.52 acres in Delta County.

2. At 7:45 a.m. on July 2, 1981 the lands shall be open to the public land laws, including the U.S. mining laws, subject to any valid rights and the provisions of existing withdrawals.

3. The lands have been and remain open to filing under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the undersigned, Attention: Alvah Q. Whitledge, Acting Chief, Withdrawal Section, Bureau of Land Management, 2000 Arapahoe Street, Denver, Colorado 80205.

George C. Francis,
State Director.

[FR Doc. 81-16079 Filed 5-28-81; 8:45 am]
BILLING CODE 4310-84-M

[Colorado 8085 WR]

Multiple Use Classification: Partial Termination

1. Pursuant to authority delegated by Bureau Order No. 701 dated July 23, 1964 (29 FR 10526), the Bureau of Land Management Multiple Use Classification Order dated February 19, 1969 (Serial No. C 8085), published in the **Federal Register** February 27, 1969, Vol. 34, No. 39, p. 2676, is hereby terminated as to the following described lands:

New Mexico Principal Meridian

Elk Park Site

T. 42 N., R. 7 W.
Section 20, NE¼NE¼

Kendall Ski Area

T. 41 N., R. 7 W.
Section 16, S½NW¼SW¼, N½SW¼SW¼
Section 17, S½NE¼SE¼, N½SE¼SE¼, NE¼SW¼SE¼
Excluding patented lands
Containing approximately 130 acres in San Juan County.

2. At 7:45 a.m. on July 2, 1981 the lands shall be open to the public land laws, including the U.S. mining laws, subject to any valid rights and the provisions of existing withdrawals.

3. The lands have been and remain open to filing under the mineral leasing laws.

Inquiries concerning the lands should be addressed to the undersigned, Attention: Alvah Q. Whitledge, Acting Chief, Withdrawal Section, Bureau of Land Management, 2000 Arapahoe Street, Denver, Colorado 80205.

George C. Francis,

State Director.

[FR Doc. 81-15693 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

New Mexico & Colorado San Juan River Regional Coal Team Meeting

May 22, 1981.

AGENCY: Bureau of Land Management.

ACTION: Public Hearing and Opening of a Comment Period.

SUMMARY: The New Mexico State Office of the Bureau of Land Management advises the public that hearings will be held to receive oral and written comments in order to assist the Secretary of the Interior through the San Juan River Regional Coal Team, in his review of the Federal coal production goals for the San Juan River Coal Production Region. The hearings will be held in Albuquerque and Farmington, New Mexico. Individuals wishing to comment orally at the public hearings are asked to provide written copies of their remarks if possible. Oral and written comments will be accepted at the public hearings. Written comments should be addressed to the New Mexico State Director at the address given below.

DATE: Written comments will be accepted until close of business, August 17, 1981. Public hearings will be held in Albuquerque, New Mexico on July 13, 1981 and in Farmington, New Mexico on July 16, 1981. The hearings will start at 10:00 a.m.

ADDRESS: Written comments on the production goals should be addressed to Bureau of Land Management, New Mexico State Director, P.O. Box 1449, Santa Fe, New Mexico 87501. The public hearing will be held in Albuquerque, New Mexico, in the Cochiti-Taos Rooms, Albuquerque Convention Center and in Farmington, New Mexico, at The Inn, 700 Scott Ave.

FOR FURTHER INFORMATION CONTACT: Gene Day, San Juan River Project Manager, Bureau of Land Management, P.O. Box 1449, Santa Fe, New Mexico 87501. Telephone (505) 988-6226.

SUPPLEMENTARY INFORMATION: The Department of Energy (DOE) issued updated national and regional coal production goals on January 26, 1981. These coal production goals are intended to guide the Department of the Interior (DOI) and the Regional Coal Team (RCT) in setting a Federal leasing target for the San Juan River Federal Coal Production Region

DOE Final Production Goals San Juan River Region

(Million tons annually)

	1990	1995
Low	54.5	57.6
Medium	57.6	61.2
High	58.9	63.7

The coal production goals developed by DOE are provided at three levels of energy consumption growth rates—low, medium and high. Due to the uncertainties regarding coal consumption over the next 10–15 years, especially for electric utilities and synthetic fuels, the range in the goals is substantial. The DOE final production goals have been provided to the San Juan River RCT.

The Federal Coal Management Regulations (43 CFR 3420.3-2(d)) require that the RCT consider the regional situation and recommend adjustments to the regional production goals based on such factors as: (1) public comment received in writing or in hearing(s) held by the team in the region, (2) State Government, Bureau of Land Management State Office, Indian Tribe and regional development policies, (3) administrative capacity to satisfy the indicated level of leasing based on the final production goals, and (4) other information available to the Regional Coal Team which they believe should receive consideration by the Secretary in his review of the final regional production goals.

The purpose of this notice is to call for public comment on the production goals in order to assist the RCT in formulating its recommendations to the Secretary.

Larry L. Woodard,

Associate State Director.

[FR Doc. 81-16077 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

[3350-1]

Outer Continental Shelf Advisory Board; Alaska Regional Technical Working Group Committee; Meeting

This notice is issued in accordance with the provisions of the Federal Advisory Committee Act, Pub. L. 92-643.

The Alaska Regional Technical Working Group Commitee of the National Advisory Board will hold a meeting on June 24-25, 1981, beginning at 9 a.m. in Mountainview Conference Room, Alaska OCS Office, 620 East 10th Avenue, Anchorage, Alaska.

The meeting will cover the following principal subjects:

—The proposed April 1981 OCS leasing schedule

—The supplemental EIS on the April 1981 proposed schedule

—The planning unit concept

—The streamlining process

—Fiscal year 1982 technical development plans for studies

—Fiscal year 1983 Regional Studies Plan

—Scale 60 proposed notice of sale

—NERBC study products

The meeting is open to the public. Public attendance may be limited by the space available. Summary minutes of the meeting will be available at the Alaska OCS Office for public inspection and copying 3 weeks after the meeting.

For further information, contact Gordy Euler at the Alaska OCS Office, (907) 276-2955.

Dated: May 19, 1981.

Robert J. Brock,

Acting Manager, Alaska OCS Office.

[FR Doc. 81-16074 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-84-M

Shoshone and Benewah Counties, Idaho; Realty Action, Exchange of Public Lands

May 22, 1981.

The following described lands have been examined and determined through the public land use planning process to be suitable for disposal by exchange under Section 206 of the Federal Land Policy and Management Act of October 21, 1976, 43 U.S.C. 1716:

B.M.—Shoshone County, Idaho

T. 48 N., R. 3 E.,
Sec. 10—lot 2, NW¼SW¼.
70.25 acres.

The public lands are hereby segregated from all forms of appropriation under the public land laws including the mining laws for a period of two (2) years.

The classification decision of May 24, 1978 as it affects Lot 2, Sec. 10, T. 48 N., R. 3 E., B.M. is hereby ammended to allow the transfer of title by exchange under Sec. 206 of the Federal Land Policy and Management Act (FLPMA) of October 21, 1976.

In exchange for these lands, the Federal Government will acquire a tract of private land in Benewah County, Idaho described as follows:

B.M—Benewah County, Idaho

T. 47 N., R .1 W.,
Sec. 31—SE¼NE¼, NE¼SE¼, Lot 11.
110.42 acres.

The purpose of this exchange is to allow various actions as follows:

1. Allow the Sunshine Mining Company to obtain fee title to lands they partially developed as part of a Golf and Tennis Club facility as authorized under Recreation and Public Purposes Lease I–14403 for the Shoshone Golf and Tennis Club, Inc.

2. Make possible the fee title transfer of the land and facilities thereon to the Shoshone Golf and Tennis Club, Inc. as agreed upon by the Sunshine Mining Co.;

3. Make possible for transfer of the roads constructed to county acceptance standards to Shoshone County as agreed upon with the Shoshone County Commissioners;

4. Allow the development, maintenance, management and control of a water system which will serve the Shoshone Golf and Tennis Club, the executive housing for the Sunshine Mine, and the mines metal processing facilities and offices; and

5. Allow for the full development of the lands adjacent to this golf course and mine properties without repeated applications and grants of rights-of-way and other permits which may be required by the Bureau of Land Management.

Construction of this golf course replaced the course now occupied by the Sunshine Mining Company's tailings impoundment.

The Shoshone Golf and Tennis Club, Inc. is a non-profit organization which is supported by the local mining industry and other private and county organizations.

The Shoshone Golf and Tennis Club, Inc. desires and needs a new locations for a water storage facility and waterlines in the NE¼SW¼, Sec. 10, T. 48 N., R. 3 E., B.M. to provide adequate water for fire protection and domestic use for the club's facilities. The Sunshine Mining Company has agreed to construct these facilities in accord with Public Health and Safety Standards to provide sufficient water for domestic and fire protection use.

Examination of the public land records and the public land involved revealed there are mining claims of record. The Sunshine Mining company is attempting to deal with all claimants equitably. All claimants of record should contact the Bureau of Land Management and the Sunshine Mining company to resolve any claim to minerals that may be in these lands.

The public interest will be well served by making this exchange. The terms and conditions applicable to the exchange are:

1. The exchange will be for fee title transfer for all lands involved on an equal value basis with monetary equalization if necessary. Preliminary value estimates indicate the lands involved are near equal value.

2. The public lands selected and proposed to be patented will be subject to the following reservations:

a. A ditches and canals reservation common to all patents issued.

b. A right-of-way for 50 feet on either side of the centerline of the existing Washington Water Power transmission line as authorized under Serial No. I–09108 and Federal Power Commission (FPC) license for Power Project 1072 as withdrawn by FPC Order of December 3, 1941.

c. A right-of-way for 25 feet on either side of the centerline at the existing Washington Water Power natural gas pipeline as authorized under Serial Number I–016691.

d. A road right-of-way as surveyed for 30 feet on either side of its centerline from the intersection with the road to be transferred to Shoshone County along the existing ridge road southerly to the south boundary of the NW¼SW¼, Sec. 10, T.48N., R.3E., B.M.

The lands the Sunshine Mining Company proposes to deed to the United States in exchange would not be affected by any reservations other than the ditches and canal reservation originally reserved by the United States.

The publication of this notice in the **Federal Register** will segregate the public lands described above from appropriation under the public land laws, including the mining laws. As provided by the regulations of 43 CFR 2201.1(b), any subsequently tendered application, allowance of which is discretionary, shall not be accepted and shall be returned to the applicant.

Detailed information concerning the exchange, including the environmental assessment and the record of public discussions, is available for review at the Coeur d'Alene District Office, P.O. Box 1889, 1808 North 3rd, Coeur d'Alene, Idaho 83814. For a period of 45 days interested parties may submit comments to the District Manager, Coeur d'Alene District Office, Bureau of Land Management, at the above address.

Any adverse comments will be evaluated by the authorized officer who may vacate or modify this realty action and issue a final determination. In the absence of any adverse comments, this realty action will become the final determination of the department.

Wayne Jinne,

Acting District Manager.

[FR Doc. 81–16008 Filed 5–28–81; 8:45 am]

BILLING CODE 4310–84–M

Fish and Wildlife Service

Endangered Species Permit; Receipt of Applications

The applicants listed below wish to conduct various activities with Endangered Species:

Applicant: Louisiana Department of Wildlife and Fisheries, New Orleans, LA; PRT 2–7994

The applicant requests a permit to capture, handle, mark, radio-tag, relocate and release American alligators (*Alligator mississippiensis*) for the purpose of scientific research in the state of Louisiana.

Applicant: Terry Lilley, Morro Bay, CA; PRT 2–7998

The applicant requests a permit to import five (5) Jamaican boas (*Epicrates subflavus*) from the Hope Zoo, Kingston, Jamaica to Morro Bay, California for enhancement of propagation and scientific research.

Humane care and treatment during transport, if applicable, has been indicated by the applicants.

Documents and other information submitted with these applications are available to the public during normal business hours in Room 601, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the U.S. Fish and Wildlife Service, WPO, P.O. Box 3654, Arlington, VA 22203.

Interested persons may comment on these applications on or before June 29, 1981, by submitting written data, views, or arguments to the Director at the above address.

Dated: May 21, 1981.

Larry LaRochelle,

Acting Chief, Permit Branch, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service.

[FR Doc. 81–16095 Filed 5–28–81; 8:45 am]

BILLING CODE 4310–55–M

Endangered Species Permit; Receipt of Applications

The applicants listed below wish to conduct various activities with endangered Species:

Applicant: Knoxville Zoological Park, Knoxville, TN; PRT 2-7737

The applicant requests a permit to be authorized to receive and possess injured or orphaned endangered birds brought to the zoo by private citizens for enhancement of survival, rehabilitation, and release to the wild.

Applicant: Tennessee Valley Authority, Norris, TN; PRT 2-4252

The applicant requests a permit to take up to ten (10) gravid Cumberland monkeyface pearly mussels *(Quadrula intremedia)* per year in 1981 and 1982 from the Powell River in Virginia and Tennessee to obtain glochidia to be used for scientific research to determine the fish host(s).

Humane care and treatment during transport, if applicable, has been indicated by the applicants.

Documents and other information submitted with these applications are available to the public during normal business hours in Room 601, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the U.S. Fish and Wildlife Service, WPO, P.O. Box 3654, Arlington, VA 22203.

Interested persons may comment on these applications on or before June 29, 1981, by submitting written data, views, or arguments to the Director at the above address.

Dated: May 26, 1981.

Steve Funderburk,

Acting Chief, Branch of Permits, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service.

[FR Doc. 81-16096 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-55-M

Endangered Species Permit; Receipt of Application

Applicant: San Diego Zoological Gardens, San Diego, CA.

The applicant requests a permit to import urine samples from brown hyenas (*Hyaena brunnea*) from the Assiniboine Park Zoo, Winnipeg, Manitoba, Canada for scientific research.

Documents and other information submitted with this application are available to the public during normal business hours in Room 601, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the U.S. Fish and Wildlife Service, Federal Wildlife Permit Office, P.O. Box 3654, Arlington, VA 22203.

This application has been assigned file number PRT 2-8013. Interested persons may comment on this application on or before June 29, 1981, by submitting written data, views, or arguments to the Director at the above address. Please refer to the file number when submitting comments.

Dated: May 26, 1981.

Steven L. Funderburk,

Acting Chief, Branch of Permits, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service.

[FR Doc. 81-16097 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-55-M

Receipt of Application for Permit

Notice is hereby given that an Applicant has applied in due form for an amendment to his Permit to take sea otters 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 18).

1. Applicant:
   a. Name: Donald B. Siniff and John R. Tester.
   b. Address: University of Minnesota, Minneapolis, MN 55455.
2. Type of permit: Scientific Research.
3. Name and Number of Animals: 300 sea otters (*Enhydra lutris*).
4. Type of Activity: capture for tagging and extraction of premolar.
5. Location of Activity: 100 otters will be taken at Amchitka Island, AK; 200 in Prince William Sound.
6. Period of Activity: until 31 July 1982.

The purpose of this application is to (1) gather data on population dynamics and social behavior (2) investigate use of premolars in aging technique and (3) determine feasibility of using a capture pistol for territorial males.

Concurrent with the publication of this notice in the Federal Register the Federal Wildlife Permit Office is forwarding copies of this application to the Marine Mammal Commission and the Committee of Scientific Advisors.

The application has been assigned file number PRT 2-4114. Written data or views, or requests for copies of the complete application or for a public hearing on this application should be submitted to the Director, U.S. Fish and Wildlife Service (WPO), Washington, D.C. 20240, on or before June 29, 1981. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such hearing is at the discretion of the Director.

All statements and opinions contained in this application are summaries of those of the Applicant and do not necessarily reflect the views of the United States Fish and Wildlife Service.

Documents submitted in connection with the above application are available for review during normal business hours in Room 605, 1000 North Glebe Road, Arlington, Virginia.

Dated: May 21, 1981.

Larry LaRochelle,

Acting Chief, Branch of Permits, Federal Wildlife Permit Office.

[FR Doc. 81-16088 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-55-M

Geological Survey

Request for Public Comment on Maximum Economic Recovery and Fair Market Value

AGENCY: Geological Survey, Department of the Interior.

The U.S. Geological Survey has delineated two tracts, one known as the China Butte tract and the other as the Red Rim tract, as candidates for possible lease sale in the Green River-Hams Fork coal production region in Wyoming. These two tracts are currently under consideration for leasing by the Department of the Interior. Each tract lies within a checkerboard ownership pattern as a result of a Federal railroad land grant. The Federal acreages included in the China Butte tract, if offered, will be offered for lease singly, i.e., not in conjunction with the interspersed private tracts.

The U.S. Department of the Interior is currently attempting to reach a cooperative agreement with the holder of the interspersed private coal sections in the Red Rim tract. If such a cooperative agreement is reached, the private coal sections would be offered in conjunction with the Federal Red Rim sections. The results of those negotiations cannot be determined at this time; however, the U.S. Geological Survey is requesting comments on fair market value for the Federal coal, whether the Red Rim tract is offered for lease sale with or without a cooperative agreement.

A description of the two tracts is contained in Table I. More complete geologic data on these tracts are available in the tract delineation reports and the economic recovery potential analysis report for each tract. These reports are available for public inspection at the Office of the Deputy Conservation Manager for Resource Evaluation, North Central Region, Conservation Division, U.S. Geological Survey, 100 East "B" Street, Room 2001, Casper, Wyoming 82601. Additional

data on these tracts are available from the Final Environmental Impact Statement (FEIS). Copies of the FEIS are available from the Bureau of Land Management (BLM) State Office, 2515 Warren Avenue, Cheyenne, Wyoming 82001.

The public is invited to submit written comments on the fair market value of the listed tracts to the U.S. Geological Survey. Comments should address, but not necessarily be limited to, the following:

1. The quantity and quality of the coal resource for each tract by seam(s).
2. The mining method or methods which would achieve maximum economic recovery of the coal, including specification of seams to be mined on each tract and the most desirable timing and the rate of production.
3. The demonstrated and recoverable reserves of coal on each tract by seam(s).
4. Which of the tracts, if any, should be evaluated as part of a larger mining unit (i.e., those tracts which do not in themselves form a logical mining unit).
5. The configuration of the larger mining unit of which the tract may be a part.
6. Restrictions to mining which may affect coal recovery.
7. The price that the mined coal would bring in the marketplace.
8. The cost of producing the coal including mining and reclamation costs.
9. The percentage rate at which anticipated income streams should be discounted, either in the absence of inflation or including inflation, in which case the anticipated rate of inflation should be given.
10. Depreciation and other accounting factors.
11. The value of the surface estate where privately held.
12. Documented information on the terms and conditions of recent and similar coal land transactions in the lease sale area.

If information submitted is considered to be proprietary, the information should be so labeled in the first page of any written comment(s). The U.S. Geological Survey will treat any submitted information as being confidential if so requested by any person(s), firm(s), or organization(s) and if authorized by the exemption provisions of the Freedom of Information Act. Comments should be sent to the Conservation Manager, North Central Region, Conservation Division, U.S. Geological Survey, 100 East "B" Street, Room 4130, Casper, Wyoming 82601. Comments should be received no later than 30 days after publication of this notice.

This request for comments should not be interpreted as a firm commitment by the Federal Government to lease either of the tracts listed herein. Any decision to offer for public lease sale either or both of these tracts will be made in a public notice of sale issued by the BLM not less than 30 days prior to any sale. These procedures are in accordance with the procedures specified in the 43 CFR 3400 series, Federal Coal Management Regulations.

In addition to the information regarding reserves (Table I), the Departmental policy calls for release of all nonproprietary data which are used as input in the discounted cash flow evaluation model. Under this policy, we are releasing for public comment and review our initial estimates of: (1) "the coal selling price," which is an estimate of the range of current market prices and is based upon the quality of the coal; (2) "the unit mining cost," which is an estimate of the range of all operating costs used to produce the coal; and (3) a discount rate of 10 percent and a nine percent inflation factor.

It should be noted that these values are current estimates only and may or may not change as a result of comments received from the public and/or changes in market conditions between now and when any final evaluations are completed.

Table I—*Description of possible lease tracts in the Green River-Hams Fork Wyoming coal region*

Tract name	County, township and range	Acreage	Demonstrated reserve base estimate (millions of tons)	Probable mine type	As received Btu/per pound	Sulfur content (percent)	ash content (percent)
Red Rim	Carbon, T. 19-20-21 N.; Sweetwater, R. 89-90-91 W.	9,715.49	40.5	Surface	8,560	0.45	9.30
China Butte	Carbon, T. 17-18-19 N., R. 91 W.	5,974.09	73.9	Surface	8,800	0.56	7.35

Our geologic reports and reports on preliminary economic data are on file and available for public inspection and review at the U.S. Geological Survey office cited in this public notice.

Dwayne E. Hull,

Conservation Manager, North Central Region.

[FR Doc. 81-16000 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-31-M

Oil, Gas and Sulphur Operations in the Outer Continental Shelf; Mesa Petroleum Co.

AGENCY: Geological Survey, Interior.

ACTION: Notice of the Receipt of a Proposed Development and Production Plan.

SUMMARY: Notice is hereby given that Mesa Petroleum Company has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS–G 3588, Block 12, portion, South Pelto Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and that it is available for public review at the offices of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: U.S. Geological Survey, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837–4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the U.S. Geological Survey makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested

parties became effective December 13, 1979 (44 FR 53685). Those practices and procedures are set out in a revised Section 250.34 of Title 30 of the Code of Federal Regulations.

Dated: May 22, 1981.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 81-15692 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-31-M

INTERNATIONAL CONVENTION ADVISORY COMMISSION

Meeting

Notice is hereby given in accordance with Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. Appendix I, that a meeting of the International Convention Advisory Commission will be held on Tuesday, June 30, 1981, 9:30 p.m., Council on Environmental Quality, 722 Jackson Place, NW., Washington, D.C.

The Commission will consider a report on vertebrate species in trade, a report on trade in parrots, and miscellaneous other business.

For further information contact Dr. William Y. Brown, Executive Secretary, International Convention Advisory Commission, Suite 220, 1010 Wisconsin Avenue, NW., Washington, D.C. 20007, telephone 202/343-7407. Opportunity will be given for oral or written presentations provided that appointments are made with Dr. Brown by 5:00 p.m., June 26, 1981.

Dated: May 26, 1981.

William Y. Brown,

Executive Secretary, International Convention Advisory Commission.

[FR Doc. 81-16032 Filed 5-28-81; 8:45 am]

BILLING CODE 4310-68-M

INTERSTATE COMMERCE COMMISSION

[Volume No. OP1-155]

Motor Carriers; Permanent Authority Decision; Decision-Notice

Decided: May 21, 1981.

The following applications, filed on or after July 3, 1980, seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control of motor carriers pursuant to 49 U.S.C. 11343 or 11344. Also, applications directly related to these motor finance applications (such as conversions, gateway eliminations, and securities issuances) may be involved.

The applications are governed by Special Rule 240 of the Commission's Rules of Practice (49 CFR 1100.240). See Ex Parte 55 (Sub-No. 44), *Rules Governing Applications Filed By Motor Carriers Under 49 U.S.C. 11344 and 11349*, 363 I.C.C. 740 (1981). These rules provide among other things, that opposition to the granting of an application must be filed with the Commission in the form of verified statements within 45 days after the date of notice of filing of the application is published in the **Federal Register**. Failure seasonably to oppose will be construed as a waiver of opposition and participation in the proceeding. If the protest includes a request for oral hearing, the request shall meet the requirements of Rule 242 of the special rules and shall include the certification required.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.241. A copy of an application, together with applicant's supporting evidence, can be obtain from any applicant upon request and payment to applicant of $10.00, in accordance with 49 CFR 1100.241(d).

Amendments to the request for authority will not be accepted after the date of this publication. However, the Commission may modify the operating authority involved in the application to conform to the Commission's policy of simplifying grants of operating authority.

We find, with the exception of those applications involving impediments (e.g., jurisdiction problems, unresolved fitness questions, questions involving possible unlawful control, or improper divisions of operating rights) that each applicant has demonstrated, in accordance with the applicable provisions of 49 U.S.C. 11301, 11302, 11343, 11344, and 11349, and with the Commission's rules and regulations, that the proposed transaction should be authorized as stated below. Except where specifically noted this decision is neither a major Federal action significantly affecting the qualify of the human environment nor does it appear to quality as a major regulatory action under the Energy Policy and Conservation Act of 1975.

We also find that the transaction is consistent with the public interest, will enable the rail carrier to use motor carrier transportation to public advantage in its operation, and will not unreasonably restrain competition.

In the absence of legally sufficient protests as to the finance application *or* to any application directly related thereto filed within 45 days of publication (or, it the application later becomes unopposed), appropriate authority will be issued to each applicant (unless the application involves impediments) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. To the extent that the authority sought below may duplicate an applicant's existing authority, the duplication shall not be construed as conferring more than a single operating right.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice of effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 1, Members Parker, Chandler, and Fortier.

Agatha L. Mergenovich,

Secretary.

MC-F-14625, filed April 30, 1981. PACIFIC MOTOR TRUCKING COMPANY (PMT) (1766 El Camino Real, Burlingame, CA 94010)—Continuance in control—LOUIS HELLER, INCORPORATED (Heller) (1235 Glendale Rd., Sparks, NV 89431). Representatives: Lloyd M. Roach, 7600 South Central Expressway, P.O. Box 226187, Dallas, TX 75266; John MacDonald Smith, Southern Pacific Bldg., Room 813, One Market Plaza, San Francisco, CA 94105. PMT seeks authority to continue in control of Heller upon the institution by Heller of operations, in interstate or foreign commerce, as a motor contract carrier. Southern Pacific Transportation Co. (SPT), the sole stockholder of PMT, and in turn, Southern Pacific Company, a publicly held non-carrier and the sole stockholder of SPT, seek authority to acquire control of said rights and property through the transaction. PMT is a motor carrier pursuant to authority issued in MC-78786 and MC-78787. SPT, a rail carrier, controls Southern Pacific Transportation of Texas and Louisiana (MC-30319), Pacific Motor Transport Company (MC-54696), Southern Pacific Marine Transport, Inc., a freight forwarder (FF-514), and controls through 99.87% stock ownership, St. Louis Southwestern Railroad Company, a rail carrier which controls by 100% stock ownership, Southwestern Transportation Company (MC-59488). Condition: Approval and authorization of this transaction is conditioned upon the prior receipt by the Commission of an affidavit signed by officers of Southern Pacific Company and Southern Pacific Transportation Co. stating that they are persons in control of Heller and that they join in this application.

Note.—A directly related application has been filed and docketed MC–152491 and published in this same **Federal Register** issue.

[FR Doc. 81-15936 Filed 5-28-81; 8:45 am]
BILLING CODE 7035-01-M

[Volume No. OP1–156]

Motor Carriers; Permanent Authority Decision; Decision-Notice

Decided: May 21, 1981.

The following operating rights applications, filed on or after July 3, 1980, are filed in connection with pending finance applications under 49 U.S.C. 10926, 11343 or 11344. The applications are governed by Special Rule 252 of the Commission's General Rules of Practice (49 CFR 1100.252).

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. Persons submitting protests to applications filed in connection with pending finance applications are requested to indicate across the front page of all documents and letters submitted that the involved proceeding is directly related to a finance application and the finance docket number should be provided. A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the request for authority are not allowed. However, the Commission may have modified the applications to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exceptions of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each applicant has demonstrated that its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requierments of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests in the form of verified statements as to the finance application *or* to the following operating rights applications directly related thereto filed within 45 days of publication of this decision-notice (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except where the application involves duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice of effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board Number 1, Parker, Chandler and Fortier.

Agatha L. Mergenovich,
Secretary.

MC 152491, filed April 30, 1981. Applicant: LOUIS HELLER, INCORPORATED, 1766 El Camino Real, Burlingame, CA 94010. Representatives: Lloyd M. Roach, 7600 South Central Expressway, P.O. Box 226187, Dallas, TX 75266, (214) 376–4423; John MacDonald Smith, Southern Pacific Bldg., Rm. 813, One Market Plaza, San Francisco, CA 94105, (415) 362–1212 (Ext. 21354). Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with St. Louis Southwestern Railway Company, of San Francisco, CA.

Note.—This application is directly related to MC–F–14625, published in this same **Federal Register** issue.

[FR Doc. 81-15937 Filed 5-28-81; 8:45 am]
BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the **Federal Register** of December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication (or, if the application later becomes unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OP1–151

Decided: May 19, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 10321 (Sub-7), filed May 11, 1981. Applicant: J. A. CARMAN TRUCKING CO., INC., One Anderson Dr., P.O. Box 11–530, Albany, NY 12211. Representative: Michael R. Werner, P.O. Box 1409, 167 Fairfield Rd., Fairfield, NJ 07006, (201) 575–7700. Transporting *petroleum, natural gas and their products*, between Philadelphia, PA, New York, NY, points in MA, and VT, those in Suffolk County, NY, and those in NY in and east of St. Lawrence, Herkimer, Otsego, Delaware, Sullivan, Orange, and Rockland Counties.

MC 123111 (Sub-11), filed May 11, 1981. Applicant: QUEENSWAY TANK LINES, LIMITED, 635 Industrial Ave., Ottawa, Ontario, Canada K1G 0Z1. Representative: Edward G. Villalon, 1032 Pennsylvania Bldg., Pennsylvania Ave. & 13th St., N.W., Washington, DC 20004, (202) 628–4600. Transporting *commodities in bulk*, between ports of entry on the international boundary line between the U.S. and Canada in NY and VT, on the one hand, and, on the other, those points in the U.S. in and east of WI, IL, KY, TN, and MS.

MC 128190 (Sub-18), filed May 12, 1981. Applicant: FREMONT CONTRACT CARRIERS, INC., 1520 Railroad St., P.O. Box 489, Fremont, NW 68025. Representative: Wendell Bruner (same address as applicant), (402) 721–3020. Transporting *such commodities* as are dealt in by lumber yards, between points in the U.S., under continuing contract(s) with Braun, Ray Bros. & Finley Co., of Omaha, NE.

MC 143280 (Sub-24), filed May 4, 1981. Applicant: SAFE TRANSPORTATION COMPANY, a corporation, 6834 Washington Avenue South, Eden Prairie, MN 55344. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118, (612) 457–6889. Transporting *general commodities* (except classes A and B explosives), between St. Louis, MO, on the one hand, and, on the other, points in OH, MI, IA, IL, NE, ND, SD, WY, MT, KS, IN, MN, KY, TN, AR, and OK.

MC 147811 (Sub-9), filed May 4, 1981. Applicant: FLO–JO CONTRACTING, INC., P.O. Box 283, Belgrade Lakes, ME 04918. Representative: Karl A. Johnson (same address as applicant), (207) 397–2757. Transporting *pulp, paper and related products, and rubber and plastic articles*, between points in the U.S., under continuing contract(s) with Scott Paper Company, of Philadelphia, PA.

MC 148620 (Sub-12), filed May 11, 1981. Applicant: K.G.L. CONTRACTING SERVICE, INC., P.O. Box 8202, Pembroke Pines, FL 33024. Representative: Robert W. Gerson, 1400 Candler Bldg., 127 Peachtree St., N.E., Atlanta, GA 30303, (404) 685–8045. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with United Technologies Corporation, Essex Group, Inc., of Fort Wayne, IN.

MC 152610 (Sub-2), filed April 28, 1981. Applicant: RAVEN DISTRIBUTORS, INC., 6705 E. Marginal Way South, Seattle, WA 98108. Representative: Jim Pitzer, 15 S. Grady Way, Suite 321, Renton, WA 98055 (206) 235–1111. Transporting *food and related products, and institutional materials, equipment, and supplies*, between points in WA, OR, CA, and ID.

MC 152691, filed May 13, 1981. Applicant: SANTOS RICO, d.b.a. AUTO TRANSPORTES, 1102 E. Francis, Corona, CA 91720. Representative: Santos Rico (same address as applicant), (706) 568–3353. Transporting *machinery*, between points in the U.S., under continuing contract(s) with (a) Certron Corporation of Anaheim, CA, and (b) Beckman Instruments, Inc., of Fullerton, CA.

MC 152961, filed May 13, 1981. Applicant: TRAVELAND BUS COMPANY, 4925 Preakness Way, Virginia Beach, VA 23464. Representative: Alfred West Shelton III (same address as applicant), (804) 467–3450. Transporting *passengers and their baggage* in the same vehicle with passengers, in charter and special operations, beginning and ending at points in VA, and extending to points in the U.S.

MC 154571, filed May 6, 1981. Applicant: SOUTHERN INTERIOR HOLDINGS LTD., Southern Interior Express, 212 Collis Road, P.O. Box 1519, Creston, B.C. Canada VOB IGO. Representative: Herb Rennich (same address as applicant), (604) 223–8410. Transporting *lumber and wood products*, between points in the U.S., under continuing contract(s) with Sunwest Energy, of Lynnwood, WA.

MC 154621 (Sub-1), filed May 11, 1981. Applicant: MONROE WAREHOUSE COMPANY, INC., P.O. Box 2525, Monroe, LA 71207. Representative: Donald B. Morrison, P.O. Box 22628, Jackson, MS 39205, (601) 948–8820. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with International Minerals & Chemical Corporation of Mundelein, IL.

MC 154751 (Sub-2), filed May 7, 1981. Applicant: SUN COAST TRANSPORT CORPORATION, 4608 N. Coopr Place, Tampa, FL 33684. Representative: Sol H. Proctor, 1101 Blackstone Bldg., Jacksonville, FL 32202, (904) 632–2300. Transporting *food and related products*, between points in FL.

MC 155341, filed May 4, 1981. Applicant: PIONEER EXPRESS, INC., 1715 S.E. Skyline Drive, Oklahoma City, OK 73129. Representative: G. Timothy Armstrong, 200 North Choctaw, P.O. Box 1124, El Reno, OK 73036, (405) 262–1322. Over regular routes, transporting *general commodities* (except classes A and B explosives), betwen Oklahoma City, OK, and Shamrock, TX, over U.S. Hwy 66 and Interstate Hwy 40, serving all intermediate points and serving Arapaho, Bessie, Cordell and Burns Flat, OK, as off-route points.

MC 155901, filed May 12, 1981. Applicant: THE McMURRAY MOTOR FREIGHT COMPANY, INC., 1010 Woodend Road, Woodbury, CT 06798. Representative: Gerald A. Joseloff, 410 Asylum St., Hartford, CT 06103, (203) 728–0700. Transporting *general commodities* (except classes A and B explosives), between points in CT, MA, and RI, on the one hand, and, on the other, points in CT, MA, RI, NY, NJ, and PA.

MC 155911, filed May 13, 1981. Applicant: FREIGHT MASTERS, INC., 7500 23rd Ave., South, Minneapolis, MN 55450. Representative: Robert L. Cope, 1730 M St., N.W., Suite 501, Washington, DC 20036, (202) 296–2900. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Transportation Systems International, Inc., of Bloomington, MN.

MC 155920, filed May 11, 1981. Applicant: NORMAN G. MAGA & LUCILLE A. MAGA, P.O. Box 225, Winnemucca, NV 89445. Representative: Irene Warr, Ste. 280 Western Home Bank Bldg., 311 S. State St., Salt Lake City, UT 84111, (801) 531–1300. Transporting *machinery*, between points in Humboldt County, NV, on the one hand, and, on the other, points in AZ, CA, OR, UT, and WA.

MC 155950, filed May 13, 1981. Applicant: TWIN'S EXPRESS INC., 34 Dorwin Drive, West Springfield, MA 01089. Representative: Edward T. Smart, Jr., (same address as applicant), (413) 737–7491. Transporting *general commodities* (except classes A and B explosives), between points in MA, CT, and RI.

MC 155951, filed May 12, 1981. Applicant: STEVE BOYD d.b.a. BOYD & SONS TRUCKING, Route 3, Washington, IN 47501. Representative: Robert W. Loser II, 1101 Chamber of Commerce Bldg., 320 N. Meridian St., Indianapolis, IN 46204, (317) 635-2339. Transporting lumber and wood products, between points in IN, IL, MI, OH, and WI, on the one hand, and, on the other, points in AL, AR, GA, LA, and MS.

Volume No OP1-153

Decided: May 20, 1981.
By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

FF-551, filed May 6, 1981. Applicant: COSMOPOLITAN FORWARDERS, LTD., 6715 Backlick Road, Suite 203, Springfield, VA 22150. Representative: David Earl Tinker, 1000 Connecticut Ave., N.W., Suite 1112, Washington, DC 20036, (202) 887-5868. As a *freight forwarder*, in connection with the transportation of *household goods*, between points in the U.S.

MC 40971 (Sub-6), filed May 13, 1981. Applicant: UTAH-WYOMING FREIGHT LINE, INC., 2818 W. 2700 S., Salt Lake City, UT 84119. Representative: William S. Richards, P.O. Box 2465, Salt Lake City, UT 84110, (801) 531-1777. Transporting *general commodities* (except classes A and B explosives), between points in UT and WY.

MC 48441 (Sub-73), filed May 12, 1981. Applicant: R. M. E., INC., P.O. Box 418, Streator, IL 61364. Representative: E. Stephen Heisley, 805 Mclachlen Bank Bldg., 666 Eleventh St., N.W., Washington, DC 20001, (202) 628-9243. Transporting (1) *containers and container closures*, between the facilities of Continental Group and Ball Corporation in those points in the U.S. in and east of MT, WY, CO, and NM, on the one hand, and, on the other, those points in the U.S. in and east of MT, WY, CO, and NM, (2) *pulp, paper and related products*, between the facilities of Continental Group and Clevepak Corporation in the U.S., on the one hand, and, on the other, points in the U.S., and (3) *building materials*, between the facilities of Continental Group in the U.S. on the one hand, and, on the other, points in the U.S.

MC 52460 (Sub-329), filed May 14, 1981. Applicant: ELLEX TRANSPORTATION, INC., 1420 W. 35th St. P.O. Box 9637, Tulsa, OK 74107. Representative: Don E. Kruizinga (same address as applicant), (918) 446-4434. Transporting *petroleum, natural gas and their products*, between points in Wyandotte County, KS, and Jackson County, MO, on the one hand, and, on the other, points in CO, UT, and WY.

MC 67450 (Sub-116), filed May 13, 1981. Applicant: PETERLIN CARTAGE CO., a Corporation, 9651 S. Ewing Ave., Chicago, IL 60617. Representative: Joseph Winter, 29 South LaSalle St., Chicago, IL 60603. Transporting *clay, concrete, glass or stone products*, between points in AL and GA, on the one hand, and, on the other, points in IL, IN, IA, and WI.

MC 119961 (Sub-9), filed May 11, 1981. Applicant: MARSHALL MOTOR COACH, INC., 1409 East Anton, Marshalltown, IA 50168. Representative: William L. Fairbank, 2400 Financial Center, Des Moines, IA 50309, (515) 282-3525. Transporting *passengers and their baggage*, in the same vehicle with passengers, in round-trip charter and special operations, beginning and ending at points in Hardin, Hamilton, Webster, Calhoun, Carroll, Greene, Audubon, Guthrie, Dallas, Cass, Adair, Madison, and Warren Counties, IA, and extending to points in the U.S. (except HI).

MC 121420 (Sub-24), filed May 12, 1981. Applicant: DART TRUCKING COMPANY, INC., 61 Railroad St., Canfield, OH 44406. Representative: Michael Spurlock, 275 E. State St., Columbus, OH 43215, (614) 228-8575. Transporting (1) *commodities in bulk*, (2) *clay, concrete, glass or stone products*, (3) *metal products*, (4) *ores and minerals*, (5) *Building materials*, and (6) *chemicals and related products*, between points in AL, IL, IN, KY, MD, MS, NY, NJ, OH, PA, TN, VA, GA, MO, WV, MI, DE, WI, and DC.

MC 128290 (Sub-18), filed May 13, 1981. Applicant: EARL HAINES, INC., P.O. Box 2557, Winchester, VA 22601. Representative: Bill R. Davis, Suite 101—Emerson Center, 2814 New Spring Rd., Atlanta, GA 30339, (404) 434-3381. Transporting *food and related products*, between points in Lincoln County, NC, on the one hand, and, on the other, points in AL, AR, DE, GA, FL, KY, LA, MD, MS, NJ, NY, NC, OK, PA, SC, TN, TX, VA, WV, and DC.

MC 136511 (Sub-108), filed May 11, 1981. Applicant: VIRGINIA APPALACHIAN LUMBER CORP., 9640 Timberlake Road, Lynchburg, VA 24502. Representative: J. Johnson Eller, Jr., 513 Main Street, Altavista, VA 24517. Transporting *textile mill products*, between points in the U.S.

MC 138861 (Sub-29), filed May 13, 1981. Applicant: C-LINE, INC., 303 Jefferson Blvd., Warwick, RI 02888. Representative: Ronald N. Cobert, 1730 M St., N.W., Suite 501, Washington, DC 20036, (201) 296-2900. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Washburn Wire Company of East Providence, RI.

MC 144350 (Sub-2), filed May 14, 1981. Applicant: JOHN B. TE SLAA, d.b.a. SLAA TRUCKING, Box 391, Hull, IA 51239. Representative: Edward A. O'Donnell, 1004 29th St., Sioux City, IA 51104, (712) 255-3127. Transporting *food and related products*, between Sioux City, IA, and points in Buena Vista, Cherokee, O'Brien, Sioux, and Webster Counties, IA, on the one hand, and, on the other, points in the U.S.

MC 146421 (Sub-2), filed May 12, 1981. Applicant: WYATT TRANSFER, INC., P.O. Box 2-N, Richmond, VA 23204. Representative: Harry C. Ames, Jr., 805 McLachlen Bank Bldg., 666 Eleventh St., NW., Washington, DC 20001, (202) 628-9243. Transporting *general commodities* (except classes A and B explosives), between points in NC and VA.

MC 146701 (Sub-10), filed May 11, 1981. Applicant: WEAVER TRUCKING CO., INC., P.O. Box 45, Eton, GA 30724. Representative: Archie B. Culbreth, Suite 202, 2200 Century Parkway, Atlanta, GA 30345, (404) 695-9421. Transporting *food and related products*, between points in Adams, Arapahoe, Denver, Jefferson, Logan, and Morgan Counties, CO, on the one hand, and, on the other, points in AL, FL, GA, KY, MS, NC, SC, TN, VA, CT, MD, MA, NY, PA, and DC.

MC 146950 (Sub-3), filed May 12, 1981. Applicant: JOSEPH C. HALL, INC., 148 Kent St., Albany, NY 12206. Representative: Bertrand F. Gould, 112 State St., Albany, NY 12207, (518) 462-2200. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Schenectady, NY.

MC 149081 (Sub-1), filed May 13, 1981. Applicant: SUBURBAN TRAILS, INC., 750 Somerset St., New Brunswick, NJ 08901. Representative: Edward F. Bowes, P.O. Box 1409, 167 Fairfield Rd., Fairfield, NJ 07006, (201) 575-7700. Over regular routes, transporting *passengers and their baggage, and express and newpapers*, in the same vehicle with passengers, (1) between Plainsboro, NJ and New York, NY, from junction U.S. Hwy 1 and Princeton-Plainsboro Rd in the Township of Plainsboro, NJ, over Princeton-Plainsboro Rd. to junction Plainsboro-Cranbury Rd., then over Plainsboro-Cranbury Rd. to junction Maplewood Ave. in the Township of Cranbury, NJ, then over Maplewood Ave to junction Half Acre Rd., then over Half Acre Rd. to junction Forsgate Dr.

(NJ Hwy 32) in the Township of South Brunswick, NJ, then over Forsgate Dr. to NJ Turnpike, then over the NJ Turnpike to junction Interstate Hwy 495 in Secaucus, NJ, then over Interstate Hwy 495, via the Lincoln Tunnel, to New York, NY, and return over the same route, (2) between South Brunswick and Plainsboro, NJ, from junction U.S. Hwy 1 and Ridge Rd. (Middlesex County Hwy 522) in the Township of South Brunswick, NJ, over Ridge Rd. to junction Shalks Crossing Rd., then over Shalks Crossing Rd. to junction Plainsboro-Cranbury Rd. in the Township of Plainsboro, NJ, and return over the same routes, (3) between Cranbury and South Brunswick, NJ, from junction of U.S. Hwy 130 and Cranbury-South River Rd. (Middlesex County Hwy 535) in the Township of Cranbury, NJ, over Cranbury-South River Rd., to junction Forsgate Drive in the Township of South Brunswick, NJ, and return over the same routes, and (4) between New Brunswick and East Brunswick, NJ, over NJ Hwy 18, serving all intermediate points in routes (1) through (4) above.

Note.—Applicant intends to tack this authority with its existing regular-route authority.

MC 151511 (Sub-3), filed May 13, 1981. Applicant: TOM O'CONNOR, d.b.a. KERRY MOTOR SERVICE, 4433 South Halsted St., Chicago, IL 60609. Representative: Tom O'Connor (same address as applicant), (312) 538-0700. Transporting *chemicals and related products, petroleum, natural gas and their products, and coal and coal products,* between Chicago, IL on the one hand, and, on the other, points in AL, AR, CT, DE, FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, NE, NH, NJ, NY, NC, ND, OH, OK, PA, RI, SC, SD, TN, TX, VT, VA, WV, WI, and DC.

MC 152441, filed May 11, 1981. Applicant: WILSON LEASING, INC., P.O. Box 6946, Rochester, MN 55901. Representative: James M. Christenson, 4444 IDS Center, 80 South Eighth Street, Minneapolis, MN 55402, (612) 339-4546. Transporting *such commodities* as are dealt in or used by grocery stores and food business houses, between points in AR, CA, FL, GA, IA, IL, IN, KA, MI, MN, MO, ND, NE, NJ, NY, OH, PA, SC, SD, TN, TX, VA and WI, on the one hand, and, on the other, points in the U.S.

MC 152621 (Sub-6), filed May 12, 1981. Applicant: RUSH TRANSPORT, INC., 163 Main Street, Route 131, Sturbridge, MA 01566. Representative: James M. Burns, 1383 Main Street, Suite 413, Springfield, MA 01103, (413) 781-8205. Transporting *general commodities* (except classes A and B explosives), between points in NH, on the one hand, and, on the other, points in the U.S.

MC 153491, filed May 11, 1981. Applicant: CARGO TRANSPORT, INC., P.O. Box 41265, Chicago, IL 60641. Representative: Donald B. Levine, 39 S. LaSalle St., Chicago, IL, (312) 236-9375. Transporting *general commodities* (except classes A and B explosives), between Chicago, IL, on the one hand, and, on the other, points in IN, OH, and WI.

MC 153581, filed May 13, 1981. Applicant: CENTURY STAGES, INC., d.b.a. RAZ TRANSPORTATION CO., 1660 SW. Bertha Blvd., Portland, OR 97219. Representative: Jerry R. Woods, Suite 1600, One Main Pl., 101 SW. Main St., Portland, OR 97204, (503) 224-5525. Transporting *passengers and their baggage,* in charter and special operations, in the same vehicle with passengers, between points in Clark County, WA, and Clackamas, Multnomah, and Washington Counties, OR, on the one hand, and, on the other, points in AZ, CA, CO, ID, MT, NM, NV, OR, UT, WA, and WY.

MC 155640, filed April 28, 1981. Applicant: BOARDWALK TOURS, INC., Black Horse Pike and Delilah Rd., McKee, NJ 08330. Representative: Herbert Somerson, Suite 1300, 1401 Arch St., Philadelphia, PA 19102, (215) 569-3030. As a *broker* at McKee City, NJ, in arranging for the transportation of *passengers and their baggage,* between points in PA, MD, DE, NY and DC, on the one hand, and, on the other, points in NJ.

MC 155910, filed May 13, 1981. Applicant: STEPHEN D. GIFT, d.b.a STEPHEN D. GIFT TRUCKING, P.O. Box 829, Scappoose, OR 97056. Representative: Lawrence V. Smart, Jr., 419 NW. 23rd Ave., Portland, OR 97210. Transporting (1) *lumber and wood products,* and (2) *building materials,* between points in OR, WA, ID and NV.

Volume No. OPY-2-079

Decided: May 15, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler and Taylor.

MC 77972 (Sub-48), filed May 7, 1981. Applicant: MERCHANTS TRUCK LINE, INC., P.O. Box 908, New Albany, MS 38652. Representative: James R. Holt, P.O. Box 523, Collierville, TN 38017, (901) 853-7208. Transporting *food and related products,* between points in Lee County, MS, on the one hand, and, on the other, points in the U.S.

Note.—Applicant intends to tack the authority sought with its existing regular-route authority in Docket No. MC-77972 and subs thereto.

MC 77972 (Sub-49), filed May 7, 1981. Applicant: MERCHANTS TRUCK LINE, INC., P.O. Box 908, New Albany, MS 38652. Representative: James R. Holt, P.O. Box 523, Collierville, TN 38017, (901) 853-7208. Transporting *metal products,* between points in Choctaw County, MS, on the one hand, and, on the other, points in the U.S.

Note.—Applicant intends to tack the authority sought with its existing regular-route authority in Docket No. MC-77972 and subs thereto.

MC 136343 (Sub-235), filed May 7, 1981. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, PA 17847. Representative: Herbert R. Nurick, Esq., P.O. Box 1166, Harrisburg, PA 17108, 717-232-8000. Transporting *general commodities* (except classes A and B explosives), between those points in the U.S. in and east of MN, IA, MO, AR, and LA.

MC 138792 (Sub-4), filed May 7, 1981. Applicant: CHANDALAR TRANSPORTATION, INC., P.O. Box 484, Canton, IL 61520. Representative: Robert T. Lawley, 300 Reisch Bldg., Springfield, IL 62701, (217) 544-5468. Transporting (A) *general commodities* (except classes A and B explosives), under continuing contract(s) with The Pillsbury Company, of Minneapolis, MN, and (b) *furniture and fixtures,* under continuing contract(s) with Lundia, Myers Industries, Inc., of Jacksonville, IL, between points in the U.S.

MC 144953 (Sub-9), filed May 11, 1981. Applicant: MULLEN TRUCKING, LTD., P.O.B. 8009, Station F, Calgary, Alberta, Canada T2J 4B4. Representative: John T. Wirth, 717 17th St., Ste. 2600, Denver, CO 80202, (303) 892-6700. Transporting *Mercer commodities,* between points in WA, ID, MT, and ND, on the one hand, and, on the other, those points in the U.S. in and west of ND, SD, NE, KS, OK, and TX.

MC 144953 (Sub-10), filed May 11, 1981. Applicant: MULLEN TRUCKING, LTD., P.O.B. 8009, Station F, Calgary, Alberta, Canada T2J 4B4. Representative: John T. Wirth, 717 17th St., Ste. 2600, Denver, CO 80202, (303) 892-6700. Transporting *lumber and wood products and building materials,* between points in WA, ID, and MT, on the one hand, and, on the other, those points in the U.S. in and west of MT, WY, CO, OK, and TX.

MC 146473 (Sub-6F), filed May 7, 1981. Applicant: C.L.D. TRANSPORTATION CO., INC., 751 Broadway, Bayonne, NJ 07002. Representative: Charles J. Williams, P.O. Box 186, Scotch Plains, NJ 07076, (201) 322-5030. Transporting *passengers and their baggage,* in the

same vehicle as passengers, in charter operations, between points in the U.S., under continuing contract(s) with Domenico Tours, Inc., of Bayonne, NJ.

MC 149123F, filed May 6, 1981. Applicant: BOAZ PRODUCE COMPANY, P.O. Box 220, Boaz, AL 35957. Representative: Eugene D. Anderson, 910 17th Street, NW., Suite 428, Washington, DC 20006, (202) 296–2550. Transporting *general commodities* (except classes A and B explosives), between points in AL, GA, MS, NC, TN, VA, on the one hand, and, on the other, points in AL, AR, CT, DE, FL, GA, IL, IN, KY, LA, ME, MD, MA, MI, MS, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, WV, WI, and DC.

MC 152803F, filed May 1, 1981. Applicant: SAM LATTNER DISTRIBUTING CO., INC., 114 South Ellis, P.O. Box 351, Groesbeck, TX 76642. Representative: A. William Brackett, 623 So. Henderson, 2nd Floor, Fort Worth, TX 76104. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with United States Gypsum Company of Chicago, IL, and its subsidiaries.

MC 153723 (Sub-3), filed May 11, 1981. Applicant: A & M ENTERPRISES, INC., P.O. Box 884, Springdale, AR 72764. Representative: Don Garrison, P.O. Box 1065, Fayetteville, AR 72701, (501) 521–8121. Transporting *general commodities* (except classes A and B explosives), between the facilities of The Essex Group, a subsidiary of United Technologies Corp., at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 153932 (Sub-1), filed May 12, 1981. Applicant: RONALD L. WADE, d.b.a. WADE TRUCKING, 14167 Foothill Blvd., San Fernando, CA 91342. Representative: Fred H. Mackensen c/o Murchison & Davis, 2029 Century Park East, Suite 4150, Los Angeles, CA 90067, (213) 879–5955. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Monolith Portland Cement Company, of Tehachapi, CA.

MC 154773 (Sub-1), filed May 19, 1981. Applicant: WAXMAN INDUSTRIES, INC., 24460 Aurora Rd., Bedford Heights, OH 44146. Representative: John Lawrence, (same address as applicant), 216–439–1830. Transporting *general commodities* except classes A and B explosives), between points in the U.S., under continuing contract(s) with Quality Brands Incorporated, of Cleveland, OH.

MC 155602 (Sub-1), filed May 5, 1981. Applicant: WINKEL WHEELS, INC., 1585 Holcomb Bridge Rd., Roswell, GA 30076. Representative: J. L. Fant, P.O. Box 577, Jonesboro, GA 30237, (404) 477–1525. Transporting *general commodities* except classes A and B explosives), between points in the U.S., under continuing contract(s) with (a) Fitzgerald Foods, Inc., of Fitzgerald, GA, (b) Cathcart Allied Storage Co., Inc., of Chamblee, GA, and (c) Consolidated Cargo Carriers, Inc., of Rosewell GA.

MC 155782, filed May 4, 1981. Applicant: REEDSBURG FOOD CORPORATION, P.O. Box 270, Reedsburg, WI 53959. Representative: Joseph E. Ludden, 2707 South Ave., P.O. Box 1567, La Crosse, WI 54601; (608) 788–2000. Transporting *Food and related products*, between points in La Crosse County, WI, on the one hand, and, on the other, points in FL, MO, TN, IL, IN, OH, KS, and MI.

MC 155802, filed May 7, 1981. Applicant: EDWARD A. WATERS, trading and doing business as EDWARD A. WATERS MOVING & STORAGE COMPANY, 3300 Collins Street, Philadelphia, PA 19134. Representative: Edwin L. Scherlis, Esquire, Suite 420, 1315 Walnut Street, Philadelphia, PA 19107, (215) 732–3838. Transporting *houshold goods* between points in PA, NJ, and DE, on the one hand, and, on the other, points in ME, VT, NH, MA, CT, RI, NY, NJ, PA, MD, DE, VA, OH, NC, SC, GA, AL, FL, KY, TN, and WV.

Volume No. OPY–2–08

Decided: May 19, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler and Fortier.

MC 1893 (Sub-11), filed May 11, 1981. Applicant: SPOKANE-ST. MARIES AUTO FREIGHT, INC., Building N–7, 3808 North Sullivan, Spokane, WA 99216. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501, (402) 475–6761. Over regular routes, transporting *general commodities* (except clases A and B explosives), (1) between Spokane, WA, and Lewiston, ID, over U.S. Hwy 195, (2) between Spokane, WA, and Grangeville, ID: from Spokane over Interstate Hwy 90 to Coeur d'Alene, ID, then over U.S. Hwy 95 to Grangeville, and return over the same route, (3) between Lewiston and Grangeville, ID: from Lewiston over U.S. Hwy 12 to junction ID Hwy 13, then over ID Hwy 13 Grangevelle, and return over the same route, (4) between junction Interstate Hwy 90 and WA Hwy 27, and junction ID Hwy 58 and U.S. Hwy 95: from junction WA Hwy 27 and Interstate Hwy 90, over WA Hwy 27 to junction unnumbered WA Hwy, then over unnumbered WA Hwy to the WA–ID State line, then over ID Hwy 58 to junction U.S. Hwy 95, and return over the same route, (5) between junction U.S. Hwy 95 and ID Hwy 5, and, St. Maries, ID, over ID Hwy 5, (6) between Coeur d'Alene, ID, and junction U.S. Hwy 95 and Alternate U.S. Hwy 95, over Alternate U.S. Hwy 95, (7) between Pullmand, WA, and Moscow, ID: from Pullman over WA Hwy 270 to the WA–ID State line, then over ID Hwy 8 to Moscow, and return over the same route, and (8) serving all intermediate points, and points in Kootenai, Benewah, Latah, Nez Perce, Lewis, Clearwater and Idaho Counties, ID, and Spokane, Whitman and Asotin Counties, WA, as off-route points in connection with routes (1) through (7) above.

Note.—Applicant intends to tack the authority sought with the authority it presently holds.

MC–6992 (Sub-19), filed May 11, 1981. Applicant: AMERICAN RED BALL TRANSIT CO., INC., 1335 Sadlier Circle, East Dr., Indianapolis, IN 46239. Representative: Andrus E. Bates (same address as applicant), 317–353–8331. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with MTS Systems Corp., of Eden Prairie, MN.

MC 56853 (Sub-10), filed April 30, 1981. Applicant: B AND B LINES, INC., 1002 North Owasso, Tulsa, OK 74106. Representative: C. L. Phillips, Room 248, Classen Terrace Bldg., 1411 N. Classen, Oklahoma City, OK 73106. Transporting over regular routes, *general commodities* (except classes A and B explosives), (1) Between Oklahoma City and Ardmore, OK, over Interstate Hwy 35, (2) Between Ardmore and Duncan: from Ardmore over Interstate Hwy 35 to junction OK Hwy 7, then over OK Hwy 7 to Duncan, and return over the same route, (3) Between Duncan and Oklahoma City, OK: from Duncan over U.S. Hwy 81 to junction H.E. Bailey Turnpike, then over H.E. Bailey Turnpike to Oklahoma City, and return over the same route, (4) Between Perry, OK, and Wichita, KS, over Interstate Hwy 35, (5) Between Bartlesville, OK, and Coffeyville, KS: from Bartlesville over U.S. Hwy 75 to junction KS Hwy 96, then over KS Hwy 96 to U.S. Hwy 169, then over U.S. Hwy 169 to Coffeyville, and return over the same route, (6) Between Chelsea, OK and Joplin, MO over U.S. Hwy 66, (7) Between Chelsea, OK and Pittsburg, KS: from Chelsea over U.S. Hwy 66 to junction U.S. Hwy 69, then over U.S. Hwy 69 to Pittsburg, and return over the same route, (8) serving

all intermediate points in connection with routes (1) thru (7) above.

Note.—Applicant intends to tack the above territory with its existing authority, at Oklahoma City, Perry, Bartlesville and Chelsea, OK and Coffeyville, KS.

MC 107912 (Sub-44), filed May 8, 1981. Applicant: REBEL MOTOR FREIGHT, INC., 3934 Homewood Rd., Memphis, TN 38118. Representative: A. Doyle Cloud, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. Transporting *rubber and plastics products*, between points in Copiah County, MS, on the one hand, and, on the other, points in Memphis, TN.

MC 115122 (Sub-9), filed May 12, 1981. Applicant: MARIANO BROTHERS, INC., Shelter Rock Rd., Danbury, CT. 06810. Representative: Paul J. Goldstein, 109 Church St., New Haven, CT 06510. Transporting *commodities* requiring the use of special equipment (1) between points in ME, NH, VT, MA, CT, RI, NY, NJ, and PA, and (2) between points in ME, NH, VT, MA, CT, RI, NY, NJ and PA, on the one hand, and, on the other, points in DE, MD, VA, NC, WV, OH, IN, IL, MO, WI, MI, SC, GA, FL, and DC.

MC 118612 (Sub-15), filed May 12, 1981. Applicant: COLUMBIA TRUCKING, INC., 700 131st Pl., Hammond, IN 46320. Representative: Richard A. Kerwin, 180 North La Salle St., Chicago, IL 60601. Transporting *coal and coal products, and petroleum, natural gas and their products* between points in Lake County, IN and points in MI.

MC 124213 (Sub-13), filed May 11, 1981. Applicant: SWIFTLINES, INC., 7878 I St., Omaha, NE 68127. Representative: Marshall D. Becker, Suite 610, 7171 Mercy Rd., Omaha, NE 68106, (402) 392–1220. Transporting *food and related products*, between Omaha, NE, Chicago, IL, points in Henry County, OH, Johnson and Dodge Counties, NE, Martin and Nobles Counties, MN, Emmet and Woodbury Counties, IA, and Minnehaha County, SD, on the one hand, and, on the other, points in CT, DE, IL, IN, IA, KS, LA, ME, MD, MA, MI, MN, MO, NE, NH, NJ, NY, ND, OH, OK, PA, RI, SD, TX, VT, VA, WV, WI, and DC.

MC 138902 (Sub-22), filed May 8, 1981. Applicant: ERB TRANSPORTATION CO., INC., P.O. Box 65, Crozet, VA 22932. Representative: Harry C. Ames, Jr., 805 McLachlen Bank Bldg., 666 Eleventh St. NW., Washington, DC 20001, (202) 628–9243. Transporting *food and related products*, between those points in the U.S. in and east of TX, OK, KS, NE, SD, and ND.

MC 139482 (Sub-190), filed May 11, 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, 507–354–8546. Transporting *printed matter, pulp paper and related products*, between points in the U.S.

MC 145472 (Sub-3), filed May 8, 1981. Applicant: HOWARD L. AND M. ELAINE KIME, d.b.a. K & K TRANSPORT, P.O. Box 4906, Eureka, CA 95501. Representative: M. Elaine Kime (same address as applicant), 707–443–6735. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Louisiana-Pacific Corporation, of Samoa, CA.

MC 147452 (Sub-8), filed May 8, 1981. Applicant: W.D.W. TRUCKING, INC., 2620 S.W. 66th Terrace, Miramar, FL 33023. Representative: Bruce E. Mitchell, Fifth Floor, Lenox Towers South, 3390 Peachtree Rd. NE, Atlanta, GA 30326, 404–262–7855. Transporting *general commodities (except classes A and B explosives)*, between points in the U.S., under continuing contract(s) with Amstar Corporation, of New York, NY.

MC 147632 (Sub-6), filed May 11, 1981. Applicant: M & M FARM LINES, INC., Route 1, Bertrand, MO 63823. Representative: Edward P. Bocko, P.O. Box 496, Mineral Ridge OH 44440, 216–652–5181. Transporting *ice cream*, between points in Middlesex County, NJ, on the one hand, and, on the other, points in the U.S.

MC 149462 (Sub-2), filed May 11, 1981. Applicant: BERNARD PAVELKA TRUCKING, INC., 1215 East "J" St., Hastings, NE 68901. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501, (402) 475–6761. Transporting *meats, meat products and meat by-products, dairy products, articles distributed by meat packinghouses, and such commodities as are used by meat packers in the conduct of their business*, between points in the U.S., under continuing contract(s) with (1) Peck Meat Packing Corp. of Milwaukee, WI, and (2) Gibbon Packing, Inc., of Gibbon, NE.

MC 150592 (Sub-6F), filed May 8, 1981. Applicant: SUNFLOWER CARRIERS, INC., 12th & Academy, P.O. Box 561, York, NE 68467. Representative: David R. Parker, P.O. Box 81228, Lincoln, NE 68501, 402–475–4414. Transporting *automotive care products*, between points in CA and OH, on the one hand, and, on the other, points in the U.S.

MC 155183, filed May 11, 1981. Applicant: EVERETT TRENT AND MARION TRENT, d.b.a. J. H. TRENT & SONS, 2302 Fairlawn Dr., Carthage, MO 64836. Representative: Bruce McCurry, 910 Plaza Towers, Springfield, MO 65804, (417) 883–7311. Transporting *sand, lime, limestone, stone products, and calcium products*, between points in OK, on the one hand, and, on the other, points in MO.

MC 155692F, filed May 11, 1981. Applicant: DON PASCUZZO TRUCKING, 7153 Nada St., Downey, CA 90242. Representative: Miles L. Kavaller, 315 So. Beverly Dr., Suite 315, Beverly Hills, CA 90212. Transporting *metal products and building materials*, between points in Los Angeles, Orange, Riverside and San Bernardino Counties, CA, on the one hand, and, on the other, points in AZ, CO, ID, NV, OR, and UT.

Volume No. OPY–2–082

Decided: May 20, 1981.

By the Commission, Review Board No. 1, members Parker, Chandler, and Taylor.

MC 32122 (Sub-5F), filed May 11, 1981. Applicant: PAZEN TRANSFER LINES, INC., P.O. Box 243, Waukau, WI 54980. Representative: Edward J. Gerrity, 601 W. College Avenue, P.O. Box 914, Appleton, WI 54912, 1–414–734–5608. Transporting *pulp, paper and related products*, between points in Winnebago County, WI, on the one hand, and, on the other, points in the U.S.

MC 107912 (Sub-43F), filed May 8, 1981. Applicant: REBEL MOTOR FREIGHT, INC., 3934 Homewood, Memphis, TN 38118. Representative: Mark Allen, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137, (901) 767–5600. Transporting *general commodities* (except classes A and B explosives), between points in St. Landry County, LA, on the one hand, and, on the other, Baton Rouge, LA.

Note.—Applicant proposes to tack this authority sought with its existing authority.

MC 121673 (Sub-5), filed May 11, 1981. Applicant: WESTERN MOTOR FREIGHT, INC., 1430 W. Sheridan, P.O. Box 82065, Oklahoma City, OK 73148. Representative: C. L. Phillips, Room 248, Classen Terrace Bldg., 1411 N. Classen, Oklahoma City, OK 73106, 405–528–3884. Over regular routes, transporting *general commodities* (except classes A and B explosives), between Oklahoma City, OK and Gainesville, TX, over Interstate Hwy. 35, serving Pauls Valley and Ardmore, OK as intermediate points.

Note.—Applicant intends to tack this authority with its presently held authority at Oklahoma City, OK.

MC 138563 (Sub-4), filed May 11, 1981. Applicant: J.M.J. PROJECTS, INC., 2109

West 50th Street, Shawnee Mission, KS 66205. Representative: John E. Jandera, P.O. Box 1979, Topeka, KS 66601, 913–234–0565. Transporting *such commodities* as the dealt in or used by manufacturers and distributors of batteries, electric storage batteries, and lead ingots, between the facilities of Gould, Inc., at points in the U.S., on the one hand, and, on the other, points in AR, CO, IA, IL, KS, NE, MO, and TX.

MC 141312 (Sub-12), filed May 11, 1981. Applicant: DOKTER TRUCKING CORP., P.O. Box 408, Weeping Water, NE 68463. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501, 402–475–6761. Transporting *chemicals and related products,* between points in Cass County, NE, on the one hand, and, on the other, points in SD, MN, WI, IA, IL, KS, MO, IN, OH, KY, ND, NE, MT, AR, CO, and WY.

MC 142423 (Sub-15), filed May 8, 1981. Applicant: BIG D CARTAGE, INC., 28091 Kingsberry Dr., Mt. Clemens, MI 48045. Representative: Robert E. McFarland, 2855 Coolidge, Ste. 201A, Troy, MI 48084, 313–649–6650. Transporting *such commodities* as are dealt in or used by manufacturers of containers and container ends, between those points in the U.S. in and east of MN, IA, MO, AR, and LA.

MC 150592 (Sub-7), filed May 8, 1981. Applicant: SUNFLOWER CARRIERS, INC., 12th & Academy, P.O. Box 561, York, NE 68467. Representative: David R. Parker, P.O. Box 81228, Lincoln, NE 68501, (402) 475–9521. Transporting *pulp, paper, and related products,* between points in Adams County, NE, on the one hand, and, on the other, points in the U.S.

MC 155123, filed May 11, 1981. Applicant: HIGHTOWER TRUCKS, INC., Highway 61 West, Fort Madison, IA 52627. Representative: Richard D. Howe, 600 Hubbell Bldg., Des Moines, IA 50309, 515–244–2329. Transporting *chemicals and related products,* between points in Lee County, IA, on the one hand, and, on the other, points in IL and MO.

MC 155792, filed May 7, 1981. Applicant: MONTANA TRUCKING, INC., 960 West Montana St., Milwaukee, WI 53215. Representative: Leonard J. Lewenshon, 235 West Dean Road, Milwaukee, WI 53217, 414–351–0511. Transporting *general commodities* (except classes A and B explosives), between points in IA, IL, MN, ND, SD, WI, and those points in the Upper Peninsula of Michigan.

MC 155852, filed May 8, 1981. Applicant: DOE WELDON TRUCKING, INC., 904 S. Commercial St., Mingo Junction, OH 43938. Representative: Paul F. Beery, 275 E. State St., Columbus, OH 43215, (614) 228–8575. Transporting *commodities in bulk,* between points in OH, PA, and WV.

MC 155872, filed May 11, 1981. Applicant: P & B TRANSPORTATION, INC., P.O. Box 179, Apollo, PA 15613. Representative: John A. Vuono, 2310 Grant Bldg., Pittsburgh, PA 15219, (412) 471–1800. Transporting *general commodities,* (except classes A and B explosives) between points in the U.S., under continuing contract(s) with Allegheny Ludlum Steel Corporation, of Pittsburgh, PA.

Volume No. OPY–3–077

Decided: May 20, 1981.

By the Commission, Review Board No. 2, Members Carlton, Fisher, and Williams.

MC 344 (Sub-3), filed May 8, 1981. Applicant: RED OAK TRANSFER AND STORAGE CO., INC., 506 Market St., Red Oak, IA 51566. Representative: Carl E. Munson, 469 Fischer Bldg., P.O. Box 796, Dubuque, IA 52001, (319) 557–1320. Transporting *general commodities* (except classes A and B explosives), serving points in Adams, Cass, Fremont, Mills, Montgomery, Page, Pottawatomie and Taylor Counties, IA, and Douglas County, NE, as off-route points in connection with applicant's otherwise authorized regular route operations.

MC 1395 (Sub-15), filed May 11, 1981. Applicant: ALVAN MOTOR FREIGHT, INC., 3600 Alvan Rd., Kalamazoo, MI 49001. Representative: Martin J. Leavitt, 22375 Harrerty Rd., P.O. Box 400, Northville, MI 48167 (313) 349–3980. Over regular routes, transporting *general commodities* (except classes A and B explosives), (1) between Detroit, MI, and Chicago, IL, (a) over Interstate Hwy 94, and (b) from Detroit, over Interstate Hwy 94 to junction with U.S. Hwy 23, then south to Hwy 90 to Chicago, and return over the same route, (2) between points in the lower peninsular of MI as off-route points in connection with the carriers presently authorized regular route operations.

MC 1585 (Sub-13), filed May 8, 1981. Applicant: BARNES TRUCK LINE, 1320 Hwy 13 North, Columbia, MS 39429. Representative: Harold D. Miller, Jr., 17th Floor, Deposit Guaranty Plaza, P.O. Box 22567, Jackson, MS 39205 (601) 948–5711. Over regular routes, transporting *general commodities* (except classes A and B explosives), (1) between Pearl River, LA, and Meridian, MS, (a) over U.S. Hwy 11, and (b) over Interstate Hwy 59, (2) between Columbia, MS and Lumberton, MS, over MS Hwy 13, (3) between Columbia, MS and Hattiesburg, MS, over U.S. Hwy 98, (4) between Hattiesburg, MS and Mendenhall, MS, over U.S. Hwy 49, (5) between Vicksburg, MS and Meridian, MS, (a) over U.S. Hwy 80 and (b) over Interstate Hwy 20, (6) between Jackson, MS and Meridian, MS, from Jackson over U.S. Hwy 51 or Interstate Hwy 55 to Canton, MS, and return over the same route, and then over MS Hwy 16 to Philadelphia, MS, then over MS Hwy 19 to Meridian, and (7) between Philadelphia, MS and Newton, MS, over MS Hwy 15, serving in (1) through (7) above, points in MS on and south of U.S. Hwy 82 as off-route points.

MC 36745 (Sub-6), filed May 8, 1981. Applicant: BENNIE M. ANDERSON TRUCKING CO., INC., 51 E. Main St., Falconer, NY 14733. Representative: Ronald W. Malin, Bankers Trust Bldg., 4th Fl., Jamestown, NY 14701 (716) 664–5210. Transporting *furniture and fixtures,* between points in Chautauqua and Cattaraugus Counties, NY, and Crawford, Erie, Forest, McKean, and Warren Counties, PA, on the one hand, and, on the other, points in CT, ME, MD, MA, NJ, NY, NH, OH, PA, RI, VT, and DC.

MC 44735 (Sub-57), filed May 11, 1981. Applicant: KISSICK TRUCK LINES, INC., 7101 East 12th St., Kansas City, MO 64126. Representative: John E. Jandera, P.O. Box 1979, Topeka, KS 66601 (913) 234–0565. Transporting (1) *building materials* and (2) *construction materials,* between points in Posey County, IN, Will County, IL, Madison County, MO, Hennepin County, MN, Jackson County, MO, Marinette County, WI, St. Louis, MO, Dallas, TX, Denver, CO, New Orleans, LA, on the one hand, and, on the other, points in AR, CO, IL, IN, IA, KS, KY, LA, MN, MO, NE, OK, TN, TX, and WI.

MC 53965 (Sub-190), filed April 6, 1981, previously noticed in the Federal Register issue of April 23, 1981. Applicant: GRAVES TRUCK LINE, INC., 2130 South Ohio, P.O. Box 1387, Salina, KS 67401. Representative: Larry E. Gregg, 641 Harrison St., P.O. Box 1979, Topeka, KS 66601 (913) 234–0565. Transporting *general commodities* (except classes A and B explosives), between points in Shawnee County, KS, on the one hand, and, on the other, points in the U.S.

Note.—This republication corrects the territorial description.

MC 58944 (Sub-4), filed May 11, 1981. Applicant: STAATS EXPRESS, INC., 507 South St., Rensselaer, NY 12144. Representative: Neil D. Breslin, 600 Broadway, Albany, NY 12207 (518)–465–3391. Transporting *general commodities*

(except classes A and B explosives), between points in Albany, Columbia, Rensselaer and Schenectady Counties, NY, on the one hand, and, on the other, points in Berkshire, Franklin, Hampshire and Hampton Counties, MA.

MC 109595 (Sub-26), filed May 11, 1981. Applicant: REX TRANSPORTATION COMPANY, Suite 207 Clausen Bldg., 1520 North Woodward Ave., Bloomfield Hills, MI 48013. Representative: William B. Elmer, 624 Third St., Traverse City, MI 49684 (616)–941–5313. Transporting *clay, concrete, glass or stone products,* between points in CT, DE, IL, IN, IA, KY, MD, MN, MI, MO, NJ, NY, NC, ND, OH, PA, SD, TN, VA, WV, WI and DC.

MC 116325 (Sub-91), filed May 11, 1981. Applicant: JENNINGS BOND d.b.a. BOND ENTERPRISES, P.O. Box 8, Lutesville, MO 63762. Representative: Jennings Bond (same address as applicant) (314)–238–2601. Transporting *general commodities* (except classes A and B explosives), between the facilities of (1) Pillsbury Company; and (2) Westvaco Corporation, at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 119974 (Sub-234), filed February 9, 1981. Applicant: L. C. L. TRANSIT COMPANY, 949 Advance Street, Green Bay, WI 54304. Representative: Carl L. Steiner, 39 South LaSalle Street, Chicago, IL 60603. Transporting *such commodities* as are dealt in by grocery and food business houses, drug stores and department stores, between points in NE, KS, MN, IA, MO, WI, IL, MI, IN, KY, TN, OH, PA, NY, ND, SD and NJ.

MC 140665 (Sub-138), filed May 11, 1981. Applicant: PRIME, INC., P.O. Box 4208, Springfield, MO 65804. Representative: Clayton Geer, P.O. Box 786, Ravenna, OH 44266 (216) 296–2877. Transporting (1) *malt beverages,* and (2) *empty containers,* between points in Jefferson County, CO, on the one hand, and, on the other, points in TN, LA, MS, MO, WA, CA, and TX.

MC 142734, filed May 8, 1981. Applicant: NITTSU NEW YORK, INC., 19–19 37th Street, Long Island City, NY 11105. Representative: Alvin Altman, 888 Seventh Avenue, New York, NY 10106, (212) 245–7700 Transporting used *household goods,* between Baltimore, MD and Philadelphia, PA, on the one hand, and, on the other, points in DE, MD, NJ, PA, VA and DC.

MC 145664 (Sub-29), filed May 11, 1981. Applicant: STALBERGER, INC., 223 South 50th Ave. West, Duluth, MN 55807. Representative: Joyce L. Donaldson (same address as applicant), (218) 624–3641. Transporting *building materials,* between the facilities of GAF Corporation, at Minneapolis, MN, on the one hand, and, on the other, point in IA, MT, ND, and WI.

MC 145664 (Sub-30), filed May 11, 1981. Applicant: STALBERGER, INC., 223 South 50th Ave. West, Duluth, MN 55807. Representative: Joyce L. Donaldson (same address as applicant) (218) 624–3641. Transporting *building materials,* between points in the U.S.

MC 145715 (Sub-18), filed May 11, 1981. Applicant: BELL TRUCKING, INC., P.O. Box 165, Van Buren, AR 12956. Representative: Don Garrison, P.O. Box 1065, Fayetteville, AR 72701 (501) 521–8121. Transporting *such commodities* as are dealt in or used by variety and grocery stores, between the facilities of Wal-Mart Stores, Inc., in AL, AR, IL, KS, KY, LA, MS, MO, OK, TN, and TX, on the one hand, and, on the other, points in the U.S.

MC 147165 (Sub-1), filed May 11, 1981. Applicant: RUIZ TRANSPORT, INC., 324 Suffolk St., Lowell, MA 01852. Representative: Robert G. Parks, 20 Walnut St., Suite 101, Wellesley Hills, MA 02181, (617) 235–5571. Transporting (1) *such commodities* as are dealt in or used by (a) automotive service stations, and (b) automotive supply dealers, and (2) *petroleum products,* between points in the U.S.

MC 151095 (Sub-1), filed May 8, 1981. Applicant: BLUE & WHITE EXPRESS, INC., Route 1, Box 27BD, Richmond, KY 40475. Representative: Louis J. Amato, P.O. Box E, Bowling Green, KY 42101, (502)–781–4446. Transporting *metal products,* between points in OH, KY, IL, IN, TN, MI, MS, MO and GA.

MC 151205 (Sub-3), filed May 11, 1981. Applicant: ROY RIPLEY AND R. F. CAMPBELL d.b.a. R & C ENTERPRISES, P.O. Box 2492, Johnson City, TN 37601. Representative: R. Cameron Rollins, 124 Commerce St., Kingsport, TN 37660, (615)–247–7136. Transporting *general commodities* (except classes A and B explosives), between points in Sullivan, Washington, Carter and Hawkins Counties, TN, on the one hand, and, on the other, points in the U.S.

MC 152195, filed May 8, 1981. Applicant: LEO PETRILLO, 3465 Bowman St., Philadelphia, PA 19129. Representative: Francis W. Doyle, 323 Maple Ave., Southampton, PA 18966, (215) 357–7220. Transporting *building materials,* between points in PA, DE, MD, NJ, and NY.

MC 152244, filed May 11, 1981. Applicant: TOTE, INC., Box 753, Sioux Falls, SD 57101. Representative: Thomas J. Simmons, 5301 North Cliff, P.O. Box 480, Sioux Falls, SD 57101, (605) 339–3629. Transporting *malt beverages, carbon dioxide gas* and *containers,* between points in the U.S., under continuing contract(s) with Madison Grain Belt, Inc., of Madison, SD.

MC 152285 (Sub-2), filed May 8, 1981. Applicant: PACKERLAND TRANSPORT INC., 2580 University Ave., P.O. Box 1184, Green Bay, WI 54305. Representative: Richard A. Westley, 4506 Regent St., Suite 100, Madison, WI 53705, (608) 238–3119. Transporting *food and related products,* between points in the U.S., under continuing contract(s) with Packerland Packing Company, Inc., of Green Bay, WI.

MC 154115, filed May 8, 1981. Applicant: SERVICE TRUCKING, INC., 502 Parke, Pratt, KS 67124. Representative: Kenneth E. Roberts (same address as applicant) (316) 672–7212. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contracts with (1) Mud-Co, Inc., and (2) Chem Serv, Inc., both of Wichita, KS.

MC 154535, (Sub-1), filed May 8, 1981. Applicant: JAN PACKAGING INC., P.O. Box 448, Harrison St., Dover, NJ 07801. Representative: Michael R. Werner, P.O. Box 1409, 167 Fairfield Rd., Fairfield, NJ. 07006 (201) 575–7700. Transporting *general commodities* (except classes A and B explosives), between New York, NY and points in NJ, on the one hand, and, on the other, points in the U.S.

MC 155135, filed May 11, 1981. Applicant: JOHN A. DeVries, R.R. 2, Oregon, IL 61061. Representative: Abraham A. Diamond, 29 South LaSalle St., Chicago, IL 60603 (312) 236–0548. Transporting *chemicals and related products,* between points in IL, on the one hand, and, on the other, points in IL, IN, IA, KY, MI, MN, MO, and WI.

MC 155594, filed May 8, 1981. Applicant: SATAN TRUCKING, INC., Route 2, Box 119, Stonewall, OK 74871. Representative: G. Timothy Armstrong, 200 North Choctaw, P.O. Box 1124, El Reno, OK 73036 (405) 262–1322. Transporting *malt beverages,* between St. Louis, Mo, on the one hand, and, on the other, points in Pontotoc County, OK.

Volume No. OPY–3–079

Decided: May 20, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher and Williams.

MC 53965 (Sub-194), filed May 11, 1981. Applicant: GRAVES TRUCK LINE, INC., P.O. Box 1387, Salina, KS 67401. Representative: Bruce A. Bullock, One Woodward Avenue, 26th Floor, Detroit,

MI 48226 (913) 965–2577. Over regular routes, transporting *general commodities* (except classes A and B explosives), (1) between Houston, TX and University Park, NM, over Interstate Hwy 10; (2) between Dallas, TX and junction Interstate Hwys 20 and 10 near Kent, TX, over Interstate Hwy 20; (3) between University Park, NM and Pueblo, CO, over Interstate Hwy 25; (4) between Amarillo, TX and Albuquerque, NM, over Interstate Hwy 40, (5) between El Paso, TX and Dalhart, TX, over U.S. Hwy 54, (6) between Texarkana, TX and Alamogordo, NM, Over U.S. Hwy 82; (7) between Tularosa, NM and Little Rock, AR, over U.S. Hwy 70; (8) between Sanderson, TX and Santa Fe, NM, over U.S. Hwy 285, (9) between Brownsville, TX and Dallas, TX, over U.S. Hwy 77, (10) between Laredo, TX and Waco, TX over Interstate Hwy 35, (11) between Laredo, TX and Houston, TX, over U.S. Hwy 59, (12) between Liberal, KS and Brownsville, TX, over U.S. Hwy 83; (13) between Victoria, TX and Raton, NM, over U.S. Hwy 87, (14) between El Paso, TX and Fayetteville, AR, over U.S. Hwy 62; (15) between junction U.S. Hwy 60 and Interstate Hwy 25 near Bernardo, NM and Springfield, MO, over U.S. Hwy 60, (16) between Greensburg, KS and Refugio, TX, over U.S. Hwy 183, (17) between San Antonio, TX and Van Horn, TX, over U.S. Hwy 90; (18) between Carrizo Springs, TX and Wichita Falls, TX, over U.S. Hwy 277, (19) between Corsicana, TX and Port Arthur, TX, over U.S. Hwy 287, (20) between Woodville, TX and Denison, TX, over U.S. Hwy 69; (21) between Wichita Falls, TX and San Juan, TX, over U.S. Hwy 281; (22) between Roswell, NM and Greenville, TX, over U.S. Hwy 380, (23) between junction U.S. Hwys 177 and 70 near Dickson, OK and junction U.S. Hwys 177 and 60 near Ponca City, OK over U.S. Hwy 177; (24) between Corpus Christi, TX and junction U.S. Hwy 77 and Interstate Hwy 37 near Callalen, TX over Interstate Hwy 37; (25) between Boise City, OK and Ft. Stockton, TX over U.S. Hwy 385; (26) between Dallas, TX and Alpine, TX over U.S. Hwy 67, and over (B) irregular routes, between points in KS, NE, MO, CO, TX, IA, OK, and NM.

Note.—Applicant intends to tack this authority with its existing authority.

MC 58035 (Sub-36), filed May 14, 1981. Applicant: TRANS-WESTERN EXPRESS, LTD., 5231 Monroe St., Denver, CO 80216. Representative: David E. Driggers, 1660 Lincoln Center, 1660 Lincoln St., Denver, CO 80264 (303) 861–4028. Transporting *general commodities* (except classes A and B explosives), between points in the U.S.

MC 60325 (Sub-11), filed May 13, 1981. Applicant: JEFFERSON LINES, INC., 1206 Currie Avenue, Minneapolis, MN 55403. Representative: Richard D. Howe, 600 Hubbell Building, Des Moines, IA 50309 (515) 244–2329. Transporting *passengers and their baggage*, in the same vehicle with passengers, in round-trip special or charter operations, beginning and ending at points in Carroll, Greene, Sac, Calhoun, Webster, Cherokee, Buena Vista, Pocahontas, Humboldt, Palo Alto, Kossuth, Dickinson, and Emmet Counties, IA, and entending to points in the U.S. (including AK but excluding HI).

MC 72495 (Sub-26), filed May 14, 1981. Applicant: DON SWART TRUCKING, INC., P.O. Box 49, Route 2, Wellsburg, WV 26070. Representative: Stephen J. Habash, 100 E. Broad St., Columbus, OH 43215 (614) 228–1541. Transporting *clay, concrete, glass or stone products*, between Gary, IN, and points in Merrimack County, NH, Marshall County, WV, Hudson County, NJ, and Muhlenberg County, KY, on the one hand, and, on the other, points in CT, DE, IL, IN, KY, ME, MD, MA, MI, NH, NJ, NY, NC, OH, PA, RI, SC, VA, WV, and DC.

MC 96855 (Sub-8), filed May 12, 1981. Applicant: REFRIGERATED DELIVERY SERVICE, INC., P.O. Box 50247, Tulsa, OK 74150. Representative: Wilburn L. Williamson, Suite 615-East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112 (405) 848–7946. Transporting *food and related products*, between points in Benton, Crawford, Sebastian, and Washington Counties, AR, on the one hand, and, on the other, points in OK.

MC 118534 (Sub-3), filed May 14, 1981. Applicant: TOK DISTRIBUTING SERVICES, INC., 1250 Oklahoma Ave., Anchorage, AK 95510. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118 (612) 457–6889. Transporting *general commodities* (except classes A and B explosives), between points in MN, on the one hand, and, on the other, points in AK.

MC 136275 (Sub-30), filed May 14, 1981. Applicant: WHITFIELD ASSOCIATED TRANSPORT, INC., 777 Executive Blvd., El Paso, TX 79922. Representative: Dann L. Drewery (same address as applicant) (915) 532–2691. Transporting (1) *building materials;* and (2) *metal products*, between points in AL, AR, AZ, CA, CO, KS, LA, MO, MS, NE, NM, NV, OK, TX, UT and WY.

MC 138505 (Sub-16), filed May 1, 1981. Applicant: METROPOLITAN CONTRACT SERVICES, INC., 6000 South Ulster Street, Suite 206, Englewood, CO 80111. Representative: Kenny Cunningham (same address as applicant) (303) 773–8883. Transporting *such commodities* as are dealt in by wholesale drug distributors, between points in the U.S., under continuing contract(s) with McPike, Inc., of Kansas City, MO.

MC 141964 (Sub-2), filed May 14, 1981. Applicant: AMERICAN INTERSTATE MOTOR FREIGHT, P.O. Box 211, West Patterson, NJ 07425. Representative: Harold L. Reckson, 33–28 Halsey Rd., Fair Lawn, NY 07410 (201) 791–2270. Transporting *metal products*, between New York, NY, and points in Hartford County, CT, on the one hand, and, on the other, points in DE, MD, PA, VA, NC, SC, GA, FL, AL, AR, MS, LA, TN and DC.

MC 143394 (Sub-24), filed May 13, 1981. Applicant: GENIE TRUCKING LINE, INC., 70 Carlisle Springs Rd., P.O. Box 840, Carlisle, PA 17013. Representative: G. Kenneth Bishop (same address as applicant) (717) 249–2425. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with East-West Shippers Association, Inc., Westmont, IL.

MC 144504 (Sub-1), filed May 12, 1981. Applicant: DELTA CHARTER SERVICE, INC., 4900 E. Mariposa, Stockton, CA 95206. Representative: Eldon M. Johnson, 650 California St., San Francisco, CA 94108 (415) 986–8696. Transporting *passengers and their baggage, in the same vehicle with passengers*, in special and charter operations, beginning and ending at points in San Joaquin County, CA and extending to points in the U.S.

MC 145955 (Sub-24), filed May 8, 1981. Applicant: CENTRAL TRUCK SERVICE, INC., 4440 Buckingham Avenue, Omaha, NE 68107. Representative: Arlyn L. Westergren, Suite 201, 9202 W. Dodge Rd., Omaha, NE 68114. Transporting *such commodities* as are dealt in by manufacturers and distributors of containers, and related items, between the facilities of Stone Container Corporation, in the U.S. on the one hand, and, on the other, points in the U.S.

MC 146865 (Sub-5), filed May 13, 1981. Applicant: M. T. SERVICES, INC., d.b.a. BRENNAN EXPRESS, P.O. Box 18402, Baltimore, MD 21237. Representative: Raymond P. Keigher, 401 E. Jefferson St., Suite 102, Rockville, MD 20850, (301) 424–2420. Transporting *printed matter*, between points in the U.S., under continuing contract(s) with Random House, Inc., of Westminster, MD.

MC 150954 (Sub-32), filed May 11, 1981. Applicant: TRAVIS

TRANSPORTATION, INC., 6013 Rittiman Plaza, San Antonio, TX 78218. Representative: Maxwell A. Howell, 1100 Investment Bldg., 1511 K St. NW., Washington, D.C. 20005, (202) 783–7900. Transporting *such commodities* as are dealt in or used by retail and mail order houses, between points in the U.S. under continuing contract(s) with T. G. & Y. Stores Co., of Oklahoma City, OK.

MC 155815, filed May 7, 1981. Applicant: MONKEY GRIP RUBBER COMPANY, 5320 Harry Hines Blvd., Dallas, TX 75235. Representative: Ralph W. Pulley, Jr., 4555 First National Bank Building, Dallas, TX 75202, (214) 741–6263. Transporting *general commodities*, (1) between points in LA, AR, OK, NM, and that part of TX on and north of Interstate Hwy. 10, on the one hand, and, on the other, points in the U.S., (2) between points in GA, TN, SC, NC, VA, WV, and KY, on the one hand, and, on the other, points in the U.S. and east of ND, SD, NE, CO, and NM.

Note.—To the extent the authority granted herein authorizes the transportation of classes A and B explosives, it will expire 5 years from the date of issuance.

MC 155775, filed May 8, 1981. Applicant: NORTHWESTERN MICHIGAN TRUCKING, INC., 9196 Eleven Mile Rd., Bear Lake, MI 49614. Representative: William B. Elmer, 624 Third St., Traverse City, MI 49684, (616) 941–5313. Transporting *food and related products*, between points in the U.S.

MC 155804, filed May 14, 1981. Applicant: OILFIELD HEAVY HAULERS, INC., P.O. Box 39, Church Point, LA 70525. Representative: C. W. Ferebee, 720 N. Post Oak, Suite 230, Houston, TX 77024 (713) 688–6110. Transporting (1) *Mercer Commodities* and (2) *earth drilling machinery and equipment*, and *machinery, equipment, materials, supplies and pipe* incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells, between points in AL, AR, FL, LA, MS, OK, and TX.

Volume No. OPY–4–140

Decided: May 18, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher and Williams.

MC 57698 (Sub-29), filed May 6, 1981. Applicant: LESTER SMITH TRUCKING, INC., 2645 East 51st Ave., Denver, CO 80216. Representative: David J. Lister, P.O. Box 17039, Portland, OR 97217 (503) 285–0481. Transporting *general commodities* (except classes A and B explosives), (1) between points in CA, OR, WA, and AZ, on the one hand, and, on the other, points in CO, NM, WY, ND, SD, NE, KS, MO, IA, MN, IL, IN, and WI, and (2) between points in ID, NV, MT, UT, NM, CO, WY, ND, SD, NE, KS, MO, IA, MN, WI, IL, and IN.

MC 83517 (Sub-2), filed May 8, 1981. Applicant: ROBERT L. BROWNING d.b.a. BROWNING VAN & STORAGE, 938 N. Fourth, P.O. Box 269, Clinton, MO 64375. Representative: James C. Swearengen, P.O. Box 456, Jefferson City, MO 65102 314/635–7166. Transporting *household goods*, between points in MO, on the one hand, and, on the other, points in the U.S.

MC 128007 (Sub-166), filed May 11, 1981. Applicant: HOFER, INC., 20th and 69 Bypass, P.O. Box 583, Pittsburg, KS 66762. Representative: Larry E. Gregg, 641 Harrison St., P.O. Box 1979, Topeka, KS 66601 (913) 234–0565. Transporting (1) *rubber and plastic products*, and (2) *waste or scrap materials not identified by industry producing*, between points in the U.S., under continuing contract(s) with Able Plastics, a Division of Alexander Plastics, of Dallas, TX.

Volume No. OPY–4–143

Decided: May 21, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher and Williams.

MC 152406 (Sub-3), filed May 8, 1981. Applicant: TEXAS WESTERN EXPRESS, INC., 5713 Azle Ave., Fort Worth, TX 76114. Representative: Billy R. Ried, 1721 Carl St., Fort Worth, TX 76103 (817) 332–4718. Transporting *food and related products*, between points in Dallas County, TX, on the one hand, and, on the other, points in the U.S.

MC 154376, filed May 8, 1981. Applicant: BOBBY R. HODGSON, 556 Roxbury Dr., Riverdale, GA 30274. Representative: Bobby R. Hodgson (same address as applicant) (404) 478–5486. Transporting *food and related products*, between points in GA, on the one hand, and, on the other, points in SC, NC, FL, AL, MS, LA, and TX.

MC 155366, filed May 6, 1981. Applicant: JOSEPH H. AYOUB d.b.a. SAWAYA TRUCKING COMPANY, 6935 Commerce, El Paso, TX 79915. Representative: Joseph H. Ayoub (same address as applicant) (915) 772–7900. Transporting (1) *food and related products*, (2) *tobacco products*, (3) *household appliances*, and (4) *such commodities* as are dealt in by discount stores, between points in the U.S., under continuing contract(s) with Border Tobacco Company, Inc., and Ayoub Exports, Inc., both of El Paso, TX.

MC 155776, filed May 7, 1981. Applicant: NYLON CAPITAL LIMOUSINE SERVICE, R.D. 3, Box 302, Seaford, DE 19973. Representative: Richard A. O'Bier (same address as applicant) (302) 629–7339. Transporting *passengers and their baggage*, between points in Sussex County, DE, and Wicomico, Caroline, Dorchester, and Talbot Counties, MD, on the one hand, and, on the other, points in the U.S.

Volume No. OPY–4–145

Decided: May 21, 1981.

The Commission, Review Board No. 2, Members Carleton, Fisher and Williams.

MC 29886 (Sub-386), filed May 6, 1981. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4314 39th Ave., Kenosha, WI 53142. Representative: Paul F. Sullivan, 711 Washington Bldg., Washington, DC (202) 347–3987. Transporting *machinery and metal products*, between the facilities of Clark Equipment Company at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 109026 (Sub-32), filed May 13, 1981. Applicant: MANNING MOTOR EXPRESS, INC., P.O. Box 685, Glasgow, KY 42141. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 13th St., N.W., Washington, DC 20004 (202) 347–8862. Transporting *general commodities* (except classes A and B explosives), between points in Metcalfe County, KY, on the one hand, and, on the other, points in the U.S.

Note.—Applicant intends to tack to its existing authority.

MC 109376 (Sub-23), filed May 12, 1981. Applicant: SKINNER TRANSFER CORP., P.O. Box 284, Reedsburg, WI 53959. Representative: Richard A. Westley, 4506 Regent St., Suite 100, Madison, WI 53705, (608) 238–3119. Transporting *rubber and plastic products*, between points in the U.S., under continuing contract(s) with Penda Corp., of Portage, WI.

MC 117786 (Sub-135), filed May 5, 1981. Applicant: RILEY WHITTLE, INC., P.O. Box 19038, Phoenix, AZ 85014. Representative: A. Michael Bernstein, 1441 E. Thomas Rd., Phoenix, AZ 85014, (602) 264–4891. Transporting (1) *pulp, paper and related products*, (2) *rubber and plastic products*, (3) *textile mill products*, and (4) *metal products*, between points in the U.S.

MC 143986 (Sub-2), filed May 11, 1981. Applicant: ROBERT L. WILLEY, d.b.a. WILLEY FREIGHTWAYS, P.O. Box 58,

Dolton, IL 60419. Representative: David A. Turano, 100 E. Broad St., Columbus, OH 43215, (614) 228–1541. Transporting *building materials*, between points in Cook County, IL and Lake County, IN, on the one hand, and, on the other, points in OH.

MC 144776 (Sub-14), filed May 11, 1981. Applicant: APACHE TRANSPORT, INC., 833 Warner St., SW, Atlanta, GA 30310. Representative: Virgil H. Smith, Suite 12, 1587 Phoenix Blvd., Atlanta, GA 30349, (404) 996–6266. Transporting *rubber and plastic products*, between the facilities of Dixie Bag Company, Inc. in the U.S., on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX.

MC 147876 (Sub-4), filed May 13, 1981. Applicant: SHAY COMPANY, INC., P.O. Box 2081, Clarksville, IN 47130. Representative: K. Edward Wolcott, Suite 1200 Gas Light Tower, 235 Peachtree St., N.E., Atlanta, GA 30303, (404) 522–2322. Transporting *transportation equipment*, between points in Wayne County, MI, on the one hand, and, on the other, points in the U.S.

MC 155466, filed May 14, 1981. Applicant: B.C. VACUUM SERVICE, INC., P.O. Box 1057, Nederland, TX 77672. Representative: James R. Boyd, 1000 Perry Brooks Bldg., Austin, TX 78701 (713) 823–3270. Transporting *waste or scrap materials not identified by industry producing*, between points in LA, on the one hand, and, on the other, points in TX.

Volume No. OPY–4–146

Decided: May 21, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher and Williams.

MC 146646 (Sub-146), filed May 8, 1981. Applicant: BRISTOW TRUCKING CO., INC., P.O. Box 6355–A, Birmingham, AL 35217. Representative: John R. Frawley, Jr., Suite 200, 120 Summit Parkway, Birmingham, AL 35209 (205) 942–9116.Transporting *carpet and carpet backing*, between the facilities of Trend Carpet/Roxbury Carpet/Divisions of WWG Industries, Inc., at points in GA and SC, on the one hand, and, on the other, points in the U.S.

MC 147766 (Sub-5), filed May 12, 1981. Applicant: COLORADO-DENVER/WAREHOUSE-DELIVERY, INC., 4902 Smith Rd., Denver, CO 80216. Representative: Russell R. Sage, Suite 400, Overlook Bldg., 6121 Lincolnia Rd., Alexandria, VA 22312 (703) 750–1112.Transporting *general commodities* (except classes A and B explosives), between points in CO and UT. Condition: Issuance of a certificate in this proceeding is subject to prior or coincidental cancellation, at applicant's written request, of Certificate of Registration No. MC–97186 (Sub-No. 4).

MC 151556 (Sub-3), filed May 11, 1981. Applicant: ALLSTATE TRANSPORTATION COMPANY, 10700 Lyndale Ave. South, Minneapolis, MN 55420. Representative: Marvin M. Mueller (same address as applicant) (612) 890–2141.Transporting *textile mill products*, between points in the U.S., under continuing contract(s) with Munsingwear Corporation, of Minneapolis, MN.

MC 153196 (Sub-2), filed May 8, 1981. Applicant: PRINCL FREIGHTLINES, INC., 1641 Carole St., Green Bay, WI 54303. Representative: Richard A. Westley, 4506 Regent St., Suite 100, Madison, WI 53705 (608) 238–3119. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Packerland Packing Company, Inc., of Green Bay, WI.

MC 155906, filed May 11, 1981. Applicant: GUS CASELLA, d.b.a. T. BURGESS MOVING & EXPRESS, 221 E. 88 St., NY, NY 10028. Representative: Gus Casella (same address as applicant). Transporting *household goods*, between points in NY, NJ, CT, RI, MA, VT, NH, ME, PA, MD, DE, VA, WV, OH, and DC.

Volume No. OPY–4–148

Decided: May 21, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher and Williams.

MC 70557 (Sub-53), filed May 11, 1981. Applicant: NIELSEN BROS. CARTAGE CO., INC., 4619 W. Homer St., Chicago, IL 60639. Representative: Carl L. Steiner, 39 S. LaSalle St., Chicago, IL 60603 (312) 236–9375. Transporting (1) *forest products*, (2) *textile mill products*, (3) *furniture and fixtures*, (4) *pulp, paper and related products*, and (5) *rubber and plastic products*, between the facilities of Scott Paper Company, at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 107107 (Sub-495), filed May 11, 1981. Applicant: ALTERMAN TRANSPORT LINES, INC., 12805 N.W. 42d Ave., Opa Locka, FL 33054. Representative: Sidney Alterman (same address as applicant) (305) 688–3571. Transporting *such commodities* as are dealt in or used by department stores, between points in AL, FL, GA, MS, NC, SC, TN, VA, WV, and KY.

MC 119787 (Sub-11), filed May 11, 1981. Applicant: F. W. GROVES TRUCKING COMPANY, Route 4, Box 89, Leland, NC 28451. Representative: Ralph McDonald, P.O. Box 2246, Raleigh, NC 27602 (919) 828–0731. Transporting *metal products*, between the facilities of Carolina Steel Corporation, at points in the U.S., on the one hand, and, on the other, points in NC, SC, and TN.

MC 123157 (Sub-50), filed May 11, 1981. Applicant: CTI, a corporation, P.O. Box 397, Rillito, AZ 85246. Representative: A. Michael Bernstein, 1441 E. Thomas Rd., Phoenix, AZ 85014 (602) 264–4891. Transporting *commodities in bulk*, between points in AZ, CA, CO, NM, NV, TX, and UT.

MC 127187 (Sub-55), filed May 11, 1981. Applicant: FLOYD DUENOW, INC., P.O. Box 86, Savage, MN 55378. Representative: William J. Gambucci, 525 Lumber Exchange Bldg., Ten South Fifth St., Minneapolis, MN 55402 (612) 340–0808. Transporting *lumber and wood products*, between points in the U.S. under continuing contract(s) with (1) T.W. Hager Lumber Company, of Grand Rapids, MI, (2) Schaberg Lumber Company, of Lansing, MI (3) Gibbs Lumber Company, of Lake Elmo, MN, and (4) Lake Elmo Hardwood Lumber Company, Inc., of Fargo, ND and Lake Elmo, MN.

MC 148187 (Sub-5), filed May 14, 1981. Applicant: VIERON, INC., 1700 Cherry Hill Rd., Baltimore, MD 21230. Representative: Walter T. Evans, 7961 Eastern Ave., Silver Spring, MD 20910 (301) 587–8656. Transporting *hazardous waste materials*, between points in the U.S., under continuing contract(s) with American Recovery Company, Inc., of Baltimore, MD.

MC 155937, filed May 13, 1981. Applicant: INTERNATIONAL BUS SERVICES, INC., 262–268 Monitor St., Brooklyn, NY 11222. Representative: Samuel B. Zinder, 98 Cutter Mill Rd., Great Neck, NY 11021. Transporting *passengers and their baggage* in charter and special operations, beginning and ending at New York, NY and extending to point in the U.S., including AK and HI.

MC 155947, filed May 11, 1981. Applicant: MISSIE, INC., 3400 McIntosh Road, Port Everglades, Fort Lauderdale, FL 33316. Representative: Richard M. Davis, Suite 710, Barnett Bank Bldg., Tallahassee, FL 32301 (904) 224–4926. Transporting *general commodities* (except classes A and B explosives), between point in Broward and Palm Beach Counties, FL, Jefferson County, KY, Spartanburg County, SC,

Mecklenburg and Durham Counties, NC, and Erie County, NY.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-16017 Filed 5-28-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Finance Applications; Decision-Notice

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10926, 10931 and 10932.

We find:

Each transaction is exempt from section 11343 (formerly Section 5) of the Interstate Commerce Act, and complies with the appropriate transfer rules.

This decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

Petitions seeking reconsideration must be filed within 20 days from the date of this publication. Replies must be filed within 20 days after the final date for filing petitions for reconsiderations; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1132.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will indicate that consummation of the transfer will be presumed to occur on the 20th day following service of the notice, unless either applicant has advised the Commission that the transfer will not be consummated or that an extension of time for consummation is needed. The notice will also recite the compliance requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 30 days after publication, or within any approved extension period. Otherwise, the decision-notice shall have no further effect.

By the Commission, Review Board Number 3, Members Krock, Joyce, and Dowell.

MC-FC-78620, filed May 16, 1980 (supplemental publication) (previously published in the **Federal Register** on July 16, 1980), BLUE RIBBON TRUCKING, INC. (BLUE RIBBON) (167 Fairfield Road, Fairfield, NV 07006). (Transferee—Red Arrow Trucking Co. (Red Arrow) (611 Tonnele Avenue, Jersey City, NJ 07307) Representative: Michael R. Werner, Esq., P.O. Box 1409, 167 Fairfield Road, Fairfield, NJ 07006). The purpose of this supplemental publication is to include in the scope of authority which Blue Ribbon proposes to acquire the authority recently issued to Red Arrow in certificate No. MC-44523 (Sub-No. 4) on March 24, 1981. This certificate authorizes transportation, as a motor common carrier, in interstate or foreign commerce, over irregular routes of (1) commodities as are dealt in or used by grocery stores, department stores, between Crawford, NJ and Philadelphia, PA.

MC-FC-78869. By decision of March 30, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to CAPITAL MOVERS, INC., Dover, Delaware of certificate No. MC-133536 Sub 1 and Sub 2 issued July 24, 1970 to Dover Moving and Storage, Inc., Dover, Delaware authorizing the common carrier transportation over irregular routes: Sub-1 *used household goods*, between points in Delaware, points in Northhampton and Accomack Counties, VA, and points in Caroline, Cecil, Dorchester, Kent, Queen Annes, Somerset, Talbot, Wicomico, and Worcester Counties, MD; Sub 2 *household goods*, as defined by the Commission, between points in Delaware on the one hand, New York, New Jersey, Maryland, Pennsylvania, Virginia, and the District of Columbia. Applicant's representative is J. Richard Berry, President, Capitol Movers, Inc., 773 N. DuPont Highway, Dover, Delaware 19901.

MC-FC-78893 (supplemental). By decision of April 23, 1981, Review Board Number 3 granted reopening of this proceeding and substitution of BAKER TRUCK LEASING & SALES, INC., of Wilson, NC, as transferee in lieu of Carolina Agricultural Distributors, Inc. By decision of December 19, 1980, which was published in the **Federal Register** on January 16, 1981, Review Board Number 5 approved the transfer to Carolina Agricuiltural Distributors, Inc., of certain operating rights held by Pantego Distributing Co., Inc., of Pantego, NC, in Certificate No. MC-145928 and (Sub-Nos. 2, 4, and 5) as described in the prior publication. Baker and Carolina are non-carrier affiliates. Representative: Peter A. Greene, 1920 N St., N.W., Washington, D.C. 20036.

MC-FC-78901, filed December 11, 1980. (Supplemental publication). Previously published in the **Federal Register** issue of April 1, 1981. CRETEWAYS TRANSPORTATION, INC., Crete, NE—Transferee and Texas Continental Express, Inc., Joseph W. Colvin, Trustee, Ft. Worth, TX. Representative: Max H. Johnson, Box 6597, Lincoln, NE 68506. The purpose of this supplemental publication is to remove the condition requiring the cancellation of the outstanding lease of the identical authority by Caravan Refrigerated Cargo, Inc. The authority to be transferred herein is listed in the previous publication.

MC-FC-78946. By decision of May 1, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132 Review Board Number 3 approved the transfer to McBURNEY TRANSPORT LIMITED of Hagersville, Ontario, Canada, of Certificate No. MC-119133 issued March 15, 1960 to Cronkwright Transport Ltd., Simcoe, Ontario, Canada, authorizing the transportation by irregular routes of *frozen fruits, frozen berries*, and *frozen vegetables*, between points on the International Boundary between the United States and Canada, on the one hand, and, on the other, points in Delaware, Illinois, Indiana, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, Virginia, and the District of Columbia, through ports of entry at or near the Detroit, Niagara, St. Clair, St. Mary's and St. Lawrence Rivers, restricted (a) against the transportation of shipments from Detroit or Port Huron, MI, to the International Boundary on the Detroit or St. Clair Rivers, and (b) to shipments moving to or from points in Canada. Applicant's representative: William J. Hirsch, 1125 Convention Tower, 43 Court St., Buffalo, NY 14202.

MC-FC-79039. By decision of March 9, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132. Review Board Number 3 approved the transfer to O'NEAL, JERRY and MIKE MELTON d.b.a. O'NEAL MELTON & SONS of Certificate No. MC-146010 (Sub-No. 2F) issued December 4, 1980 to Freeman Cole and Billy G. Hall, a partnership, d.b.a. Cole and Hall Trucking Co. of Camden, TN authorizing the transportation of *silica sand and natural bonded molding sand*, in bulk, in dump and tank vehicles, from points in Benton County, TN, to points in Alabama, Arkansas, Florida, Georgia, Iowa, Illinois, Indiana, Kansas, Kentucky, Louisiana, Michigan, Missouri, Mississippi, Ohio, Pennsylvania, Tennessee, Texas, and Wisconsin. Applicant's representative is: Abraham A. Diamond, 29 South La Salle St., Chicago, IL. TA application has been filed.

Note.—Republish to show territory left out in publication issue of April 10, 1981.

MC-FC-79114. By decision of May 1, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. Part 1132, Review Board Number 3 approved the transfer to JOHNSON TRUCK LINE, INC., of Osborne, KS, of Certificate No. MC-140241 (Sub-Nos. 12F, 17F, and 26F) issued June 5, 1979, June 21, 1979, and November 5, 1979, respectively, to DALKE TRANSPORT, INC. (Ernest McRae, Trustee in Bankruptcy) of Wichita, KS, authorizing the transportation of *Wrought Iron Pipe*, from the facilities of Unarco-Leavitt, at Blue Island, Evanston, and Chicago, IL to points in Iowa, Nebraska, Kansas, Oklahoma and Texas, restricted to the transportation of traffic originating at the above named origin facilities: (1) *Bentonite Clay and Lignite coal* (except in bulk), (a) from the facilities of American Colloid Company in Phillips County, MT to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Iowa, Kansas, Louisiana, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming, and (b) from the facilities of American Colloid Company in Big Horn and Crook Counties, WY to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Iowa, Kansas, Louisiana, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington and Wyoming (except from the facilities of American Colloid Company in Big Horn County, WY, to points in Washington); and (2) *Lignite coal* (except in bulk), from the facilities of American Colloid Company in Bowman County, ND, to points in Arizona, California, Louisiana, New Mexico, Oklahoma, and Texas; *iron and Steel Articles*, from the facilities of Northwestern Steel and Wire Company, at or near Sterling, IL and Rock Falls, IL to points in Kansas, Missouri, Nebraska, Iowa, Oklahoma, Arkansas, and Texas, restricted to the transportation of traffic originating at the named facilities. Transferee holds authority from the Commission in No. MC—105774. Application for temporary authority has not been filed. Applicant's representative is: William B. Barker, Attorney, P.O. Box 1979, 641 Harrison Street, Topeka, KS 66601, (913) 234-0565.

MC-FC-79115. By decision of April 30, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132, Review Board Number 3 approved the transfer to FREIGHT MASTERS, INC. of Certificate No. MC-146949 (Sub-Nos. 1, 2, 3, 4, 5, and 6), all issued December, 1979, to McINVALE TRUCK LINES, INC., authorizing the transportation of (1)(a) *plastic dinnerware*, from the facilities of National Home Products, Inc., at or near Port Gibson, MS, to points in Connecticut, New York, North Carolina, and Massachusetts, and (b) *plastic materials* (except expanded plastic materials and commodities in bulk, in tank vehicles), from Wallingford, CT, Florence, MA, and Midland, MI, to the origin facilities of (a) above, (2)(a) *sleeping bafs and comforters*, from the facilities of N.H. Manufacturing Co., at or near Pelahatchie and Jackson, MS, to points in Connecticut, Massachusetts, New Jersey, New York, Ohio, and Pennsylvania, and (b) *alcoholic beverages* (except in bulk, in tank vehicles from points in New Jersey and New York, to points in Mississippi, (3)(a) *household appliances* (1) from the facilities of National Presto Industries, Inc., at or near Canton and Jackson, MS, to points in California, Florida, Georgia, New Jersey, New Mexico, New York, North Carolina, and Texas, and (2) from Mt. Airy, NC, to the facilities of National Presto Industries, Inc., at or near Canton, MS; and (b) *household appliances and materials, equipment, and supplies* used in the manufacture of household appliances (except commodities in bulk, in tank vehicles), from Alamogorodo, NM, and Abilene, TX, to the origin facilities of National Presto Industries, Inc., at or near Canton, MS, (4) *new furniture*, from Senatobia, MS, to points in Arizona, California, Colorado, Nevada, Oregon, Utah, and Washington, (5)(a) *new furniture, from the facilities of Madison furniture Industries, Inc., at or near Canton, MS, to points in Arizona, California, Colorado, Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Texas, and (b) materials, equipment, and supplies* used in the manufacture of new furniture, (except commodities in bulk, in tank vehicles), from points in Arizona, California, Colorado, Connecticut, Massachusttts, New Jersey, New York, Pennsylvania, Rhode Island, and Taxas, to the facilities of Madison Furniture Industries, Inc., at or near Canton, MS, and (6) *stainless steel cookware*, from Flora, MS, to points in Massachusetts and Georgia. Applicants' representative: Robert L. McArty, P.O. box 22628, Jackson, MS 39205.

Notes.—(1) an application for temporary authority has been filed. (2) Transferee is a non-carrier.

MC-FC-79118. By decision of April 30, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132, Review Bord Number 3 approved the transfer to BLUE RIDGE TRANSPORTATION COMPANY of Certificate No. MC-106373 (lead and Sub-Nos. 8, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24 and 30 issued THE SERVICE TRANSPORT CO. authorizing the transportation over regular and irregular routes of general commodities, with exceptions in Michingan, Ohio, Pennsylvania and New York, and certain specified commodities in Michigan, Ohio, Pennsylvania, New York, New Jersey, Maryland, West Virginia, Indiana, and Illinois. Applicant's representative is: A. Charles Tell, Esq., Baker & Hostettles, 100 East Broad Street, Columbus, OH 43215.

MC-FC-79119. By decision of April 30, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132, Review Bord Number 3 approved the transfer to DON FRAME TRUCKING INC., of Fredonia, New York of Permit No. MC-150878F issued February 10, 1981 to HOWARD MARTIN TRUCKING, INC., Cassadaga, New York authorizing the transportation of *Malt beverages and containers for malt beverages*, between points in the United States, under continuing contract(s) with Arther Green Co., of Jamestown, NY. applicant's representative is: Kenneth J. Johnson and Ronald W. Malin, bankers Trust Building, Jamestown, N.Y. 14701. Transferee is not a carrier. Transferee is not seeking TA lease authority.

MC-FC-79125. By decision of April 29, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132, Review Bord Number 3 approved the transfer to RAYMOND L. SHAFFER, d.b.a. RAYMOND L. SHAFFER TRUCKING of Quarryville, PA 17566 of Permit No. MC-144440 (sub-No. 2F and Sub-No. 3F) issued to RICHARD D. DOMBACH of Millersville, PA 17551 (sub-No. 2F) authorizing transportation of *Asphalt sealing coating*, from the facilities of Chevron U.S.C., Inc., near Baltimore, MD, to the facilities of Henry S. Breneman, at Lancaster, PA, under contract with Henry S. Breneman, of Lancaster, PA. (Sub-No. 3F) authorizing transportation of *agricultural chemicals* from the facilities of Lebanon Chemical Corporation, near (1 Baltimore, MD, to Millersville, PA, and points in Chester, Columbia, Cumberland, Dauphin, Lebanon, Snyder, and York counties, PA, and (2) Allentown, PA, to Baltimore, MD, under continuing contract with Lebanon chemical corporation, of Lebanon, PA. Applicant's representative: Georgelis & Solodky, Eight North Queen Street, P.O. Box 1543,

Lancaster, PA 17603. TA lease is sought. Transferee is a carrier.

Supplementary "Federal Register" Summary

MC-FC-78919. By decision of April 16, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132 Review Board Number 3 approved the transfer to INCORPORATED CARRIERS, INC., Nevada, Missouri of Certificate No. NC-138553 and Sub 3, Sub 4, and Sub 1 issued July 18, 1973, April 30, 1980, and December 31, 1979, respectively. To M AND N GRAIN COMPANY, Nevada, MS. Authorizing the common carrier transportation of *Hides and pelt,* from Butler, MO to Los Angeles and San Francisco, CA, Chicago, IL, Cedar Rapids, IA, Middlesboro, KY, New Orleans, LA, South Paris, ME, Danversport and Peabody, MA, Detroit, MI, Omaha, NE, Newark, NJ, Brooklyn & New York, NY, Brownsville, Houston and Laredo, TX, Norfolk, VA, Fond du Lac, Hartford, Green Bay, Kenosha, Milwaukee and Weyauwega, WI with no transportation for compensation on return except as otherwise authorized. From Fort Smith, AR, Denver, Greeley, Larmar, Monte Vista, Rocky Ford and Stratton, CO, Chicago, Joliet and Milan, IL, Cedar Rapids, Centerville, Des Moines and Marshalltown, IA, Andale, Dodge City, Ellis, Garden City, Pratt, Seneca, Solomon and Wichita, KS, Darr, Gibbon, Omaha and Scottsbluff, NE, Albuquerque, NM, Bismarck, Dickinson, Fargo, Nettinger, Jamestown, Minot and Williston, ND, Enid and Oklahoma City, OK, Mitchell, Rapid City, Sioux Falls and Yankton, SD, Amarillo, Fort Smith, Hamilton, McKinney, Palestine, Paris, San Angelo And San Antonio, TX, Green Bay and Weyauwega, WI and Casper and Worland, WY to Butler, MO with no transportation for compensation on return except as otherwise authorized. Sub 3: *Hides* from Chicago, Hampshire, Mason City and Rockford, IL, Evansville, Fort Wayne and Indianapolis, IN, Cedar Rapids, Denison, Spencer and Tama, IA, Solomon and Wichita, KS, Louisville, KY, Detroit, MI, Minneapolis and St. Cloud, MN, Meridian and Tupelo, MS, Joplin, Kansas City, Rock Port and Springfield, MO, Chadron, NE, Dakota City, Gibbon, McCook and Omaha, NE, Cincinnati, Cleveland, Columbus and Toledo, OH, Rapid City, SD, Memphis, TN and Chippewa Falls, Green Bay, and Milwaukee, WI to Laredo, TX. Sub 4: *Hides* (1) from Los Angeles, CA, Macon, GA, Hampshire, IL, Springfield, MO, Newark, NJ, Philadelphia, PA, Bellingham and Seattle, WA, and Milwaukee and Muskego, WI, to Laredo, TX, (2) from Springfield, MO, North Platte and Omaha, NE, Lubbock, TX and Muskego, WI to Los Angeles, CA and (3) from North Platte, NE to Oakland and San Francisco, CA. Sub 1F: *Hides and pelts,* (1) from Little Rock and Searcy, AR, Belmond and Waterloo, IA, McCook and Norfolk, NE, Columbus, OH, Texarkana and Tyler, TX, and Muskego, WI, to Butler, MO. (2) from Butler, MO to Phoenix, AZ, Woburn, MA, Hartland, ME, St. Paul, MN, Manchester and Penacook, NH, Buffalo, Gloversville and Johnston, NY, and Memphis, TN, (3) From Columbus, OH to Danversport, MA, Hartland, ME and Milwaukee, WI, (4) From Great Bend, KS to Los Angeles, CA, Manchester, NH, and Laredo, TX and (5) from Muskego, WI to Danversport, MA and Laredo, TX. Applicant's representative is: Tom B. Kretsinger, Kretsinger and Kretsinger, 20 East Franklin, Liberty, MO 64068.

Note.—The purpose of this supplemental publisaction is to include certain authority inadvertently omitted in the original application. The operating authority described represent all of the authority being tranferred.

MC-FC-79083. By decision of April 16, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. Part 1132 Review Board Number 3 approved the transfer to H. L., BARRERA, FWDG. CO. of Eagle Pass, TX d/b/a H. L. BARRERA of Certificate No. MC-96552 issued December 24, 1974, to SATIAGO ALFARO of Eagle Pass, TX authorizing the transportation of General Commodities, except those requiring special equipment, between the United States-Mexico Boundary line at Eagle Pass, TX and points in Eagle Pass, TX. Applicant's representative is: H. L. Barrera, 801 Maine Street, Eagle Pass, TX 78852.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-16014 Filed 5-28-81: 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after July 3, 1980, are governed by Special Rule 247 of the Commission's Rules of Practice, see 49 CFR 1100.247. Special rule 247 was published in the **Federal Register** of July 3, 1980, at 45 FR 45539.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.247(B). A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.gs., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant as demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests in the form of verified statements filed within 45 days of publication of this decision-notice (or, if the application later becomes unopposed) appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notice that the decision-notice is effective. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OP3-233

Decided: May 21, 1981.

By the Commission, Review Board No. 3, Members Krock, Joyce and Dowell.

MC 152134 (Sub-3), filed January 19, 1981, previously noticed in the **Federal Register** of February 24, 1981. Applicant: BESTWAY TRANSPORT CO., a corporation, Route #2, Willard, OH 44890. Representative: Lewis S. Witnerspoon, 88 East Broad Street, Columbus, OH 43215. Transporting *food*

and related products, between the facilities used by Chef's Pantry, Inc., in and east of MN, IA, MO, AR, and TX.

Note.—This republication clarifies the territorial description.

Volume No. OP3-234

Decided: May 21, 1981.

By the Commission, Review Board No. 3, Members Krock, Joyce and Dowell.

MC 135444 (Sub-7), filed January 29, 1981, previously published in the **Federal Register** issue of March 5, 1981. Applicant: SOUTHERN OHIO TRUCK LINES, INC., 3585 Hamilton Trenton Rd., Hamilton, OH 45011. Representative: Earl N. Merwin, 85 East Gay St., Columbus, OH 43215. Transporting *general commodities* (except classes A and B explosives), between Cleveland, OH, and points in Lake County, OH, on the one hand, and, on the other, points in KY and IN.

Note.—This republication corrects the territorial description.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-16128 Filed 5-28-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule 251 of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the **Federal Register** on December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. Applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service or to comply with the appropriate statutes and Commission regulations. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulation. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication (or, if the application later become unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Volume No. OP1-152

Decided: May 19, 1981.

By the Commission, Review Board No. 1 Members Parker, Chandler and Fortier.

MC 150141 (Sub-3), filed May 11, 1981. Applicant: MINNESOTA CONSUMER SUPPLY CO., INC., 5720 East River Rd., Apt. 102, Minneapolis, MN 55432. Representative: Stanley C. Olsen, Jr., 5200 Willson Rd., Suite 307, Edina, MN 55424, (612) 927-8855. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

MC 155930, filed May 11, 1981. Applicant: EAGLE EXPRESS MESSENGER, INC., 136 Patrick Road, Norwalk, CT 06851. Representative: Gerald A. Joseloff, 410 Asylum Street, Hartford, CT 06103, (203) 728-0700. Transporting *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S.

MC 155931, filed May 11, 1981. Applicant: DARRELL W. BOWMAN, d.b.a. AERODYNE EXPRESS, 740 River Loop #2, Eugene, OR 97404. Representative: Darrell W. Bowman (same address as applicant), (503) 688-0660. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S.

MC 155960, filed May 6, 1981. Applicant: JOSEPH S. SYLVIA, d.b.a. IVY MEADOWS FARM, 408 Sodom Road, Westport, MA 02790. Representative: Joseph S. Sylvia, Long Point Road, Lakeville, MA 02346, (617) 947-7760. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S.

Volume No. OP1-154

Decided: May 20, 1981.

By the Commission, Review Board No. 1, members Parker, Chandler, and Fortier.

MC 152071, filed May 14, 1981. Applicant: BERNARD E. ROCHE, d.b.a. EDDIE ROCHE'S MOBILE HOMES MOVING AND SERVICE, 438 Barcelona Lane, Virginia Beach, VA 23452. Representative: Blair P. Wakefield, Suite 1001, First and Merchants National Bank Bldg., Norfolk, VA 23510, (804) 627-0070. Transporting for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

MC 155941, filed May 14, 1981. Applicant: DROKE BROTHERS TRUCKING, INC., Route No. 1, Hornersville, MO 63885. Representative: E. Lewis Coffey, 26 Kingspark Drive,

Maumelle, AR 72118, (501) 851-3208. Transporting *general commodities* (except classes A and B explosives), between Cardwell, Arbyrd, and Hornersville, MO, on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this application is to substitute motor carrier for abandoned rail carrier service.

MC 155980, filed May 13, 1981. Applicant: NSTS CORPORATION, 273 Hanover St., Hanover, MA 92339. Representative: John M. Kane, Jr. (same address as applicant), (617) 826-5378. As a *broker of general commodities* (except household goods), between points in the U.S.

Volume No. OPY-2-080

Decided: May 19, 1981

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 115092 (Sub-131), filed May 11, 1981. Applicant: TOMAHAWK TRUCKING, INC., P.O. Box 0, Vernal, UT 84078. Representative: Walter Kobos, 1016 Kehoe Dr., St. Charles, IL 60174. Transporting *general commodities*, between Alexander, IA; De Luz, Fallbrook, Kett, and Matheson, CA; Lake Kapowsin, WA; Allison, Briscoe, Dougherty, Laketon, Mobettle, Paducah and Roaring Springs, TX; Caney, Cedar Vale, Sedan and Dexter, KS; Strong City, Hammon, Stafford, Cheyenne and Reydon, OK, on the one hand, and, on the other points in the U.S.

Note.—The purpose of this application is to substitute motor carrier service for abandoned rail service.

MC 147032 (Sub-6), filed May 8, 1981. Applicant: GENERAL MOTOR LINES, INC., P.O. Box 9583, Baltimore, MD 21237. Representative: Edward N. Button, 580 Northern Ave., Hagerstown, MD 21740, 301-739-4860. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

MC 155823, filed May 8, 1981. Applicant: SCOTT W. BUCK d.b.a. BUCK'S MILL TRANSPORT, P.O. Box 188, Davis, IL 61019. Representative: R. Jerome Pfister, 900 Camelot Tower, 1415 East State St., Rockford, IL 61108, 815-987-4071. Transporting *food and other edible products and byproducts intended for human consumption*, (except alcoholic beverages and drugs), *agricultural limestone and fertilizer, and other soil conditioners*, by the owner of the motor vehicle in such vehicle, between points in the U.S.

Volume No. OPY-3-078

Decided: May 20, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 151455 (Sub-2), filed May 11, 1981. Applicant: T & T TRUCKING INC., 351 Attucks St., St. Louis, MO 63122. Representative: Charles L. Thornton (same address as appliant), (314) 966-4224. Transporting, for or on behalf of the U.S. Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

Volume No. OPY-3-080

Decided: May 20, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 155834, filed May 8, 1981. Applicant: A & T TRUCKING, INC., Star Route, Ferndale, AR 72211. Representative: Charley Tennyson (same address as applicant), (501) 821-3569. Transporting *general commodities* (except classes A and B explosives), between Primrose and Luthersville, GA, Cardwell, Arbyard, Hornersville, Edna, Lewistown, Hurdland and Ewing, MO, McHenery, ND, Narcisso, Russellville, Roaring Springs, Crandall, Kaufman, Kemp, Mabank, Reklaw, Mobeetie, Briscoe and Allison, TX, Raymond, Oakley, Adams and Myles, MS, Snyder and Hamburg, AR, Holly Springs and Stokedale, NC, Radcliff, Aurora, Ellsworth and Lawn Hill, IA, Henery and Clark, SD, Esmond, Astoria, Teheran, Biggs, Easton and Richmond, IL, Shell Lake, Cumberland, Gillett, Green Valley, Lake Geneva and Genoa City, WI, Elgin, NE, Benton, Barlow, La Center, Oak Ridge, Philpot, Deanefield, Thompsonville, Masonville, Edgoten and Lewisburg, KY, Kenwood, Hickory Point, Doddsville, Fox Bluff, Chapmansboro, Ashland City, Scottsboro, Jordonia and Riverside, TN, Reydon, Cheyenne, Strong City, Hammon and Butler, OK, McDonald, OH, and Paris and Paris Crossing, IN, on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this application is to substitute motor carrier for abandoned rail carrier service.

MC 155904, filed May 12, 1981. Applicant: DANIEL F. YOUNG, INC., 17 Battery Place North, New York, NY 10004. Representative: John V. Corcoran (same address as applicant), (212) 248-1700. As a *broker of general commodities* (except household goods), between points in the U.S.

MC 155925, filed May 11, 1981. Applicant: A.A. LAW MOVERS, INC., d.b.a. PETER FERRARO MOVING & STORAGE CO., 186 Prospect Avenue, Bergenfield, NJ 07621. Representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904, (201) 572-5551. Transporting for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

Volume No. OPY-4-144

Decided: May 21, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 155836, filed May 8, 1981. Applicant: ALLEN JONES, R-1, Box 12, Lockwood, MO 65682. Representative: Allen Jones (same address as applicant), (417) 232-4328. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S.

Volume No. OPY-4-147

Decided: May 21, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 155946, filed May 14, 1981. Applicant: R.C.P. TRUCKING CO., INC., P.O. Box 186, (30375 Richmond Terrace), Staten Island, NY 10303. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934, (201) 435-7140. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S.

Volume No. OPY-4-152

Decided May 20, 1981.

By The Commission, Review Board No. 2, Members Carleton, Fisher and Williams.

MC 155777, filed May 7, 1981. Applicant: LaFLEUR'S TRUCKING SERVICES, INC., 8 So. River Rd., Bedford, NH 03102. Representative: Wesley S. Chused, 15 Court Square, Boston, MA 02108 (617) 742-3530. As a *broker of general commodities* (except household goods), between points in the U.S.

MC 155827, filed May 8, 1981. Applicant: SCHLEP COURIER, INC., 3831 Appian Way, Glenview, IL 60025. Representative: Joseph Winter, 29 So. LaSalle St., Chicago, IL 60603, (312) 263-2306. Transporting *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package

exceeds 100 pounds, between points in the U.S.

Volume No. OPY–4–153

Decided: May 22, 1981.

By The Commission, Review Board No. 2, Members Carleton, Fisher and Williams.

MC 155986, filed May 14, 1981. Applicant: FREDERICK RICHARDS OF GEORGIA, INC., 122 West Bay St., Savannah, GA 31402. Representative: James P. Black, 210 Commodore Drive, Savannah, GA 31410, (912) 897–2674. As a *broker of general commodities* (except household goods), between points in the U.S.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81–16129 Filed 5–28–81; 8:45 am]

BILLING CODE 7035–01–M

[Volume No. 89]

Motor Carriers; Permanent Authority Decisions; Restriction Removals; Decision-Notice

Decided: May 22, 1981.

The following restriction removal applications, filed after December 28, 1980, are governed by 49 CFR Part 1137. Part 1137 was published in the **Federal Register** of December 31, 1980, at 45 FR 86747.

Persons wishing to file a comment to an application must follow the rules under 49 CFR 1137.12. A copy of any application can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the restriction removal applications are not allowed.

Some of the applications may have been modified prior to publication to conform to the special provisions applicable to restriction removal.

Findings

We find, preliminarily, that each applicant has demonstrated that its requested removal of restrictions or broadening of unduly narrow authority is consistent with 49 U.S.C. 10922(h).

In the absence of comments filed within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Restriction Removal Board, Members Sporn, Alspaugh, and Shaffer.

Agatha L. Mergenovich,

Secretary.

MC 31438 (Sub-17)X, filed April 21, 1981. Applicant: ROY O. WETZ, d.b.a. R. O. WETZ TRANSPORTATION, 212 Pike Street, Marietta, OH 45750. Representative: A. Charles Tell, Suite 1800, 100 East Broad Street, Columbus, OH 43215. Applicant seeks to remove restrictions in its lead and Sub-Nos. 4, 5, 7, 10, 11, 12, 14, 16F certificates and Sub E–1 letter notice to (1) broaden the commodity descriptions to "food and related products" from farm products, evaporated milk, farm produce and agricultural commodities, in part of the lead and Sub-No. E–1; from canned evaporated milk, in Sub-No. 5; from general commodities (with exceptions) to "general commodities (except classes A and B explosives)," in part of the lead; to "metal products" from ferro alloys, in Sub-Nos. 10 and 11; from mine roof bolts, plates and wedges, and expansion shells, and iron and steel articles, in Sub-No. 16F; from mine roof bolts, plates and wedges, expansion shells and ferro alloys, in Sub-No. E–1; to "contractors equipment, materials and supplies" from precast concrete products and materials, parts and accessories moving with such products and used in erecting or assembling such products, in Sub-No. 7; from precast concrete products and materials, parts and accessories moving with such products, in Sub-No. E–1; to "plastic and lumber products, and containers" from pallets and empty containers, in Sub-Nos. 10 and 11; to "chemicals and related products" from silica, in Sub-No. 14; to "containers" from empty containers, in Sub-No. 16F; and to "lumber and wood products" from lumber (except plywood and veneer), (2) broaden the territorial description by substituting county-wide for city-wide authority and named facilities: Washington County, OH (for Marietta, Waterford, Waterford Township and the plantsite in Waterford Township, in the lead and Sub-Nos. 4, 5, 7, 10, 11, 14, 16 and E–1; and Onandaga County, NY (for Solvay, NY), in Sub-No. 4, (3) replace one-way with radial authority in the lead and Sub-Nos. 4, 5, 7, 10, 11, 12, 14, 16F and E–1, (4) remove the "in bulk" restrictions in Sub-Nos. 10 and 14 and (5) remove the "in containers" limitations in Sub-No. 7; weight limitations, and the size and weight restriction, in the lead.

MC 45134 (Sub-14)X, filed May 11, 1981. Applicant: COLLINS TRUCK LINES, INC., 1229 Osborne Rd., Minneapolis, MN 55432. Representative: John B. Van De North, Jr., 2200 First National Bank Building, St. Paul, MN 55101. Applicant seeks to remove restrictions in its lead and Sub-Nos. 11 and 13 to (1) broaden the commodity description by removing exceptions of automobiles and household goods from its general commodities authority and removing "dry, in bags" from manufactured fertilizer in its lead; and remove exceptions of iron and steel, in bulk and size and weight commodities from building, roofing, and insulation materials in Sub-No. 11; (2) remove facilities limitations at St. Paul-Minneapolis, MN, in its lead, and Scott County, MN, in Sub-No. 11; (3) remove an originating at restriction in Sub-No. 11; (4) remove for delivery or pick up only and joinder only restrictions on its regular and alternate routes, authorize service at all intermediate points, only in its regular routes and authorize two-way service on its regular and alternate routes in MN and ND in its lead; and (5) replace one-way with radial authority between St. Paul-Minneapolis, MN, and, MT and ND in the irregular route portion of the lead, between Scott County and 15 western and midwestern States in Sub-No. 11, and between Wahpeton, ND, and ND in Sub-No. 13F.

MC 67450 (Sub-115)X, filed April 22, 1981. Applicant: PETERLIN CARTAGE CO., 9651 S. Ewing Avenue, Chicago, IL 60617. Representative: Joseph Winter, 29 South La Salle Street, Chicago, IL 60603. Applicant seeks to remove restrictions in its Sub-Nos. 22, 30, 31, 36, 42, 44, 45, 46, 53, 62, 64, 71F, 73F, 76F, 77F, 78F, 83F, 84F, 85F, 90F, 91F, 92F, 97F, and 100F certificates and E19, E20, E36, E37, E40, E41, E42, E43, E44, E45, E46, E47, E48, E49, E50, E51, E52, E53, E54, E55, E56, E58, E60, E67, E68, E69, E72, E73, E77, E85, E87, E90, and E91 letter-notices, to (1) broaden the commodity description to "food and related products" from starch and blends thereof, and corn products, in Sub-No. 30, food, foodstuffs, food preparations, cooking oils, shortening, advertising matter, and materials, equipment and supplies used by persons engaged in the manufacture, sale, and distribution of the foregoing commodities in, Sub-No. 31, flour in Sub-Nos. 44, E36, E37, E40, E41, E42, E43, E44, E45, E46, E47, E48, E49, E50, E51, E52, E53, E54, E55, E56, E58, E60, E67, E68, E69, E72, E73, E77, E85, E87, E90, and E91, foodstuffs and food preparations in Sub-No. 46 in part, products of corn in Sub-No. 53, from foodstuffs and materials, equipment and supplies used in the manufacture or distribution of foodstuffs in Sub-No. 73F, foodstuffs, prepared animal feed, and materials and supplies used in the manufacture and

distribution of those commodities in Sub-No. 77F, animal feed and materials, equipment and supplies used in the manufacture and distribution of animal feed in Sub-No. 76F, grain products in Sub-No. 83F, malt beverages in Sub-No. 84F, dextrine, corn sugar, corn starch, and products of corn and blends thereof in Sub-No. 85F, from sugar in Sub-Nos. 90F, 91F, and 92F, bakery goods in Sub-No. 100F, and liquid sugar and blends thereof in Sub-Nos. E19 and E20; to "such commodities as are dealt in or used by grocery and food business houses" from food, foodstuffs, food preparations, cooking oils, shortening, and matches, and such materials, supplies and equipment as are used by persons engaged in the manufacture, selling, and distribution of the foregoing commodities in Sub-No. 22; to "pulp, paper and products" from paper and paper products in Sub-No. 62; to "metal products" from wire and wire products in Sub-No. 64; to "ores and minerals, and chemicals and related products" from silica and silica sand in Sub-No. 71F; (2) broaden the territorial description by substituting county-wide or city-wide authority for named facilities as follows: Lucas County, OH, Erie County, NY and DuPage and Kane Counties, IL for facilities at Toledo, OH, Buffalo, NY, St. Charles, and West Chicago, IL, in Sub-No. 22; Linn, Clinton, Muscatine, and Lee Counties, IA from facilities at Cedar Rapids, Clinton, Muscatine, and Keokuk, IA and their commercial zones, in Sub-No. 36; Kane County, IL from Elgin, IL in Sub-No. 42; Polk County, IA, Cumberland County, PA, Passaic County, NJ, Allegany County, MD, Branch County, MI, Randolph County, IL, Marion and Clark Counties, OH, and Erie County, NY from Des Moines, IA, Camp Hill, PA, Clifton, NJ, Cumberland, MD, Quincy, MI, Chester, IL, Marion and Springfield, OH, and Buffalo, NY in Sub-No. 44; Kane County, IL from Elgin, IL in Sub-No. 45; Knox County, IL from facilities at Galesburg, IL in Sub-No. 46; Chicago, IL and points in Tazewell County, IL from facilities at Chicago and Pekin, IL in Sub-No. 53; Chicago, IL from facilities at Chicago, IL in Sub-No. 62; Erie County, NY for facilities at Tonawanda, NY in Sub-No. 64; Alexander and LaSalle Counties, IL from facilities at Tamms and Wedron, IL in Sub-No. 71F; Chicago, IL and DuPage, Kane and Knox Counties, IL, Lucas, and Seneca Counties, OH, Erie County, NY, Fairfield County, CT, Hamilton County, TN, Dallas, TX, Kansas City, MO, Minneapolis, MN and Linn County, IA from facilities at Chicago, West Chicago, St. Charles, and Galesburg, IL, Toledo and Fostoria, OH, Buffalo, NY, Bridgeport, CT, Chattanooga, TN, Dallas, TX, Kansas City, MO, Minneapolis, MN, and Cedar Rapids, IA in Sub-No. 73F; Warren County, IL from Monmouth, IL in Sub-No. 76F; Orange, Santa Clara, and Alameda Counties, CA, Denver, CO, Jacksonville, FL, Atlanta, GA and Meriwether County, GA, DuPage County, IL, Shelby County, IN, Norfolk and Middlesex Counties, MA, Minneapolis, MN, Erie, Ontario, and Niagara Counties, NY, Mechlenburg County, NC, Franklin and Lucas Counties, OH, Portland, OR, Cumberland County, PA, and Dallas and Houston, TX from facilities at Buena Park, San Jose, and San Leandro, CA, Denver, CO, Jacksonville, FL, Atlanta and Woodbury, GA, Naperville, IL, Morristown, IN, Foxboro and Waltham, MA, Minneapolis, MN, Buffalo, Geneva and Niagara Falls, NY, Charlotte, NC, Columbus and Toledo, OH, Portland, OR, Mechanicsburg, PA, and Dallas and Houston, TX in Sub-No. 77F; Cullman, Lee and Talladega Counties, AL, Lassen and Siskiyou Counties, CA, Cook, and Gilmer Counties, GA, Whiteside County, IL, Montgomery County, MD, Ingham County, MI, Sussex and Passaic Counties, NJ, Chowan County, NC, Crawford, Logan, Lucas, and Clark Counties, OH, Lancaster County, PA and Knox County, TN from Cullman, Opelika, and Sylacauga, Al, Susanville and Yreka, CA, Adel and Whitestone, GA, Morrison, IL, Wheaton, MD, Mason, MI, Newton, West Milford and Sussex, NJ, Edenton, NC, Crestline, Bellefontaine, Toledo and S. Charleston, OH, Lancaster, PA, and Knoxville, TN, in Sub-No. 78F; Vanderburgh County, IN and LaCrosse County, WI from Evansville, IN and LaCrosse, WI, in Sub-No. 84F; Randolph County, IL and Perry County, MO from Chester and Steeleville, IL and Perryville, MO, in Sub-No. 97F; Cook County, IL from Morton Grove and Niles, IL in Sub-No. 100F; Erie County, NY from facilities at Buffalo, NY in Sub-No. E19, Allen County, IN from Fort Wayne, IN, in Sub-Nos. E36 and E37; Noble County, IN from Ligonier, IN in Sub-Nos. E58, E60 and E91; Scott and Polk Counties, IA from Davenport and Des Moines, IA, in Sub-Nos. E67, E68 and E69; (3) replace one-way authority with radial authority between various combinations of states throughout the United States, in Sub-Nos. 22, 36, 44, 45, 46, 53, 62, 64, 71F, 76F, 77F, 78F, 83F, 84F, 85F, 90F, 91F, 92F, 100F, E19, E20, E36, E37, E40, E41, E58, E60, E67, E68, E69, E72, E73, E77, E85, E87, E90 and E91; (4) authorize service at all intermediate points in connection with its regular-route operations, in Sub-No. 31; (5) remove restrictions limiting services to or from named facilities in Sub-Nos. 22, 31, 36, 42, 45, 46, 53, 62, 64, 71F, 73F, 77F, and E19; (6) remove "except containers and commodities in bulk" restriction in Sub-No. 22, "except frozen food, meat and commodities in bulk" restriction in Sub-No. 31, "except commodities in bulk" restrictions in Sub-Nos. 62, 71F, 73F, 76F, 77F, 78F, 84F, 85F, 92F, and 97F, "except corn oil" restriction in Sub-No. 53, "in bulk" restrictions in Sub-Nos. 30, 36, 44, 53, 83F, E19, E20, E36, E37, E40, E41, E42, E43, E44, E45, E46, E47, E48, E49, E50, E51, E52, E53, E54, E55, E56, E58, E60, E67, E68, E69, E72, E73, E77, E85, E87, E90, and E91, "in tank vehicles" restriction in Sub-Nos. 22, 44, 53, 73F, E19, E20, E40, E72, E73, E85, and E87, "in tank or hopper-type vehicles" restriction in Sub-No. 44, and "in containers" restriction in Sub-No. 46; (7) remove restrictions to shipments having prior movement by rail in Sub-Nos. 30 and 44, and restriction to traffic having prior movement by motor, rail or water carrier in Sub-No. 62; (8) remove "originating at and/or destined to" restrictions in Sub-Nos. 31, 36, 42, 45, 46, 71F, 73F, and 77F; (9) remove "except AK and HI" restrictions in Sub-Nos. 36, 78F, 83F, and 85F, "restricted against service from and to Delaware, OH, and points in its commercial zone as defined by the Commission" restriction in Sub-No. 30, "restricted against the transportation of potato flour from ME", "except from St. Louis, MO, to points in IL" and "except that no service is authorized from points in VA, to Harrisburg, Lancaster, York, or Reading, PA" restrictions in Sub-No. 44.

MC 93186 (Sub-13)X, filed May 11, 1981. Applicant: EUDELL WATTS III d.b.a. WATTS TRANSFER CO., 825 First Avenue, Rock Island, IL 61201. Representative: Thomas M. O'Brien, 10 South LaSalle Street, Suite 1600, Chicago, IL 60603. Applicant seeks to remove restrictions in its Sub-Nos. 1F, 3F, and 10F certificates to (1) broaden the commodity descriptions from (a) wheels, rims, hubs, and spindles and materials and supplies used in the manufacture and distribution of the above named commodities in Sub-No. 1F to "such commodities as are dealt in or used by manufacturers and distributors of wheels, rims hubs, and spindles"; (b) motorcycle parts and automobile parts, agricultural implement parts, iron and steel foundry products, and wheels and rim to "such commodities as are dealt in or used by manufacturers and distributors of motorcycle parts and automobile parts, agricultural implement parts, iron and

steel foundry products, and wheels and rims" in Sub-No. 10F; (2) eliminate the facilities limitations in Sub-Nos. 1F and 3F; (3) expand city-wide authority to county-wide authority (a) from Walcott, IA to Scott County, IA in Sub-No. 1F; (b) from Washington, IA to Washington County, IA in Sub-No. 3F; (c) from Cedar Rapids, IA to Linn County, IA; from Clinton, IA to Clinton County, IA; from Davenport and Walcott, IA to Scott County, IA; from Dubuque, IA to Dubuque County, IA; from Iowa City, IA to Johnson County, IA; from Ottumwa, IA to Wapello County, IA; from Muscatine and Wilton Junction, IA to Muscatine County, IA; from Sioux City, IA to Woodbury County, IA; from Washington, IA to Washington County, IA; and from Waterloo, IA to Black Hawk County, IA in Sub-No. 10F; (4) broaden the territorial descriptions to allow radial service (a) between points in Scott County, IA, on the one hand, and, on the other, points in WI west of U.S. Highway 45 and south of U.S. Highway 10 (except the LaCrosse and Milwaukee, WI Commercial Zones) and IL (except the Chicago, IL Commercial Zone) in Sub-No. 1F; and (b) between points in Washington County, IA, on the one hand, and, on the other, points in IL, IN, MI, and WI in Sub-No. 3F; and (5) remove originating at or destined to restrictions in Sub-Nos. 1F and 3F.

MC 109397 (Sub-538)X, filed May 13, 1981. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, MO 64801. Representative: A. N. Jacob, P.O. Box 113, Joplin, MO 64801 Applicant seeks to remove restrictions in its Sub-Nos. 508F and 519 certificates to (1) remove the restriction excepting HI in Sub-No. 508F and (2) remove the restriction excepting household goods as defined by the Commission in Sub-No. 519 in its general commodities authorities between points in the U.S.

MC 114301 (Sub-113)X, filed May 15, 1981. Applicant: DELAWARE EXPRESS CO., P.O. Box 97, Elkton, MD 21921. Representative: Maxwell A. Howell, 1100 Investment Bldg., 1511 K St., NW, Washington, DC 20005. Applicant seeks to remove restrictions in its Sub-Nos. 89, 93 and 94F certificates to (a) broaden the commodity descriptions from plastic pellets (Sub-No. 89), granular plastic (Sub-No. 93) and dry plastic materials (Sub-No. 94) to "chemicals and related products," (b) in Sub-No. 89 broaden, Pawtucket, RI to Providence County, RI; Elkton, MD, to Cecil County, MD; New Brunswick, NJ, to Middlesex County, NJ; Sycamore, IL, to DeKalb County, IL; Tarboro, NC, to Edgecombe County, NC; Hazelhurst, MS, to Copiah County, MS; Miami, FL, to Dade County, FL; and Westfield, MA, to Hampden County, MA; and in Sub-Nos. 93 and 94 broaden Leominster, MA, to Worcester County, MA; (c) broaden its one-way to radial authority between the counties named above and points in various States, in all referenced Sub-Nos; (d) to eliminate the plantsite restriction in Sub-No. 93; (e) delete an "in bulk" restrictions in all of the above Sub-Nos.

MC 115669 (Sub-205)X, filed May 8, 1981. Applicant: DAHLSTEN TRUCK LINE, INC., P.O. Box 95, Clay Center, NE 68933. Representative: Marshall D. Becker, Suite 610, 7171 Mercy Road, Omaha, NE 68106. Applicant seeks to remove restrictions in its Sub-Nos. 136, 140, 141, 143, 149, 151, 154, 156, 157, 158, 161, 164, 167F, 168F, 173F, 174F, 175F, 187F, 192F, 198F, 199F, certificates and E-letter notices 2, 3, 7, 16, 20, 21, 26, 27, 28, 29, 30, 31, 32, 33, 36, 39, 40 and 41 to (A) broaden the commodity description from (1) fertilizer, insecticides, dry earth paint, chelates, salt, salt products, and, materials and supplies, dry feed grade urea, liquid fertilizer solutions, dicalsium phosphate, anhydrous ammonia, agricultural chemicals and potash to "chemicals and related products," in Sub-Nos. 136, 140, 141, 143, 154, 157, 158, 161, 164, 168F, 173F, 174F, 175F, 187F, 192F, 198F, 199F, and E2, E3, E7, E16, E20, E21, E26, E27, E28, E29, E30, E31, E32, E33, E36, E39, E40, and E41, (2) materials and supplies used in agricultural, water treatment, food processing, wholesale grocery, and institutional supply industries to "commodities used by agricultural, water treatment, food processing, wholesale grocery, and institutional supply industries," in Sub-Nos. 161 and 192F, (3) bentonite clay and foundry molding sand treating compounds, water impedance boards, and processed clay to "clay, concrete, glass, or stone products," in Sub-Nos. 136, 140, 149, 151, 156, and 167F, (4) used synthetic alumina catalyst, dry petroleum pitch, and lignite coal to "petroleum, natural gas and their products, and, coal and coal products," in Sub-Nos. 140, 149, and 167F, and (5) limestone to "ores and minerals," in Sub-No. 157; (B) eliminate the (1) commodities "in bulk" and/or "in bags" restriction, in Sub-Nos. 149, 151, 154, 156, 168F, E26, E28, E29, E30, E31, E32, E33 and E36, (2) "mixed load" restriction, in Sub-No. 192F, and (3) "in tank vehicles" restriction, in Sub-Nos. 154 and 168F; (C) remove the plantsite restriction in Sub-Nos. 136, 140, 143, 149, 151, 154, 156, 158, 168F, 173F, 174F, 192F, 199, and E41; (D) remove the restriction limiting service to the transportation of traffic originating at named points, in Sub-No. 140 (Hastings, NE) and E2 (Eddy County, MN); (E) remove the restriction prohibiting the transportation of specified commodities, in Sub-Nos. 149, 151, 187F and E7; (F) authorize county-wide authority to replace existing city-wide service: (1) Adams County, NE for Hastings, NE, in Sub-Nos. 136, 140, and 173F, (2) Butte County, SD for Belle Fourche, SD, in Sub-Nos. 136, 140, and 149, (3) Weston County, WY for Upton, WY, in Sub-Nos. 146, 149, and 151 (4) Gage County, NE, for Beatrice, NE, in Sub-Nos. 158, 168F, and 187F, (5) Scottsbluff County, NE, for Scottsbluff, NE, in Sub-No. 140, (6) Montgomery County, KS, for Coffeyville, KS, in Sub-No. 140, (7) McPherson County, KS, for McPherson, KS, in Sub-No. 130, (8) Phillips County, KS, for Phillipsburg, KS, in Sub-No. 140, (9) Reno County, KS, for Hutchinson, KS in Sub-Nos. 141, 154, 161, and 192F, (10) Douglas County, KS, for Lawrence, KS, in Sub-Nos. 143 and E36, E39, and E40 (11) Big Horn County, WY, for Lovell, WY, in Sub-No. 149, (12) Crook County, WY, for Colony, WY, in Sub-No. 151, (13) Richardson County, NE, for Falls City, NE, in Sub-Nos. 154 and 164, (14) Shelby County, TN, for Woodstock, TN, in Sub-No. 154, (15) Cass County, NE, for Weeping Water, NE, in Sub-Nos. 154 and 157, (16) Jefferson County, NE, for Fairbury, NE, in Sub-No. 175F, (17) Hamilton County, NE, for Aurora, NE, in Sub-No. 187F, (18) Rice County, KS, for Lyons, KS, in Sub-No. 192F, (19) Tooele County, UT, for Solar, UT, in Sub-No. 192F, (20) Weber County, UT for Ogden, UT, in Sub-No. 192F, (21) Box Butte County, UT for Saline, UT, in Sub-No. 192F, (22) Rogers County, OK, for Port of Catoosa, OK, in Sub-No. 198F, (23) Salt Lake County, UT, for Saltair, UT, in Sub-No. 199F, (24) Carroll County, IA, for Carroll, IA, in Sub-No. E7, (25) Dallas County, IA, for Perry, IA, in Sub-No. E16, (26) Greene County, IA, for Jefferson, IA, in Sub-No. E20, (27) Black Hawk County, IA, for Waterloo, IA, in Sub-No. E21, (28) Sarpy County, NE for LaPlatte, NE, in Sub-Nos. E26, E27, E28, E29, E30, E31, and E32, (29) Ector County, TX, for Odessa, TX, in Sub-No. 173F, (30) Finney County, KS, for Garden City, KS, in Sub-No. 173F, and (31) Chariton County, MO, for Brunswick, MO, in Sub-No. 174F; (G) authorize radial authority to replace existing one-way service between points in various combinations of generally central States, in Sub-Nos. 136, 140, 141, 143, 149, 151, 154, 156, 157, 158, 164, 167F, 168F, 173F, 174F, 175F, 187F, 192F part (d), 198F, E2, E3, E7, E16, E20, E21, E26, E27, E28, E29, E30, E31, E32, E33, E36, E39, E40 and E41.

MC 124141 (Sub-54)X, filed May 4, 1981. Applicant: JULIAN MARTIN, INC.,

P.O. Box 3348, Batesville, AR 72501. Representative: Timothy C. Miller, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22107. Applicant seeks to remove restrictions in its lead and Sub-Nos. 2F, 3F, 4F, 6F, 7F, 10F, 11F, 19F, 21F, 24F, 29F, 30F, 34F, 38F, 39F, 40F, 41F, 42F, 44F and 45F certificates and lead permit in MC-140717 and Sub-Nos. 1, 2, 3, 4, 7F, 8F, 9F, 10F, 13F, 18F, 19F, 21, 25M1F and 26F to (1) broaden the commodity descriptions to "lumber and wood products" from lumber in the lead certificate, from rough dimension stock lumber in Sub-No. 7F certificate; to "machinery" from electric motors, grinders, buffers, dental lathes, dust collectors, pedestals, parts, accessories and attachments in the base part of Sub-No. 2F certificate, from household and electrical appliances in Sub-No. 44F certificate; to "machinery and electrical equipment" from various commodities such as electric lamps, Christmas tree lamps, electric cord sets, dry cell batteries, lamp ballasts, portable battery chargers in Sub-No. 10 certificate; to "chemicals and related products and rubber and plastic products" from glues, adhesives, caulks, specialty chemicals, and empty plastic caps and containers in Sub-No. 19F certificate; to "chemicals and related products" from plastic materials (except in bulk) in Sub-No. 21F certificate; to "food and related products" from foodstuffs (except in bulk) in Sub-No. 3 certificate, from pickles and pickle products in Sub-No. 4 certificate, from canned goods in Sub-No. 6 certificate, from foodstuffs in Sub-No. 24 certificate, and Sub-No. 25M1F permit from confectionery and confectionery products in Sub-No. 29 certificate, from margarine and margarine products (except in bulk), in Sub-No. 34 certificates, from alcoholic liquors (except in bulk) in the base authority in Sub-No. 38 certificate, from meat, meat products, and meat by-products (except hides and commodities in bulk) in Sub-No. 39 certificate, and Sub-Nos. 7, 8, 9, 10, 13, 18, 19, 21 permits, from canned foods and frozen fruits and vegetables in Sub-No. 45 certificate, from pork, pork products and pork by-products in the lead permit, from beef and beef products (except in bulk) in Sub-No. 4 permit, from pork and pork products (except in bulk) in Sub-No. 3 permit, from malt beverages in Sub-No. 41 certificate, from malt beverage and materials and supplies in Sub-No. 42 certificate; to "chemicals and related products" from shampoo in Sub-No. 26 permit; to "food and related products and pulp, paper and related products" from coffee and coffee filters in Sub-No. 40 certificate; to "rubber and plastic products" from plastic sheeting in Sub-Nos. 1 and 2 permits, (2) change city to county-wide authority (a) in the lead certificate from Harrisburgh, AR and Memphis, TN to Poinsett County, AR and Crittenden, AR, DeSoto County, MS and Shelby, Fayette and Tipton Counties, TN, (b) in Sub-No. 4 certificate from Bridgeport, Imlay City and Memphis, MI, Millsboro, DE and Greenville, MS to Saginaw, Lapeer, and St. Clair Counties, MI, Bath County, DE to Washington County, MS, (c) in Sub-No. 6 from Athens, AL to Limestone County, AL, (d) in Sub-No. 21 from Houston, TX to Brazoria, Waller, Ft. Bend, Chambers, Harris and Montgomery Counties, TX, (e) in Sub-No. 24 from Hershey, Lancaster, and Mechanicsburgh, PA to Dauphin, Lancaster, Lebanon and Cumberland Counties, PA, (f) in Sub-No. 29 from Bethlehem, PA to Bucks, Lehigh, and Northampton Counties, PA, (g) in Sub-No. 34 from Osceola, AR to Mississippi County, AR, (h) in Sub-No. 38 from Ft. Smith, AR, Bardstown, KY, and Plainfield, IL, to Sebastian County, AR, Nelson County, KY and Will County, IL, and (i) in Sub-No. 39 from Palestine, TX to Anderson County, TX (3) remove facilities limitation (a) in Sub-No. 2 certificate and replace Ft. Smith, AR with Sebastian County, AR, (b) in Sub-No. 3 certificate and replace Dunkirk, NY, Erie, PA, Atlanta, GA and Dallas, TX with Chautauqua County, NY, Erie County, PA, Fulton County, GA and, Dallas County, TX, (c) in Sub-No. 7 and replace Vicksburg, MS and Nashua, NH with Warren County, MS and Hillsboro County, NH, (d) in Sub-No. 10 certificate and replace Belleville, Bucyrus, Circleville, Cleveland, Ravenna, Warren and Youngstown, OH; Lexington, KY; Matoon and Danville, IL and St. Louis, and Fenton, MO with Huron, Crawford, Pickaway, Cuyahoga, Portage, Trumbull, Mahoning Counties, OH, Fayette County, KY; Coles and McLean Counties, IL; and St. Louis City and St. Louis County, MO, (e) in Sub-No. 11 certificate and replace Bentonville and Searcy, AR with Benton and White Counties, AR, (f) in Sub-No. 19 certificate and replace Columbus, Oh with Franklin Clunty, OH, (g) in Sub-No. 40 certificate, (h) in Sub-No. 44 and replace Little Rock, AR with Pulaski County, AR, (4) change territorial description in all permits to "between points in the US, under continuing contract(s) with named shippers, (5) remove the "originating at and/or destined to" named facilities restrictions in Sub-Nos. 3, 34 and 38 certificates, (6) remove in tank vehicle restrictions in Sub-No. 38 certificate, (7) remove in bulk restriction in Sub-Nos. 2, 3, 11, 19, 21, 24, 30, 34, 38, 39, 40, certificates and the lead permit and Sub-Nos. 3, 4, 7, 8, 9, 10, 13, 18, 19, 21, and 25 M1F permits, (8) remove "in mechanically refrigerated equipment" restriction in Sub-Nos. 7 and 19 certificates, and (9) change one-way to radial authority between various combinations of points throughout the US in all certificates except Sub-Nos. 2, and 38.

MC 124170 (Sub-165)X, filed May 11, 1981. Applicant: FROSTWAYS, INC., 3000 Chrysler Service Drive, Detroit, MI 48207. Representative: William J. Boyd, P.C., 2021 Midwest Road, Suite 205, Oak Brook, IL 60521. Applicant seeks in its Sub 139 F certificate to (1) remove the restriction against transportation of commodities in bulk, in tank vehicles; (2) remove facilities limitations; (3) remove the restriction against service to AK and HI; and (4) authorize county-wide authority in place of named facilities as base points in its radial authority between these points and points in the U.S.: Knox County for Niobrara, NE; Custer County for Broken Bow, NE; Platte County for Columbus, NE; and Phelps County for Holdrege, NE; Litchfield County for North Canaan, CT; Sumter County for Sumter, SC; Lagrange County for Shipshewana, IN; Delaware County for Hancock, NY; Morris County for Parsippany, NJ; Essex County for Fairfield, NJ; and Hudson County for Jersey City, NJ; Coshocton County for Coshocton, OH; Knox County for Mount Vernon, OH; and Stark County for Canton, OH; Santa Clara County for Los Gatos, CA; Los Angeles County for Cerritos, CA; Ventura County for Oxnard, CA; and Solano County for Benicia, CA; Dallas County for Irving, TX; Claiborne Parish for Haynesville, LA; Marion County for Ocala, FL and Baltimore County for Cockeysville, MD.

MC 126018 (Sub-5)X, filed May 11, 1981. Applicant: PREM-PAK, INC., 1 Exeter Road, North Hampton, NH 03862. Representative: Frank J. Weiner, 15 Court Square, Boston, MA 02108. Applicant seeks to remove restrictions in its Sub-Nos. 1 and 2 certificates to (1) broaden in Sub-No. 1 the commodity description from general commodities (with exceptions) to "general commodities (except classes A and B explosives)"; (2) broaden in Sub-No. 1 the commodity descriptions to (a) "pulp, paper, and related products" from paper pulp and paper products; (b) "metal products", and "clay, concrete, glass, or stone products", from pipe and plumbing supplies; (c) "metal products" from skid chains and hardware; (d) "food and

related products" from non-alcoholic beverages; (e) "pulp, paper and related products" and "leather and leather products" from paperboard, fibre board and leather board innersoling and innersoles; (f) "chemicals and related products" from anti-freeze solutions; and (g) in Sub-No. 2 broaden to "pulp, paper, and related products" from paper products; (3) in Sub-No. 1, replace specific point authority of: Malden, MA with county-wide authority of Middlesex County, MA; Boston, MA with county-wide authority of Suffolk, Norfolk, Middlesex, Essex, and Plymouth Counties, MA; Dover, Claremont, and Rochester, NH with county-wide authority of Strafford and Sullivan Counties, NH; Melrose and Wakefield, MA with county-wide authority of Middlesex County, MA; and (4) authorize radial operations in lieu of one-way operations in both Sub-Nos.

MC 136343 (Sub-236)X, filed May 15, 1981. Applicant: MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, PA 17847. Representative: Stan C. Geist, P.O. Box 355, Milton, PA 17847. Applicant seeks to remove restrictions in its Sub-No. 229F certificate to: broaden the commodity description from toilet preparations and cleaning products in part (1) to "chemicals and related products" and in part (2) from materials, equipment and supplies used in the manufacture and distribution of toilet preparations and cleaning products to "materials, equipment, and supplies used in the manufacture and distribution of chemicals and related products."

MC 139023 (Sub-15)X, filed May 11, 1981. Applicant: 2-G TRANSPORTATION, INC., 12589 Rhode Island Ave. So., Savage, MN 55378. Representative: Stanley C. Olsen Jr., 5200 Willson Rd., Suite 307, Minneapolis, MN 55424. Applicant seeks to remove restrictions in its Sub-Nos. 2, 3, 6, 7F, 8F, 12F and 13F certificates, and its MC-134469 permit, to (1) broaden the commodity descriptions from glass containers and closures for glass containers and corrugated cardboard cartons, fiberboard dividers and carriers, and wooden pallets to "such commodities as are dealt in or used by manufacturers and distributors of containers" in Sub-No. 2; from insulation and insulation materials to "such commodities as are dealt in or used by manufacturers of insulation and insulation materials" and from fertilizer and fertilizer ingredients and ice melters to "chemicals and related products" in Sub-No. 3; from iron and steel articles to "metal products" in Sub-No. 6F; from malt beverages, beverages and water to "food and related products" in Sub-Nos. 7F, 12F, and 13 (parts 3, 4, 5, and 6); from malt beverage dispensing equipment, oil and grease dispensing equipment, hydraulic system components, and used bluegrass stripping machines to "machinery" in Sub-Nos. 7F, 13, and MC-134469; from containers and containers ends, and materials, equipment and supplies used in the manufacture and distribution of containers and container ends to "such commodities as are dealt in or used by manufacturers and distributors of containers and container ends" in Sub-No. 8F; from bags for bluegrass strippings and seeds to "pulp, paper and related products" in Sub-No. 13 (part 2); and from anti-freeze and lubricating oils, and greases and oils to "petroleum, natural gas, and their products"; from agricultural crop spray, cleansing agents and solvents to "chemicals and related products" in MC-134469; (2) remove the restrictions in bulk, in tank vehicles in Sub-Nos. 3, 6F, and 8F; except tank or hopper containers in Sub-No. 8F; and the seasonal restriction in Sub-No. 13F; (3) eliminate the facilities limitation in Sub-Nos. 2 and 6F; (4) change city to county-wide authority in Sub-No. 2 from Shakopee MN, to Scott County, MN; in Sub-No. 3 from Kenosha and Union Grove WI, to Kenosha and Racine Counties, WI; in Sub-No. 6F from Sterling and Rock Falls, IL, to Whiteside County, IL; in Sub-No. 7F from Evansville and Fort Wayne, IN, to Vanderberg and Allen Counties, IN, from Newport KY, to Campbell County, KY, from LaCrosse, WI, to LaCrosse County, WI, and from Champaign, Redmon, Alton and Mattoon, IL, to Champaign, Edgar, Madison, and Cole Counties, IL; in Sub-No. 13F from Barnesville, MN, to Clay County, MN, from Wahpeton, ND to Witchland County, ND, from Belleville, IL, to St. Claire County, IL, and from Olympia, WA, to Thurston County, WA; (5) expand one-way to radial authority between numerous points throughout the U.S. in Sub-Nos. 2, 3, 6F, 7F, 12F and 13; (6) broaden the territorial description to between points in the U.S. under continuing contract(s) with a named shipper in MC-134469.

MC 139495 (Sub-539)X, filed April 3, 1981. Applicant: NATIONAL CARRIERS, INC., P.O. Box 1358, Liberal, KS 67901. Representative: Herbert Alan Dubin, 818 Connecticut Ave. NW., Washington, DC 20006. Applicant seeks to remove restrictions in its lead, and 326 different sub-numbered certificates to (1) broaden the commodity descriptions, as follows: (a) to "food and related products" from foodstuffs, canned, preserved, prepared, and bottled in Sub-Nos. 7, 25, 39, 103, 118, 133, 221, 267, 299, 317, 350, 357, 371, 375, 411, 412, 468, 496, 501, 503, 529, and 534, from frozen foodstuffs in Sub-Nos. 168, 273, 303, 342, 394, 406, 467, and 523, from confectionery, and confectionery products in Sub-Nos. 10 and 235, from frozen pizzas in Sub-No. 17, from pickle products in Sub-No. 20, from wine in Sub-Nos. 36 and 81, from alcoholic beverages in Sub-Nos. 128, 218, 290, 354, 355, 432, 520, and 530, from pretzels in Sub-No. 37, from sugar, refined, in Sub-Nos. 64, 109, and 398, from canned foodstuffs and pet and animal foods in Sub-Nos. 73, 124, 112, and 393, from cheese and cheese products in Sub-No. 123, from canned fruits and vegetables, and frozen fruits, vegetables, berries, potatoes, juices, concentrates and bakery products, and juice, juice concentrates, and apple sauce in Sub-No. 130, from meat, fresh, meat products and by-products, and articles distributed by meat packinghouses in Sub-Nos. 144, 425, 502, 513, 515, 522, and 528, from malt beverages in Sub-Nos. 151, 159, and 423, from frozen ice cream and novelties in Sub-No. 208, from wheat germ and granola in Sub-No. 210, from cooking oil and coconut oil bars in Sub-No. 232, from peanut butter, and agricultural commodities in mixed loads with peanut butter in Sub-No. 238, from prepared flour and frosting mixes in Sub-No. 268, from potato products in Sub-No. 296, from vegetable oils, shortening, and oleomargarine in Sub-No. 321, from doughnut mix, flour, sugar, shortening, yeast, fruit filling, and juices in Sub-Nos. 344 and 422, from bakery products in Sub-Nos. 388 and 405, from dry beverage preparations, malt and cocoa products, candy and popcorn in Sub-No. 429, from bananas, and agricultural commodities when moving in mixed loads with bananas in Sub-No. 460, from coffee and coffee products in Sub-No. 465, from beverage and dessert preparations in Sub-No. 499, and from flour, corn meal, and flaked potatoes in Sub-No. 519; (b) to "farm products, and food and related products", from prepared animal and poultry feed in Sub-No. 234; (c) to "machinery, metal products, and rubber and plastic products", from oilers, safety, oily waste, and lab cans, safety cabinets and oil and gasoline containers in Sub-Nos. 3, 75, 76; (d) to "chemicals and related products", from sodium bicarbonate and carbonate, and laundry detergents, in Sub-Nos. 13 and 275, from soap in Sub-Nos. 19 and 347, from chemicals, medicines, and toilet preparations in Sub-No. 53, from drugs, medicines, and toilet preparations in Sub-No. 60, from toilet preparations in

Sub-Nos. 67 and 233, from drugs, medicines, and chemicals in Sub-Nos. 88 and 270, from cleaning, scouring and washing compounds, and soap in Sub-Nos. 138 and 274, from cleaning products, drugs, medicines, and toilet preparations in Sub-Nos. 181 and 396, from insecticides, deodorants, chemicals and dispensers in Sub-No. 323, from drugs, toilet preparations, cosmetics, shampoos, and washing compounds in Sub-No. 339, from drugs, toilet preparations and food canning, preserving and seasoning compounds in Sub-No. 378, from water treatment and cleaning compounds, chemicals, and activated carbons in Sub-No. 439, and from pesticides and chemicals in Sub-No. 441; (e) to "petroleum, natural gas, and their products", from petroleum products (in containers), in Sub-No. 15, from petroleum products and lubricating oils (in containers), in Sub-No. 184; and from petroleum products in Sub-No. 475; (f) to "chemicals and related products, and instruments and photographic goods", from drugs, toilet preparations, medical instruments, and chemicals in Sub-No. 34, from medical care products, and materials, equipment, and supplies in Sub-Nos. 77, 314, and 430, from surgical and hospital supplies in Sub-No. 96, from medical care devices and products in Sub-No. 183, from health, hygienic, medical, and surgical care products in Sub-No. 228, from diagnostic products, drugs, sunglasses, and dental supplies in Sub-No. 230, from intravenous solutions, drugs and medical supplies in Sub-Nos. 285 and 289, from chemicals, laboratory instruments and kits in Sub-No. 293, and from food, cosmetic, drug, industrial and scientific chemicals, and related laboratory instruments and kits in Sub-No. 316; (g) to "rubber and plastic products, and metal products", from reflective traffic marking products in Sub-No. 43, and from paint rollers and paint tray sets in Sub-No. 472; (h) "metal products", from non-ferrous metal slab or ingots in Sub-No. 51, from copper wire in Sub-No. 80, from chilled shot and iron sand in Sub-No. 440, and from barbeque grills in Sub-No. 201; (i) to "clay, concrete, glass or stone products", from clay in Sub-Nos. 56, 147, 166, and 341, from red clay pottery, flower pots and saucers in Sub-No. 94, from earthenware in Sub-No. 129, from pottery and pottery products in Sub-No. 152, from glass containers in Sub-No. 170, and from crayon plaster in Sub-No. 237; (j) to "machinery", from oil filter cartridges in Sub-No. 57, from electric storage batteries in Sub-No. 74, from vacuum cleaners, and floor polishers, vacuum cleaner bags and parts for such products in Sub-No. 120, from lamps in Sub-Nos. 162 and 172, from motors, generators, controllers, power transmission equipment, machinery, and scales in Sub-Nos. 180, 246, 278, and 320, from lighting fixtures and parts in Sub-No. 300, from household appliances Sub-No. 318, from fans and defusers in Sub-No. 319, from gas and electrical appliances, parts in Sub-No. 382, from flashlights and batteries in Sub-No. 451, from wiring equipment, electrical and lighting equipment in Sub-No. 479, and from heating and air conditioning equipment in Sub-No. 532; (k) to "printed matter", from paper labels in Sub-No. 61; (l) to "pulp, paper and related products", from paper and paper products in Sub-No. 155, from printing paper in Sub-No. 386, from bags and scrap paper in Sub-No. 64, from corrugated cases in Sub-No. 237, and from paper and paper products in Sub-Nos. 381, 427, and 524; (m) to "textile mill products, lumber and wood products, rubber and plastic products, clay, concrete, and glass or stone products, metal products, and building materials", from carpeting, hard surface floor covering, wallboard, wall and ceiling panels, floor screens, insulation material, and materials and accessories used in the installation of the foregoing commodities, in Sub-Nos. 69 and 335; (n) to "building materials", from floor coverings in Sub-Nos. 89, 187, 305, 453, and 521; (o) to "metal products, and machinery", from barbeque grills, and accessories in Sub-Nos. 72 and 365, from electrical wire and cable in Sub-No. 226, from steel wire and springs (except size and weight commodities) components of fire prevention and sprinkler systems, and pipe fittings, connectors, hangers, castings, and valves in Sub-No. 277, from valves, hydrants, pipe fittings, connectors, hangers, indicator posts and castings in Sub-No. 284, from metal conduit and aluminum strips (except size and weight commodities), and scrap aluminum in Sub-No. 292, from aluminum, aluminum articles, and products, and magnesium products in Sub-Nos. 325 and 327, from water heaters, boilers, glass-lined water storage tanks, and garbage disposals in Sub-No. 336; (p) to "food and related products, chemicals and related products, and rubber and plastic products", from foodstuffs, drugs, and plastic and rubber articles in Sub-Nos. 78 and 442; (q) to "food and related products, and rubber and plastic products", from trays and foodstuffs in Sub-No. 379; (r) to "chemicals and related products, and food and related products", from soda ash, cleaning compounds, bath salts, fabric softeners, drugs, toilet preparations, and feed, and malted milk in Sub-No. 91, from toilet preparations, buffing, polishing and sweetening compounds, and foodstuffs, and fertilizer and fertilizing compounds in Sub-Nos. 95 and 283, from animal and poultry feed, bath salts, cleaning compounds, drugs, fabric softeners, food preserving and seasoning compounds, malted milk, modified soda ash, and toilet preparations in Sub-No. 426, and from canned and bottled foodstuffs, drinks, mixes, and mouthwashes in Sub-No. 444 part (1); (s) to "machinery, metal products, and rubber and plastic products", from insulated wire, electrical plug and cord sets, power supply cords, pipe fittings, and connections, pipe hangers, indicator posts, hydrants, pipe, bars and rods, valves, castings, water motor alarms, cement, joint compounds, automatic sprinkler heads, fire protection and prevention systems, air heaters, blowers, and parts, facings and gaskets, and lighting fixtures in Sub-Nos. 97 and 351, and from rotary mower and chain saw, materials and supplies in Sub-No. 171; (t) to "chemicals and related products, rubber and plastic products, textile mill products, lumber and wood products, and metal products", from toilet preparations, household and industrial cleaning products, insect control products, air fresheners, starches, brooms, brushes, mops, germicides, and promotional materials in Sub-No. 98; (u) to "pulp, paper, and related products, and lumber and wood products", from cartons and boxes in Sub-No. 101, and boxes and crates (except paper and paper products) in Sub-No. 141; (v) to "machinery, pulp, paper, and related products, and chemicals and related products", from typewriters, printing paper, and ink materials in Sub-No 104; (w) to "chemicals and related products, and food and related products", from drugs, medicines, toilet preparations, disinfectants, toothbrushes, candy, confectionery, beverage preparations, anti-acid mints, chewing gum, store display racks, or stands, and packaging materials, diagnostic products, sunglasses, and dental supplies and materials in Sub-No. 111; (x) to "rubber and plastic products", from plastic and rubber materials in Sub-No. 113, from crude rubber and hoses in Sub-No. 116, from plastic pipe fittings and connectors in Sub-No. 165, from hose in Sub-No. 182, from molded plastic articles in Sub-No. 186, from plastic flower pots and plastic articles in Sub-No. 189, from plastic and rubber articles in Sub-Nos. 251 and 358, from plastic articles in Sub-

No. 287, and from plastic articles and artificial Christmas trees in Sub-No. 446; (y) to "coal and coal products", from charcoal briquettes in Sub-No. 117; (z) to "lumber and wood products, and building materials", from cedar shakes and shingles in Sub-No. 119; (aa) to "furniture and fixtures", from furniture, in cartons, and parts and materials in Sub-No. 143, from bean bag chairs in Sub-No. 146, from lawn and patio furniture in Sub-Nos. 203 and 315, from shelving in Sub-Nos. 207 and 362, from curtain rods, shelving, and bath accessories in Sub-No. 259, from new furniture in Sub-Nos. 261 and 390, from redwood furniture in Sub-No. 356, and from bed frames, beds, and minor supports in Sub-No. 395; (bb) to "textile mill products", from blankets in Sub-No. 158, and from yarn and wool in Sub-No. 360; (cc) to "textile mill products, and rubber and plastic products", from carpets in Sub-No. 160, from carpeting, cushioning, and lining in Sub-No. 231 and from textiles, rugs, and carpeting in Sub-No. 338; (dd) to "rubber and plastic products, and clay, concrete, glass or stone products", from tile in Sub-No. 177; (ee) to "lumber and wood products, rubber and plastic products, metal products, clay, concrete, glass or stone products, and building materials", from doors, shutters, blinds, and accessories in Sub-No. 178, and from doors, and door hardware and accessories and parts in Sub-Nos. 301 and 302; (ff) to "building materials", from insulating materials in Sub-Nos. 199 and 288; (gg) to "machinery, rubber and plastic products, metal products, and instruments and photographic goods", from electric household, kitchen and bathroom, and oral hygiene appliances and equipment, hydrotherapy equipment, sink and shower fixtures, smoke alarms, food processing machines and filters in Sub-No. 200; (hh) to "clay, concrete, glass or stone products, rubber and plastic products, and machinery", from lenses and reflectors, and glass tubing in Sub-No. 229; (ii) to "textile mill products, and machinery", from finished knit cloth, garments, and sewing mill machinery in Sub-No. 240; (jj) to "lumber and wood products", from wooden mouldings in Sub-No. 247 and fireplace logs in Sub-No. 488; (kk) to "chemicals and related products, metal products, lumber and wood products, clay, concrete, glass or stone products, and building materials", from adhesives, sealants, solvents, stains, wood preservatives, and accessories, equipment and supplies used in the installation, maintenance and distribution of floors, floor coverings, walls, and wall coverings in Sub-Nos. 258 and 359; (ll) to "rubber and plastic products, and lumber and wood products", from plastic and wooden mouldings in Sub-No. 269; (mm) to "pulp, paper and related products, and building materials", from fibreboards and sheets in Sub-No. 294; (nn) to "rubber and plastic products, pulp, paper and related products, metal products, and building materials", from vinyl and plastic siding, clapboard siding, plastic and paper articles, building materials, and accessories and supplies in Sub-No. 471; (oo) to "clay, concrete, glass or stone products, and rubber and plastic products", from clay and plastic products in Sub-No. 306; (pp) to "chemicals and related products, rubber and plastic products, petroleum, natural gas and their products, clay, concrete, glass or stone products, and building materials", from adhesives sealants, glues, weather stripping, caulking compounds, cements, and sound deadeners in Sub-No. 337; (qq) to "pulp, paper and related products", from bags, paper, plastic and paper and plastic combined in Sub-No. 352; (rr) to "lumber and wood products, rubber and plastic products, and metal products", from mops, brooms and brushes in Sub-No. 361; (ss) to "chemicals and related products, and manufactured products", from chemicals, cleaning and janitorial products and supplies in Sub-No. 364; (tt) to "textile mill products, rubber and plastic products, and leather and leather products", from footwear, footwear accessories, and display cases in Sub-Nos. 372 and 373; (uu) to "machinery, and chemicals and related products", from batteries, battery fluids, chargers, and rectifiers in Sub-No. 376; (vv) to "textile mill products, chemicals and related products, rubber and plastic products, and pulp, paper, and related products", from synthetic fibers and yarns, fiber waste, plastic materials, and resin in Sub-No. 380; (ww) to "clay, concrete, glass or stone products, chemicals, and related products, rubber and plastic products, metal products, machinery, and building materials", from tile, clay, earthenware, bathroom fixtures, and adhesives, in Sub-No. 385; (xx) to "rubber and plastic products, chemicals and related products and petroleum, natural gas and their products", from adhesives, coatings and sealants in Sub-No. 397, and from petroleum and petroleum products, vehicle body sealer and sound deadener compounds in Sub-No. 478; (yy) to "chemicals and related products, pulp, paper, and related products, and food and related products", from cleaning componds, disinfectants, paint, varnish, wax, animal food supplements, paper towels, and toilet tissue in Sub-No. 407; (zz) to "general commodities" (except Classes A and B explosives), from general commodities in the usual exceptions in Sub-No. 410; (aaa) to "chemicals and related products, rubber and plastic products, and machinery", from chemicals, cleaning and defoaming compounds (except chemicals), plastic liquid and sheeting, ink, and laminating machinery and parts in Sub-No. 431; (bbb) to "clay concrete, glass or stone products, and machinery", from glassware, ceramic ware, and electric appliances, parts and accessories in Sub-No. 456; (ccc) to "machinery, and instruments and photographic goods", from audio products, clocks, personal care appliances, and portable household appliances in Sub-No. 463; (ddd) to "furniture and fixtures, pulp, paper, and related products, and printed matter", from display racks, stands and cases, stationery, pens, pencils, and markers in Sub-No. 469; (eee) to "rubber and plastic products, metal products, and transportation equipment", from tires, tubes, and rims in Sub-No. 505; (fff) to "ordnance and accessories", from hunting ammunition in Sub-No. 517; (ggg) to "textile mill products, lumber and wood products, pulp, paper and related products, rubber and plastic products, clay, concrete, glass or stone products, metal products, and building materials", from carpeting, hard surface floor covering, wallboard, wall panels, floor screens, ceiling panels, and insulation materials, and materials, accessories and supplies in Sub-No. 525; (hhh) to "pulp, paper and allied products, miscellaneous products of manufacture, textile mill products, printed matter, furniture and fixtures, instruments and photographic goods, metal products and lumber and wood products" for school, art and hobby supplies, in Sub-Nos. 21, 367, and 428; (iii) to "miscellaneous freight, clay, concrete, glass or stone products and metal products", from aquariums and aquarium supplies in Sub-Nos. 31 and 135; (jjj) to "miscellaneous products of manufacture, chemicals and allied products, rubber and plastic articles, food and related products, and miscellaneous shipments", from toys and games in Sub-Nos. 47 and 419, and toys, games, children's vehicles and related parts and accessories in Sub-No. 308; (kkk) to "miscellaneous products of manufacture", from toy guns and holsters in Sub-No. 107, and swimming pools in Sub-No. 191; (lll) to "such commodities as are used in or dealt by manufacturers of distributors of personal care products", from personal care products in Sub-Nos. 111 and 156;

(mmm) to "lumber and wood products, metal products, rubber and plastic products and textile mill products", from ladders in Sub-No. 324; (nnn) to "transportation equipment and miscellaneous products of manufacture", from canoes and camping supplies in Sub-No. 326, and canoes, camping equipment, outdoor recreational equipment and cartop carriers in Sub-No. 538; (ooo) to "metal products, lumber and wood products and machinery", from hard agricultural implements and hard tools in Sub-No. 537; (ppp) to "chemical and related products and such articles as are dealt in or used by manufacturers or distributors of pet supplies", from toilet preparations and pet supplies in Sub-No. 62; (qqq) to "food and related products and such commodities as are used in or dealt by manufacturers or distributors of personal care products", from personal care products and chewing gum in Sub-Nos. 153 and 254; (rrr) to "printed matter, rubber and plastic articles, miscellaneous products of manufacture, chemicals and allied products, food and related products, miscellaneous products, clay, concrete, glass or stone products, furniture and fixtures, and instruments and photographic goods", from printed matter, plastic articles, games, toys, puzzles, playing cards, pencils, crayons, writing slates, paints, brushes, paste, store display racks, telescopes and microscopes in Sub-No. 243; (sss) to "chemicals and related products, such commodities as are dealt in or used by manufacturers and distributors of personal care products, machinery, rubber and plastic products, and food and related products", from drugs, medicines, personal care products, electrical appliances, plastic articles, confectionery and disinfectants in Sub-No. 255; (ttt) to "instruments and photographic goods, such commodities as are dealt in or used by manufacturers and distributors of personal care products and food and related products", from sunglasses, personal care products and chewing gum in Sub-No. 276; and (uuu) to "such commodities as are dealt in or used by manufacturers and distributors of personal care products, instruments and photographic goods, food and related products and chemicals and related products", from personal care products, sunglasses, chewing gum, diagnostic products and dental supplies and materials in Sub-No. 298; (2) remove all exceptions on commodity descriptions such as commodities in bulk, in tank vehicles, in tank hopper vehicles, in vehicles equipped with mechanical refrigeration, in containers, in packages and bags, in cartons, windows, doors, iron and steel articles, lumber, plywood, meat, meat products, meat by Sub-products, frozen foodstuffs, soda ash, petrochemicals, foodstuffs, those the transportation of which because of size and weight require the use of special equipment, paper and paper products, chemicals, printer's ink, vegetable oils, vegetable oil products, brick, building and construction materials, commodities of unusual value, hides, household goods as defined by the Commission, and commodities requiring special equipment, wherever they appear in each of the aboveSub-numbered certificates; (3) eliminate the named facilities or plantsite restrictions wherever they appear in each of the aboveSub-numbered certificates; (4) replace specific point authority with countySub-wide authority in the aboveSub-numbered certificates as follows: *lead* certificate, Barton, Sedgwick, and Seward Counties, KS (Great Bend, Wichita, and Liberal, KS); Sub-No. 3, Brooke County, WV (Wellsburg, WV); Sub-No. 6, Union, Franklin, and Erie Counties, OH (facilities near Marysville, Columbus and Vermilion, OH); Sub-No. 7, Jefferson County, KY (facilities near Louisville, KY); Sub-No. 10, Tipton County, TN (facilities near Covington, TN); Sub-No. 13, Sweetwater County, WY (facilities in Sweetwater, WY); Sub-No. 15, Cook County, IL (facilities near Cicero, IL), Crittenden County, AR (facilities near West Memphis, AR); Sub-No. 17, Anoka County, MN (facilities at Fridley, MN); Sub-No. 19, Kent County, RI (West Warwick, RI), Washoe County, NV (Reno, NV); Sub-No. 20, Washington County, MS (facility near Greenville, MS); Sub-No. 21, Northampton County, PA (facilities near Easton, PA) Cowley County, KS (Winfield, KS); Sub-No. 23, Chicago, IL (plantsite near Chicago, IL), Lake County, IN (Hammond, IN); Sub-No. 25, Santa Clara County, CA (facilities at San Jose, CA); Sub-No. 31, Cherokee County, GA (Canton, GA); Sub-No. 34, Elkhart County, IN (facilities near Elkhart, IN), New Haven, CT (West Haven, CT); Sub-No. 36, Elkhart County, IN (Elkhart, IN); Sub-No. 37, Berks County, PA (Reading, PA), Wells County, IN (Bluffton, IN); Sub-No. 39, St. Martin Parish, LA (St. Martinville, LA); Sub-No. 40, Hampshire County, MA (facilities near Easthampton, MA), Los Angeles County, CA (Torrance, CA), Denver County, CO (Denver, CO), Dallas and Bexar Counties, TX (Irving and San Antonio, TX), King County, WA (Renton, WA); Sub-No. 43, Hinds County, MS (Jackson, MS); Sub-No. 47, Hampden County, MA (facilities near East Longmeadow, MA), Albany County, NY (Voorheesville, NY); Sub-No. 50, Adams County, IL (Quincy, IL), Rock County, WI (Beloit, WI), Polk County, AR (Mena, AR), Adams County, WA (Othello, WA); Sub-No. 51, Los Angeles County, CA (Long Beach, CA); Sub-No. 53, Sussex County, DE (Lewes, DE); Sub-No. 56, Limestone County, TX (facilities near Kosse, TX); Sub-No. 57, Lancaster County, PA (Lancaster, PA); Sub-No. 60, Simpson County, KY (facilities near Franklin, KY), Dallas County, TX (Dallas, TX), Douglas County, KS (Lawrence, KS), Los Angeles and Alameda Counties, CA (La Mirada and Oakland, CA), Multnomah County, OR (Portland, OR); Sub-No. 61, Orleans Parish, LA (New Orleans, LA); Sub-No. 62, Middlesex County, NJ (facilities near Cranbury, NJ); Sub-No. 64, Saint James Parish, LA (Gromercy, LA); Sub-No. 67, Carter County, TN (Elizabethton, TN); Sub-No. 69, Lancaster and Beaver Counties, PA (facilities in Lancaster County, PA, and Beaver Falls, PA); Sub-No. 72, Muscogee County, GA (Columbus, GA); Sub-No. 73, Atlanta, GA (facilities near Atlanta, GA), Maricopa and Pima Counties, AZ (Phoenix and Tuscon, AZ), Alameda and Los Angeles Counties, CA (Haywood and Vernon, CA), Bernalillo and Santa Fe Counties, NM (Albuquerque and Santa Fe, NM); Sub-No. 74, Saline County, KS (Salina, KS); Sub-No. 75, Brooke County, WV (Wellsburg, WV); Sub-No. 76, Brooke County, WV (Wellsburg, WV); Sub-No. 77, Weber County, UT (Ogden, UT), Dallas County, TX (Dallas, TX), Hamilton County, TN (Chattanooga, TN), Weber County, UT (Ogden, UT), Los Angeles and Alameda Counties, CA (City of Industry, Bereley, and San Lorenzo, CA), King County, WA (Tukwila, WA); Sub-No. 78, Saint Joseph County, MI (facilities near Sturgis, MI); Sub-No. 80, Luzerne County, PA (Hazelton, PA), Cheyenne County, NE (Sidney, NE), Los Angeles County, CA (El Segundo, CA); Sub-No. 81, Stanislaus, Santa Clara, and Madera Counties, CA (Modesto, San Jose, and facilities near Mader, CA); Sub-No. 88, Elkhart County, IN (facilities near Elkhart, IN); Sub-No. 89, Chicago, IL (facilities near Chicago, IL); Sub-No. 91, Bucks County, PA (facilities near Morrisville, PA), Wayne County, MI (Rockwood, MI), Norfolk County, MA (Foxboro, MA), Cabell County, WV (Huntington, WV), Shelby County, TN (Memphis, TN); Chatham County, GA (Savannah, GA), Duval, Orange, Hillsborough, Polk, and Dade Counties, FL (Jacksonville, Orlando, Tampa, Lakeland, and Miami, FL), Dallas County, TX (Dallas, TX); Denver

County, CO (Denver, CO), Davis County, UT (Clearfield, UT), Cook County, IL (facilities near Niles, IL), Norfolk County, MA (Foxboro, MA), Cabell County, WV (Huntington, WV), Shelby County, TN (Memphis, TN), Clayton County, GA (Forest Park, GA), Duval, Orange, Hillsborough, Polk, and Dade Counties, FL (Jacksonville, Orlando, Tampa, Lakeland, and Miami, FL), Tarrant County, TX (Arlington, TX), Denver County, CO (Denver, CO), Davis County, UT (Clearfield, UT); Sub-No. 94, Harris County, TX (Houston, TX); Sub-No. 95, Cook County, IL (facilities near Melrose Park, IL); Washoe County, NV (facilities near Reno, NV), Multnomah County, OR (Portland, OR), King County, WA (Seattle, WA); Sub-No. 96, Middlesex County, MA (facilities at Billerica, MA), Union County, NJ (Murray Hill, NJ), Cheshire County, NH (Fitzwilliam, NH), Newton County, GA (Covington, GA), San Bernadina and Los Angeles Counties, CA (Upland and Los Angeles, CA), Douglas County, KS (Lawrence, KS), Dallas County, TX (Dallas, TX), DuPage County, IL (Itasca, IL), Wayne County, MI (Detroit, MI), and Providence County, RI (Providence, RI); Sub-No. 97, Providence County, RI (facilities at Rumford, RI), Washington County, RI (facilities near West Kingston, RI), Lancaster and York Counties, PA (Columbia and Wrightsville, PA) and Chemung County, NY (facilities at Elmira, NY), Caldwell County, KY (facilities at Princeton, KY), Chester County, TN (Henderson, TN), Chemung County, NY (facilities at Elmira, NY), Bulloch County, GA (plantsite near Clito, GA), Washington County, RI (facilities near West Kingston, RI), Lancaster and York Counties, PA (Columbia and Wrightsville, PA) Chemung County, NY (facilities at Elmira, NY), Trumbull County, OH (facilities near Warren, OH), Washington County, RI (facilities near West Kingston, RI), Lancaster and York Counties, PA (Columbia and Wrightsville, PA) and Chemung County, NY (facilities at Elmira, NY), Marion County, IN (Indianapolis, IN), Shelby County, TN (Memphis, TN), Mercer County, PA (facilities at Mercer, PA), Erie County, OH (facilities near Vermilion, OH), De Soto County, MS (Southaven, MS), Erie County, OH (plantsites near Vermilion, OH), De Soto County, MS (plantsites near Southaven, MS); Sub-No. 98, Barton County, KS (Great Bend, KS); Sub-No. 101, Atlanta, GA (facilities near Atlanta, GA); Sub-No. 103, Wilson County, NC (Wilson, NC); Sub-No. 104, Cortland County, NY (facilities near Cortland, NY), Chester and Luzerne Counties, PA (Phoenixville and Hazelton, PA), Los Angeles County, CA (Paramount, CA), Tarrant County, TX (Arlington, TX), Montgomery County, OH (Dayton, OH), and Washoe County, NV (Reno, NV); Sub-No. 107, Cherokee County, TX (Jacksonville, TX), Hudson County, NJ (Jersey City, NJ), New Haven County, CT (New Haven, CT); Sub-No. 109, Terrebonne Parish, LA (facilities at Houma, LA), Potter and El Paso Counties, TX (Amarillo and El Paso, TX), Randolph County, MO (Moberly, MO), Reno County, KS (Hutchinson, KS); Sub-No. 111, Lancaster County, PA (Lititz, PA), Cook and Winnebago Counties, IL (Elk Grove Village and Rockford, IL), Queens County, NY, (facilities near Long Island City, NY), Hudson County, NJ (North Bergen, NJ), Franklin County, OH (Columbus, OH), Tarrant County, TX (Arlington, TX), Orange County, CA (Anaheim, CA), Clackamas County, OR (Milwaukee, OR), Morris County, NJ (facilities near Morris Plains, NJ), Peoria County, IL (Peoria, IL), Dallas County, TX (Dallas, TX), Los Angeles County, CA (Los Angeles, CA), Suffolk County, MA (Chelsea, MA), Peoria County, IL (Peoria, IL), Dallas County, TX (Dallas, TX), Los Angeles County, CA (Los Angeles, CA), Peoria County, IL (Peoria, IL), Dallas County, TX (Dallas, TX), and Los Angeles County, CA (Los Angeles, CA), Orange County, CA (facilities near Anaheim, CA), Middlesex County, NJ (South Brunswick, NJ), Fulton County, GA (Atlanta, GA), Cook County, IL (Elk Grove Village, IL), Dallas County, TX (Grand Prairie, TX); Sub-No. 112, Chicago, IL (facilities near Chicago, IL), Allegan County, MI (Hamilton, MI); Sub-No. 113, Marshall County, Il (facilities near Henry, IL); Sub-No. 116, Bucks County, PA (facilities near Cornwells, PA), Box Butte and Red Willow Counties, NE (Alliance and McCook, NE); Sub-No. 117, Cherokee County, TX (Jacksonville, TX), Logan County, AR (Paris, AR); Sub-No. 118, Saint Martin Parish, La (Cade, LA); Sub-No. 120, Fairfield County, CT (facilities near Old Greenwich, CT), Polk County, IA (Des Moines, IA), Salt Lake County, UT (Salt Lake City, UT), Washoe County, NV (Reno, NV); Sub-No. 123, Cashe County, UT (Logan, UT); Sub-No. 124, Alameda County, CA (facilities near Oakland, CA); Sub-No. 127, Plymouth and Worcester Counties, MA (facilities near Brockton and Auburn, MA); Los Angeles, San Francisco, and Alameda Counties, CA (Los Angeles, La Mirada, San Francisco, and Oakland, CA); Sub-No. 129, Hinds County, MS (Jackson, MS); Gentry, Saline, Pettis and Marion Counties, MO (Albany, Sweet Springs, Sedalia, and Hannibal, MO); Sub-No. 130, Marion and Lane Counties, OR (facilities near Salem and Eugene, OR), Benton County, WA (facilities near Prosser and Kennewick, WA), Marion County, OR (Salem, Brooks, and Stayton, OR), Benton County, WA (facilities near Prosser, WA); Sub-No. 135, Saginaw County, MI (facilities near Saginaw, MI); Sub-No. 138, Beaver County, PA (facilities near Frisco, PA), Alameda and Los Angeles Counties, CA (Hayward and City of Industry, CA), Denver County, CO (Denver, CO), Fulton County, GA (Atlanta, GA), Orleans Parish, LA (New Orleans, LA), St. Louis County, MN (Duluth, MN), Mecklenburg County, NC (Charlotte, NC), Harris County, TX (Bayport and Houston, TX), Salt Lake County, UT (Salt Lake City, UT), King County, WA (Seattle, WA), and Mercer County, WV (Bluefield, WV); Sub-No. 141, Lee County, AL (facilities near Auburn, AL); Sub-No. 143, San Diego County, CA (facilities at National City, CA), Fulton County, GA (Atlanta, GA), Harris County, TX (Houston, TX), and Mercer County, NJ (Trenton, NJ); Sub-No. 144, Seward County, KS (plantsite near Liberal, KS), Kansas City, KS (plantsite at Kansas City, KS), Morgan and Logan Counties, CO (Fort Morgan and Sterling, CO), Seward County and Kansas City, KS (plantsites near Liberal and Kansas City, KS); Sub-No. 146, Dallas County, TX (Irving, TX); Sub-No. 147, Kern County, CA (Taft and McKittrick, CA); Sub-No. 151, Bexar County, TX (facilities at San Antonio, TX); Sub-No. 152, Harrison and Anderson Counties, TX (Marshall and Palestine, TX); Sub-No. 153, Orange County, CA (facilities near Anaheim, CA), New Haven County, CT (facilities near Milford and West haven, CT), Winnebago County, IL (Rockford, IL), New York, NY (Long Island City, NY), Lancaster County, PA (Lititz, PA); Sub-No. 155, Washington and West Feliciana Parishes, LA (plantsites in Washington and West Feliciana Parishes, LA); Sub-No. 156, New Haven County, CT (facilities near Milford and Orange, CT), Lancaster County, PA (facilities near Lititz, PA) and Cook County, IL (Elk Grove village, IL); Sub-No. 158, Brown County, TX (Brownwood, TX), Sub-No. 159, Milwaukee County, WI (Milwaukee, WI); Sub-No. 160, Cumberland County, PA (facilities near Carlisle, PA); Sub-No. 162, Elk County, PA (St. Marys, PA), Woodford County, KY (Versailles, KY), Dyer County, TN (Dyersburg, TN), Cook County, IL (Elk Grove Village, IL); Sub-No. 164, Orange County, TX (Orange, TX), Jefferson County, AL (Birmingham, AL), Fulton County, GA (Atlanta, GA), Cook County, IL (Chicago, IL), Sedgwick

County, KS (Wichita, KS), Boone and Jefferson Counties, KY (Florence and Louisville, KY), Orleans Parish, LA (New Orleans, LA), Hudson County, NJ (Secaucus, NJ), Erie and Monroe counties, NY (Buffalo and Rochester, NY), Cuyahoga County, OH (Cleveland, OH), Philadelphia and Allegheny Counties, PA (Philadelphia and Pittsburgh, PA), Dane and Milwaukee Counties, WI (Madison and Milwaukee, WI), Jackson County, MO (Kansas City, MO), St. Louis, MO, and Oklahoma County, OK (Oklahoma City, OK); Sub-No. 165, Bell County, TX (Temple, TX); Sub-No. 166, Jefferson County, GA (facilities near Wrens, GA); Sub-No. 170, Okmulgee County, OK (facilities near Henryetta, OK); Sub-No. 171, Tattnall County, GA (Glenville, GA); Sub-No. 172, Essex County, MA; Sub-No. 177, Gonzales County, TX (Gonzales, TX); Sub-No. 178, Kaufman County, TX (Terrell, TX); Sub-No. 180, Cuyahoga County, OH (facilities near Cleveland, OH); Sub-No. 181, Logan County, IL (facilities near Lincoln, IL), Lucas County, OH (Toledo, OH); Sub-No. 182, Young County, TX (Olney, TX), Los Angeles County, CA (Los Angeles, CA), DuPage County, IL (Elmhurst, IL), Bucks County, PA (Cornwell Heights, PA); Sub-No. 184, Kansas City, KS (facilities near Kansas City, KS); Sub-No. 186, Tarrant County, TX (Keller, TX); Sub-No. 187, Greenville and Spartanburg Counties, SC (Greenville and Landrum, SC), Chattanooga County, GA (Lyerly, GA); Sub-No. 189, Cherokee County, TX (Jacksonville, TX); Sub-NO. 191, Phillips, County, AR (West Helena, AR); Sub-No. 193, Union, Franklin, and Erie Counties, OH (plantsites near Marysville, Columbus and Vermilion, OH); Sub-No. 195, St. Paul, MN (plantsite near St. Paul, MN); Sub-No. 199, Mesa County, CO (Fruita, CO); Sub-No. 201, Kaufman County, TX (Mabank, TX); Sub-No. 202, Cherokee County, GA (Canton, GA); Sub-No. 203, Nacogdoches County, TX (Nacogdoches, TX); Sub-No. 207, Monmouth and Cumberland Counties, NJ (facilities near Tinton Falls and Vineland, NJ); Sub-No. 208, Douglas County, NE (Millard, NE), Ford and Seward Counties, KS (Dodge City and Liberal, KS); Sub-No. 210, Riley County, KS (facilities near Manhattan, KS), Saginaw County, MI (facilities near Carrollton, MI), Riley County, KS (facilities near Manhattan, KS), Saginaw County, MI (Carrollton, MI); Sub-No. 221, Champaign County, IL (facilities at Champaign, IL); Sub-No. 226, Providence County, RI (Lincoln and Pawtucket, RI), Hillsboro County, NH (Milford, NH), Worcester County, MA (Worcester, MA); Sub-No. 228, Greenwood County, SC (facilities near Greenwood, SC); Sub-No. 229, Darke County, OH (Greenville, OH), Boyle County, KY (Danville, KY), Essex County, MA (Lynn, MA); Sub-No. 230, Morris County, NJ (facilities near Morris Plains, NJ), Kent County, MI (Grand Rapids, MI); Sub-No. 231, Lowndes County, MS (facilities near Columbus, MS); Sub-No. 232, Saint Landry Parish, LA (Opelousas, LA); Sub-No. 233, Carter County, TN (Elizabethton, NJ); Sub-No. 234, Muscatine County, IA (plantsite at Muscatine, IA); Sub-No. 235, Cook County, IL (facilities near Chicago, IL); Sub-No. 237, Marshall County, KS (Blue Rapids, KS), Northampton County, PA (Easton, PA), Cowley County, KS (Winfield, KS); Sub-No. 238, Wayne County, MI (Livonia, MI), Fulton County, GA (Atlanta, GA); Sub-No. 240, Cameron County, TX (facilities near Harlingen, TX), Wilkerson and Tate Counties, MS (Centreville and Senatobia, MS), Lamar and Spaulding Counties, GA (Barnesville and Griffin, GA); Sub-No. 242, Chemung County, NY (facilities near Elmira, NY); Sub-No. 243, Montgomery County, KS (Coffeyville, KS); Sub-No. 246, Anderson County, KY (Lawrenceburg, KY); Sub-No. 247, Shasta County, GA (Cottonwood, CA), Washoe County, NV (Reno, NV); Sub-No. 248, Harrison and Anderson Counties, TX (Marshall and Palestine, TX); Sub-No. 249, Worcester County, MA (Oxford, MA), Hartford County, CT (Milldale, CT), Lee County, MS (Tupelo, MS); Sub-No. 251, Wayne County, OH (facilities near Wooster, OH); Sub-No. 253, Seward County, KS (facilities near Liberal, KS), Oklahoma County, OK (Oklahoma City, OK); Sub-No. 254, Winnebago and Cook Counties, IL (Rockford and Elk Grove Village, IL), Middlesex County, NJ (South Brunswick, NJ), Fulton County, GA (Atlanta, GA), Shelby County, TN (Memphis, TN); Sub-No. 255, Queens County, NY (facilities at Long Island City, NY), Lancaster County, PA (Lititz, PA), Middlesex and Hudson Counties, NJ (South Brunswick and North Bergen, NJ), Clayton County, GA (facilities at Morrow, GA); Sub-No. 256, Middlesex County, NJ (facilities near South Brunswick, NJ), Multnomah County, OR (facilities at Milwaukee, OR), Orange County, CA (Anaheim, CA), Dallas County, TX (Grand Prairie, TX), Cook and Winnebago Counties, IL (Rockford and Elk Grove Village, IL); Sub-No. 257, York County, PA (facilities near York, PA); Sub-No. 258, Montgomery and Miami Counties, OH (facilities at Dayton and Piqua, OH), Kalamazoo County, MI (facilities at Kalamazoo, MI), Montgomery County, PA (warehouse at Huntingdon Valley, PA), Rockdale, GA (Conyers, GA), McLennan County, TX (Waco, TX), Los Angeles County, CA (City of Industry and Monrovia, CA), Clark County, WA (Vancouver, WA); Sub-No. 259, Saint Joseph County, MI (facilities near Sturgis, MI); Sub-No. 261, Floyd County, GA (Rome, GA); Sub-No. 263, Wayne County, MI (plantside near Detroit, MI); Sub-No. 266, Chatham County, GA (Savannah, GA); Sub-No. 267, Kansas City, KS (facilities at Kansas City, KS), Sub-No. 268, Washtenaw County, MI (Chelsea, MI); Sub-No. 269, Elkhart, IN (facilities near Middlebury, IN); Sub-No. 270, Elkhart County, IN (facilities near Elkhart, IN), Montgomery County, OH (facilities near Dayton, OH); Sub-No. 272, Guilford County, NC (facilities near Greensboro, NC), Jefferson County, KY (Lousiville, KY); Sub-No. 273, Portage County, WI (facilities at Plover, WI); Sub-No. 274, San Francisco and Alameda Counties, CA (facilities near San Francisco and Union City, CA); Sub-No. 275, Onodaga County, NY (facilities near Syracuse, NY); Sub-No. 276, Suffolk County, MA (facilities near Chelsea, MA), New Haven County, CT (Milford and Orange, CT), Clayton County, GA (facilities near Morrow, GA), Middlesex, NJ (South Brunswick, NJ), Winnebago and Cook Counties, IL (Elk Grove Village and Rockford, IL), Dallas County, TX (Grand Prairie, TX), Orange County, CA (Anaheim, CA), Multnomah County, OR (Milwaukee, OR), Queens County, NY (Long Island City, NY), Lancaster County, PA (Lititz, PA); Sub-No. 277, Bulloch County, GA (facilities near Clito, GA); Sub-No. 278, Anderson County, KY (Lawrenceburg, KY); Sub-No. 283, Cook County, IL (facilities near Melrose Park, IL), Los Angeles County, CA (facilities near Los Angeles, CA), Cook County, IL (Melrose Park, IL); Sub-No. 284, Chemung County, NY (facilities at Elmira, NY); Sub-No. 285, Memphis, TN (facilities near Memphis, TN), San Francisco County, CA (San Francisco, CA), King County, WA (Seattle, WA), Maricopa County, AZ (Phoenix, AZ), Denver County, CO (Denver, CO), Yellowstone County, MT (Billings, MT), Polk County, IA (Des Moines, IA); Sub-No. 287, Bell County, TX (Temple, TX); Sub-No. 288, Lincoln Parish, LA (plantsite near Gramblin, LA); Sub-No. 289, Memphis, TN (facilities near Memphis, TN), Bristol County, MA (Mansfield, MA), Hamilton and Cuyahoga Counties, OH (Lockland and Cleveland, OH), Wayne County, MI (Melvindale, MI), Erie County, NY (Buffalo, NY), Marion County, IN (Indianapolis, IN), Cook County, IL (Morton Grove, IL), Hennepin County, MN (Minneapolis, MN), Allegheny

County, PA (McKees Rocks, PA); Sub-No. 290, Multnomah County, OR (Portland, OR); Sub-No. 292, Los Angeles County, CA (Los Angeles, CA); Sub-No. 293, Bourbon County, KY (facilities near Paris, KY), Macon County, IL (Deacatur, IL), St. Louis, MO (facilities near St. Louis, MO); Sub-No. 294, Placer County, CA (Rocklin, CA); Sub-No. 296, Dodge County, WI (facilities near Beaver Dam, WI); Sub-No. 298, Orange County, CA (facilities near Anaheim, CA); Sub-No. 299, Monroe and Wayne Counties, NY (facilities near Hamlin and Williamson, NY), Adams County, PA (facilities near Aspers, PA); Sub-No. 300, Rockdale and Bleckley Counties, GA (facilities near Conyers and Cochran, GA), Montgomery County, IN (Crawfordsville, IN); Sub-No. 301, Escambia County, FL (Century, FL); Sub-No. 302, Lycoming County, PA (Williamsport, PA); Sub-No. 303, Carroll, Saline, Macon, and Randolph Counties, MO (Carrollton, Marshall, Macon, and Moberly, MO); Sub-No. 305, Fresno County, CA (Fresno, CA); Sub-No. 306, Allen County, KS (Humboldt, KS); Sub-No. 308, Los Angeles County, CA (Carson, CA); Sub-No. 314, Weber County, UT (Ogden, UT), Hamilton County, TN (Chattanooga, TN); Sub-No. 315, Franklin County, NC (Louisburg, NC); Sub-No. 316, Bourbon County, KY (facilities near Paris, KY), Macon County, IL (Decatur, IL); Sub-No. 317, Morgan County, IL (Jacksonville, IL); Sub-No. 318, Baltimore, MD (facilities at Baltimore, MD); Sub-No. 319, Broward County, FL (Fort Lauderdale, FL); Sub-No. 320, Saint Joseph and Bartholomew Counties, IN (Mishawaka and Columbus, IN), Anderson County, KY (Lawrenceburg, KY), Hawkins County, TN (Rogersville, TN); Sub-No. 321, St. Louis, MO (facilities near St. Louis, MO); Sub-No. 323, Los Angeles County, CA (Cerritos and Long Beach, CA); Sub-No. 324, Dyer County, TN (Newbern, TN); Sub-No. 325, Shelby County, MO (Shelbina, Mo); Sub-No. 326, Sedgwick County, KS (Wichita, KS); Sub-No. 327, Osceola County, MI (Reed City, MI); Sub-No. 331, Hampshire and Hampden Counties, MA (facilities near Easthampton and Westfield, MA); Sub-No. 333, Elkhart County, IN (Elkhart, IN); Sub-No. 334, Cook County, IL (facilities near Chicago, IL); Sub-No. 335, Beaver County, PA (Beaver Falls, PA); Sub-No. 336, Kankakee County, IL (Kankakee, IL); Sub-No. 337, Kankakee County, IL (Kankakee, IL); Sub-No. 338, Whitfield and Catoosa Counties, GA (facilities near Dalton and Ringgold, GA), Fayette County, TN (Winchester, TN); Sub-No. 339, Baltimore County, MD (Cockeysville, MD); Sub-No. 340, Los Angeles County, CA (facilities in Los Angeles County, CA); Sub-No. 341, Limestone County, TX (facilities near Kosse, TX); Sub-No. 342, Scott County, MS (facilities near Forest, MS); Sub-No. 343, Reno County, KS (Hutchinson, KS); Sub-No. 344, Los Angeles County, CA (facilities at La Mirada, CA), Tarrant County, TX (Arlington, TX), Hennepin County, MN (Bloomington, MN), DuPage County, IL (Itasca, IL), Denver County, CO (Denver, CO), Multnomah County, OR (Portland, OR), Kansas City, MO; Sub-No. 347, Omaha, NE (facilities at Omaha, NE); Sub-No. 350, Saint Joseph, IN (facilities near South Bend, IN); Sub-No. 351, Trumbull County, OH (facilities near Warren, OH), Lancaster County, PA (facilities near Columbia, PA); Sub-No. 352, Pulaski County, AR (Jacksonville, AR); Sub-No. 356, San Diego County, CA (National City, CA), Portage County, OH (Kent, OH), Milwaukee County, WI (Milwaukee, WI); Sub-No. 357, Delta County, CO (facilities near Delta, CO); Sub-No. 358, Dallas County, TX (Irving, TX); Sub-No. 359, Los Angeles County, CA (facilities in Los Angeles County, CA); Sub-No. 360, Beaufort, Duplin, and Columbus Counties, NC (facilities near Washington, Beulaville, Whiteville, and Warsaw, NC); Sub-No. 361, Pitt County, NC (Greenville, NC); Sub-No. 362, Monmouth County, NJ (facilities near Tinton Falls, NJ); Sub-No. 363, McCracken County, KY (facilities near Paducah, KY); Sub-No. 364, Dallas and Harris Counties, TX (facilities at Dallas and Houston, TX); Sub-No. 365, Muscogee County, GA (Columbus, GA); Sub-No. 367, Northampton County, PA (Easton, PA), Cowley County, KS (Winfield, KS); Sub-No. 368, Shelby County, IL (Shelbyville, IL); Sub-No. 369, Tarrant County, TX (facilities at Fort Worth, TX); Sub-No. 372, Clayton County, GA (facilities near Morrow, GA); Sub-No. 373, Huntington County, IN (facilities near Huntington, IN); Sub-No. 375, DuPage County, IL (facilities near Downers Grove, IL); Sub-No. 376, Madison County, KY (facilities near Richmond, KY); Wake County, NC (Raleigh, NC), Sumter County, SC (Sumter, SC); Sub-No. 378, Aiken County, SC (Aiken, SC); Sub-No. 379, Chester, Lancaster and Lehigh Counties, PA (facilities at Dowingtown, New Holland, and Fogelsville, PA), Sussex County, DE (Milford, DE); Sub-No. 381, Tift County, GA (facilities near Tifton, GA); Sub-No. 382, Vanderburgh County, IN (facilities at Evansville, IN); Sub-No. 383, Hudson County, NJ (North Bergen, NJ); Sub-No. 385, Cattaraugus County, NY (facilities near Olean, NY, Bucks and Montgomery Counties, PA (Quakertown and Landsdale, PA), Hancock and Breckinridge Counties, KY (Lewisport and Cloverport, KY), Madison County, TN (Jackson, TN); Sub-No. 386, Worcester County, MA (facilities near Fitchburg, MA); Sub-No. 387, Cook County, IL (Chicago, IL); Sub-No. 388, Richmond, VA (facilities near Richmond, VA); Sub-No. 390, Appomattox and Campbell Counties, VA (facilities near Appomattox and Brookneal, VA); Davidon, Guilford, Caldwell, Catawba and Forsyth Counties, NC (facilities near Thomasville, Pleasant Garden Lenoir, Hickory and Winston-Salem, NC); Sub-No. 391, Jefferson County, TX (facilities in Jefferson County, TX); Sub-No. 393, San Diego County, CA (San Diego, CA); Sub-No. 395, Dallas County, TX (Dallas, TX); Sub-No. 396, Logan County, IL (facilities near Lincoln, IL), Somerset County, NJ (facilities in Hillsborough Township, NJ); Sub-No. 397, Essex and Suffolk Counties, MA (Andover and Boston, MA), Essex County, MA (Middleton, MA); Sub-No. 398, Saint James and Assumption Parishes, LA (plantsities at Gramercy and Supreme, LA); Sub-No. 405, Calhoun County, MI (facilities near Battlecreek, MI), Union County, SD (North Sioux City, SD); Sub-No. 406, Rutherford and Davidson Counties, TN (facilities near Murfreesboro and Nashville, TN); Sub-No. 407, Washington County, NY (facilities at Greenwich, NY), Bergen County, NJ (Tenafly, NJ), Chester and Washington Counties, PA (Coatsville and Eightyfour, PA), Cuyahoga County, OH (Cleveland, OH), Cook County, IL (Chicago, IL), Dallas County, TX (Dallas, TX), Los Angeles County, CA (Los Angeles, CA); Sub-No. 409, Los Angeles County, CA (Long Beach, CA), Tulsa County, OK (Oklahoma City and Tulsa, OK), Lubbock and Harris Counties, TX (Lubbock and Houston, TX), Caddo Parish, LA (Shreveport, LA); Sub-No. 410, Los Angeles County, CA (Los Angeles, CA), Denver County, CO (Denver, CO), Dallas County, TX (Dallas, TX), Cook County, IL (La Grange, IL), Clayton County, GA (Morrow, GA), Franklin County, OH (Columbus, OH), Pittsburgh, PA, Hudson County, NJ (North Bergen, NJ), and Suffolk County, MA (Boston, MA); Sub-No. 411, Orleans Parish, LA (facilities at New Orleans, LA); Sub-No. 412, Iberia and Lafayette Parishes, LA (New Iberia and Lafayette, LA); Sub-No. 419, Hampden County, MA (facilities near East Longmeadow, MA), Albany County, NY (facilities near Voorheesville, NY); Sub-No. 420, Hamilton and Butler Counties, OH (facilities near Cincinnati and Hamilton,

OH), Lawrence County, AL (Courtland, AL); Sub-No. 422, Wyandotte County, KS (Bonner Springs, KS); Sub-No. 424, Morris County, NJ (facilities near Morris Plains, NJ) Bexar County, TX (San Antonio, TX); Sub-No. 425, Finney County, KS (Garden City, KS); Sub-No. 426, Passaic County, NJ (facilities near Clifton, NJ); Sub-No. 427, West Feliciana and Washington Parishes, LA (facilities in West Feliciana and Washington Parishes, LA); Cuyahoga, Summit, Montgomery, Butler, Franklin, and Delaware Counties, OH (Cleveland, Akron, Dayton, Middletown, Columbus, and Delaware, OH), Milwaukee County, WI (Milwaukee, WI); Sub-No. 428, Northampton County, PA (facilities near Easton, PA), Cowley County, KS (Winfield, KS); Sub-No. 429, DuPage County, IL (facilities near Villa Park, IL); Sub-No. 430, Weber County, UT (Ogden, UT); Sub-No. 431, Orange County, CA (Tustin and Orange, CA); Sub-No. 439, Passaic County, NJ (facilities near Hawthorne, NJ), Boyd County, KY (Catlettsburg, KY), Cabell County, WV (Huntington, WV), Allegheny County, PA (Pittsburg, PA); Sub-No. 449, Wayne County, MI (Westland and Detroit, MI), Medina and Cuyahoga Counties, OH (Wadsworth and Cleveland, OH); Sub-No. 442, Campbell County, VA (facilities near Altavista, VA); Sub-No. 443, Kay County, OK (Ponca City, OK); Sub-No. 444, Marshall County, MS (facilities at Byhalia, MS); Sub-No. 450, York County, PA (facilities near York, PA); Sub-No. 451, Bradley County, TN (facilities near Cleveland, TN), Lancaster County, SC (Lancaster, SC), New Haven and Fairfield Counties, CT (Waterbury and Bethel, CT), Carbon County, PA (Palmerton, PA), Winnebago County, IL (Rockford, IL), Trumbull County, OH (Warren, OH); Sub-No. 452, St. Louis, MO and Cape Girardeau County, MO (facilities near Cape Girardeau and St. Louis, MO), Brown County, WI (Green Bay, WI); Sub-No. 456, Franklin County, PA (facilities near Greencastle, PA); Sub-No. 457, Kansas City, KS (facilities near Kansas City, KS); Sub-No. 458, Suffolk County, MA (Boston, MA), Mecklenburg County, NC (Charlotte, NC), Whitfield County, GA (Dalton, GA), Kansas City, KS (facilities near Kansas City, KS); Sub-No. 459, Suffolk County, MA (facilities near Boston, MA); Sub-No. 460, Ventura County, CA (Port Hueneme, CA); Sub-No. 461, Kansas City, KS (facilities near Kansas City, KS); Sub-No. 463, Johnson County, KS (Lenexa, KS); Sub-No. 464, Wayne County, MI (facilities near Detroit, MI); Sub-No. 465, Grayson County, TX (facilities near Sherman, TX); Sub-No. 466, Norfolk, VA (facilities near Norfolk, VA), Boone County, IN (Lebanon, IN), and Lackawanna County, PA (Scranton, PA); Sub-No. 467, Albermarle County, VA (facilities near Crozet, VA), White and Pope Counties, AR (Searcy and Russellville, AR); Sub-No. 468, Muscatine and Johnson Counties, IA (facilities near Muscatine and Iowa City, IA); Sub-No. 469, Los Angeles County, CA (facilities near La Mirada, CA), Cook County, IL (La Grange Park, IL), Essex County, MA (Andover, MA); Sub-No. 470, King William County, VA (West Point, VA); Sub-No. 471, Nelson County, KY (facilities at Bardstown, KY); Sub-No. 472, Roanoke, VA (facilities near Roanoke, VA); Sub-No. 478, Pleasants and Hancock Counties, WV (facilities near St. Marys and Newell, WV), McKean, Venango and Warren Counties, PA (Bradford, Emlenton, and North Warren, PA), Erie and Niagara Counties, NY (Buffalo and North Tonawanda, NY); Sub-No. 479, Wood County, WV (facilities near Parkersburg, WV); Sub-No. 481, Bernalillo County, NM (facilities near Albuquerque, NM), Potter, El Paso, and Lubbock Counties, TX (Amarillo, El Paso, and Lubbock, TX), Yellowstone County, MT (Billings, MT), Ada County, ID (Boise, ID), El Paso, Denver, Mesa, and Pueblo Counties, CO (Colorado Springs, Denver, Grand Junction, and Pueblo, CO), Salt Lake County, UT (Salt Lake City, UT); Sub-No. 484, St. Louis, MO (facilities near St. Louis, MO); Sub-No. 485, Los Angeles County, CA (Long Beach and Los Angeles, CA); Sub-No. 488, Imperial County, CA (Brawley, CA); Sub-No. 496, Adair County, OK (Stillwell, OK); Sub-No. 499, DuPage County, IL (facilities near West Chicago, IL); Sub-No. 501, Cook County, IL (facilities near Franklin Park, IL), Los Angeles County, CA (Los Angeles, CA); Sub-No. 502, Eau Claire County, WI (facilities near Eau Claire, WI); Sub-No. 503, Saint Croix, Fond du Lac, Waukesha, Marinette, Calumet, Shawano, and Oconto Counties, WI (facilities near Richmond, Oakfield, Eden, Sussex, Coleman, Chilton, Shawano, and Gillett, WI); Sub-No. 505, Dallas and Tarrant Counties, TX (Fort Worth and Dallas, TX); Sub-No. 513, Anderson County, TX (Palestine, TX); Sub-No. 515, Carroll, Crawford, Hardin, Mills, Polk, and Webster Counties, IA (Carroll, Denison, Iowa Falls, Sioux City, Des Moines, and Fort Dodge, IA), Saline, Douglas, and Lancaster Counties, NE (Crete, Lincoln, and Omaha, NE); Sub-No. 517, Butte County, CA (Oroville, CA); Nez Perce County, ID (Lewiston, ID); Sub-No. 519, Morgan County, AL (Decatur, AL), Grayson County, TX (Sherman, TX); Sub-No. 520, Sebastian County, AR (Fort Smith, AR), Nelson and Jefferson Counties, KY (Bardstown and Louisville, KY), Orleans Parish, LA (New Orleans, LA), Will County, IL (Plainfield, IL); Sub-No. 521, Mercer County, NJ (Trenton, NJ), Delaware County, PA (Marcus Hook, PA); Sub-No. 522, Saline County, MO (Marshall, MO), Douglas County, NE (Omaha, NE); Sub-No. 523, Finney County, KS (Garden City, KS), and Potter County, TX (Amarillo, TX); Sub-No. 524, Mobile County, AL (facilities near Mobile, AL); Sub-No. 528, Freeborn County, MN (Albert Lea, MN), Linn County, IA (Cedar Rapids, IA); Sub-No. 529, Greene County, TN (Greenville, TN); Sub-No. 530, Daviess County, KY (Owensboro, KY); Sub-No. 532, Sedgwick County, KS (Wichita, KS); Sub-No. 534, Cuyahoga County, OH (facilities near Solon, OH); Sub-No. 535, Richland County, OH (facilities near Mansfield and Shelby, OH); Sub-No. 536, McKean County, PA (Port Allegany, PA), Pettis County, MO (Sedalia, MO); Sub-No. 537, Chautauqua County, NY (Dunkirk, NY), Ashtabula County, OH (Saybrook, OH); and Sub-No. 538, Comal County, TX (New Braunfels, TX); (5) replace one-way service with authority to provide radial service between points located throughout the US wherever one-way service appears in each of the above-numbered certificates; (6) remove the exclusion of AK and HI from authority to otherwise serve points in the US or a significant portion thereof wherever such exclusion appears in each of the above-numbered certificates; (7) remove the exclusion of cities from authority to otherwise serve the entire state such as Springfield, Carthage, and Neosho, MO in Sub-Nos. 7 and 10, Great Bend, Liberal, and Wichita, KS in Sub-No. 97, Beaumont and Houston, TX in Sub-No. 97, Ogden and Clearfield, UT in Sub-No. 133, Davenport, Clinton, and Council Bluffs, IA in Sub-No. 162, Topeka, KS in Sub-No. 162, Kansas City, MO Sub-Nos. 162 and 249, Omaha, Lincoln, and Hastings, NE in Sub-No. 162 and Milwaukee, WI in Sub-No. 162, and (8) remove restrictions to traffic originating at or destined to named facilities or points in Sub-Nos. 7, 10, 31, 36, 39, 69, 73, 78, 81, 89, 91, 95, 97, 98, 104, 109, 111, 113, 119, 124, 130, 133, 144, 151, 155, 156, 165, 181, 183, 184, 186, 187, 195, 202, 221, 235, 238, 242, 246, 251, 253, 254, 255, 256, 257, 263, 265, 266, 267, 284, 287, 293, 303, 308, 316, 317, 320, 333, 334, 335, 338, 342, 346, 350, 354, 355, 358, 363, 368, 375, 379, 380, 381, 383, 385, 387, 395, 396, 397, 405, 406, 407, 410, 411, 420, 422, 425, 427, 428, 429, 431, 439, 441, 443, 444, 450, 457, 458, 459, 464, 467, 468, 481, 484, 502, 503, 520, 521, 522, 528, and 534.

MC 143512 (Sub-6)X, filed May 18, 1981. Applicant: ALL CORPS, 838 Hutchison St., Vista, CA 92083. Representative: Milton W. Flack, 8383 Wilshire Blvd., Suite 900, Beverly Hills, CA 90211. Applicant seeks to remove restrictions in its Sub-Nos. 3F and 4F permits to (1) broaden its commodity descriptions: in Sub-Nos. 3F and 4F part (1), from bakery goods and frozen bread, to "food and related products"; and (2) broaden the territorial description to between points in the United States, under continuing contract(s) with a named shipper, in both permits.

MC 144953 (Sub-11)X, filed May 15, 1981. Applicant: MULLEN TRUCKING, LTD., P.O. Box 8009, Station F, Calgary, Alberta, Canada T2J 4B4. Representative: Steven K. Kuhlman, 717 17th Street, Denver, CO 80202. Applicant seeks to remove restrictions in its Sub-Nos. 1, 4, 5, 6, and 8 certificates to (1) broaden the commodity descriptions from bentonite, barite, lignite, and drilling mud additives to "ores and minerals, coal and coal products, and chemicals and related products" in Sub-Nos. 1 and 6; from railroad ties, lumber and wood products, roofing materials, and fibreboard sheathing to "forest products, lumber and wood products, and building materials" in Sub-Nos. 4, 5, and 8; (2) delete the restrictions against the transportation of bulk commodities in Sub-Nos. 1 and 6, and concerning the transportation of traffic moving in foreign commerce in Sub-Nos. 1 and 8; (3) authorize radial service in lieu of existing one-way authority between the ports of entry on the International Boundary line between the US and CN in named States and several western and mid-western states in Sub-Nos. 1, 4, 5, and 8; and (4) delete the "in bulk" restrictions in Sub-Nos. 1 and 6.

MC 145468 (Sub-46)X, filed May 13, 1981. Applicant: KSS TRANSPORTATION CORP., Route 1 and Adams Station, P.O. Box 3052, North Brunswick, NJ 08902. Representative: Arlyn L. Westergren, Westergren & Hauptman, P.C., Suite 201, 9202 W. Dodge Rd., Omaha, NE 68114. Applicant seeks to remove restrictions in its Sub-No. 13F certificate to (1) broaden commodity description from marshmallows to "food and related products"; and (2) replace one-way authority with radial authority between Chicago, IL and points in the U.S., and eliminate restrictions against service to AK and HI.

MC 146166 (Sub-5)X, filed May 18, 1981. Applicant: TRIANGLE TRANSPORT CO., INC., 74 Sulyma Street, Cumberland, RI 02864. Representative: William F. Poole, 41 Bea Drive, North Kingstown, RI 02852. Applicant seeks to remove restrictions in its Sub-No. 1F permit to (1) broaden the commodity descriptions from cushions, pads, webbing, hammocks, grill covers, decorations, and ornaments, materials, equipment, supplies, parts and accessories to "textile mill products, rubber and plastic products, and furniture and fixtures"; (2) delete the exceptions of service to AK and HI, and (3) authorize service between points in the U.S., under continuing contract(s) with a named shipper.

MC 146176 (Sub-11)X, filed May 8, 1981. Applicant: J & L TRANSPORTS, INC., Route 1, Box 306, Almond, WI 54909. Representative: Wayne W. Wilson, 150 East Gilman Street, Madison, WI 53703. Applicant seeks to remove restrictions in its Sub-Nos. 3F, 5F, 6F, 8F, and 9F certificates to (1) broaden the commodity descriptions in Sub-Nos. 3F and 5F from paper and paper products to "pulp, paper, and related products," (2) remove bulk restrictions in Sub-Nos. 6F, 8F and 9F; (3) replace facilities with county-wide authority as follows: in Sub-No. 3F, Outagamie, Winnebago, and Calumet Counties for Appleton and Combined Locks, WI; in Sub-No. 5F Outagamie, Winnebago, and Calumet Counties for Appleton, WI; in Sub-No. 8F Winnebago County for Neenah and Oshkosh, WI; and in Sub-No. 9F Winnebago County for Menasha, WI; (4) remove restrictions in Sub-Nos. 3F, 5F, 8F and 9F limiting transportation to traffic originating at or destined to named facilities; and (5) in all subs replace one way with radial authority.

MC 147013 (Sub-5)X, filed May 14, 1981. Applicant: RDL, INC., P.O. Box 286, Gambrills, MD 21054. Representative: Chester A. Zyblut, 366 Executive Building, 1030 Fifteenth St., N.W., Washington, D.C. 20005. Applicant seeks to remove restrictions in its Sub-Nos. 2F and 4 certificates to (1) broaden the commodity description from canned and preserved foodstuffs and confectionery to "food and related products" in each certificate; (2) eliminate the facilities limitations in Sub-No. 4; (3) change city to county-wide authority from Timberville to Rockingham County, VA, Martinsburg to Berkeley County, WV, and Lincolnton to Lincoln County, NC, in Sub-No. 2F, and Hackettstown to Warrent County, NJ, Cockeysvill to Baltimore County, MD, Elizabethtown to Lancaster County, PA, and Waco to McLennan County, TX, in Sub-No. 4; and (4) expand one-way to radial authority between (a) Winchester, VA, Rockingham County, VA, Berkeley County, WV, and Lincoln County, NC, and, points in TX, LA, AL, AR, GA, OK, TN, MS, and FL in Sub-No. 2F; and (b) Warren County, NJ, Chicago, IL, Baltimore County, MD, Lancaster County, PA, and McLennan County, TX, and, points in NJ, IL, PA, LA, OK, AR, TX, CA, OR, MO, CO, OH and GA in Sub-No. 4.

MC 147196 (Sub-14)X, filed May 11, 1981. Applicant: ECONOMY TRANSPORT, INC., P.O. Box 50262, New Orleans, LA 70150. Representative: Donald A. Larousse (same address as applicant). Applicant seeks to remove restrictions in its Sub-Nos. 2F, 7F, 8F, 9F, 10F, 11F amd 12F permits to (1) broaden the commodity description from paper and paper products to "pulp, paper and related products" in Sub-Nos. 2F and 7F; from bread crumbs, breading, batter, and cake mixes in Sub-No. 8F, non-alcoholic carbonated beverages in Sub-No. 9F, and sugar in Sub-No. 11F, to "food and related products"; from lignosulfonate in Sub-No. 10F to "chemicals and related products" and from iron and steel pipe, casings, fittings, and accessories in Sub-No. 12F, to "metal products" and (2) broaden the territorial description to points in the U.S., under continuing contract(s) with named shippers.

MC 149307 (Sub-1)X, filed May 13, 1981. Applicant: FREIGHT EXPRESS, INC., One North LaSalle Street, Suite 2225, Chicago, IL 60602. Representative: David R. Kugler (same address as applicant). Applicant seeks to remove restrictions in its lead certificate by removing facilities limitations at Troy, MI and Hot Springs, AR and replacing those base points with county-wide authority to authorize service between points in Oakland County (Troy), MI and Garland County (Hot Springs), AR and points in the U.S. and by removing the HI exception in connection with its authority to transport general commodities, with exceptions.

MC 150865 (Sub-6)X, filed May 11, 1981. Applicant: ATLANTIC & WESTERN TRANSPORTATION CO., INC. and RICHARDS & ASSOCIATES, INC., 3934 Thurman Road, Forest Park, GA 30051. Representative: Ronald J. Turner (same as applicants). Applicants seek to remove restrictions in MC-108467 (Sub-No. 1) permit to (1) broaden the commodity description from materials and equipment used in or in connection with the construction, operation, repair, maintenance, or dismantling of telephones and telegraph lines to "ores and minerals, coal and coal products, petroleum, natural gas and their products, lumber and wood products, furniture and fixtures,

chemicals and related products, paints and related materials, rubber and plastic products, clay, concrete, glass, or stone products, metal products, machinery, transportation equipment, instruments and photographic goods, and those commodities which because of their size and weight require special handling or equipment, and (2) broaden the territorial description to between points in the United States.

[FR Doc. 81-16130 Filed 5-2-61; 8:45 am]
BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practices, 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 longs 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 in applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor cantract carrier authority are those where service is for a named shipper "under contract".

Volume No. OPY–4–149

Decided: May 20, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher and Williams.

MC 33807 (Sub-7), filed May 6, 1981. Applicant: NASHUA MOTOR EXPRESS, INC., 270 Amherst St., Nashua, NH 03063. Representative: Mary E. Kelley, 22 Stearns Ave., Medford, MA 02155, (617) 396–4090. Transporting *general commodities* (except classes A and B explosives), (1) serving points in MA and NH as intermediate and off-route points in connection with carrier's existing regular route operations, and (2) between points in MA and NH, on the one hand, and, on the other, points in RI, CT, and VT.

MC 128927 (Sub-7), filed May 8, 1981. Applicant: MARTIN TRUCKING COMPANY, INC., Box 406, Tomah, WI 54660. Representative: James A. Spiegel, Olde Towne Office Part, 6333 Odana Rd., Madison, WI 53719, (608) 273–1003. Transporting *malt beverages*, between points in Waukesha County, WI, on the one hand, and, on the other, points in St. Clair County, IL, Vanderburgh County, IN, Campbell County, KY, and Saginaw County, MI.

MC 154607, filed May 8, 1981. Applicant: NIXON TRANSPORTATION, INC., 206 N. Hull, Fort Branch, IN 47648. Representative: Norman A. Cooper, 145 W. Wisconsin Ave., Neenah, WI 54956, (414) 722–2848. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Red Spot Paint & Varnish Co., Inc., of Evansville, IN.

MC 155577, filed May 5, 1981. Applicant: CAMELOT DISTRIBUTING COMPANY, a corporation, 400 Fisk Dr. S.W., Atlanta, GA 30336. Representative: Clifford G. McGehee III (same address as applicant), (404) 349–7680. Transporting *pulp, paper and related products*, between points in the U.S., under continuing contract(s) with Sonoco Products Co., of Hartsville, SC.

MC 155807, filed May 5, 1981. Applicant: ELITE MOVING & STORAGE, INC., 11 New Plant Court, Owings Mills, MD 21117. Representative: Robert J. Gallagher, 100 Connecticut Ave., N.W., Suite 1200, Washington, DC 20036, (202) 463–6044. Transporting *household goods*, (1) between points in MA, RI, CT, NY, NJ, PA, MD, DE, VA, WV, NC, SC, GA, FL, and DC, and (2) between points in (1) above, on the one hand, and, on the other, those points in the U.S. in and east of MN, IA, NE, CO, OK, and TX.

MC 155817, filed May 7, 1981. Applicant: SPATARO MOVING & STORAGE, INC., 1848 No. 4th St., Milwaukee, WI 53212. Representative: Lawrence P. Kahn, 161 W. Wisconsin Ave., Suite 5170, Milwaukee, WI 53203, (414) 271–9958. Transporting *general commodities* (except classes A and B explosives), between points in Racine, Kenosha, Milwaukee, Waukesha, and Ozaukee Counties, WI, on the one hand, and, on the other, Chicago, IL.

MC 155837, filed May 8, 1981. Applicant: MARVIN AND ROGER EINCK, d.b.a. EINCK TRUCKING, 850–16th St., Primghar, IA 51245. Representative: Marvin Einck (same address as applicant), (712) 757–6225. Transporting *food and related products*, between points in O'Brien County, IA, on the one hand, and, on the other, points in the U.S.

Volume No. OPY–4–150

Decided: May 20, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 136087 (Sub-9), filed May 11, 1981. Applicant: J. C. TRUCKING, INC., 5085 Harlan, Denver, CO 80212. Representative: Leslie R. Kehl, 1660 Lincoln St., Suite 1600, Denver, CO 80264, (303) 861–4028. Transporting *iron and steel articles*, between points in CO, on the one hand, and, on the other, points in CO, KS, NM, MT, UT, and WY.

MC 139587 (Sub-26), filed May 12, 1981. Applicant: BROWN REFRIGERATED EXPRESS, INC., P.O. Box 603, Fort Scott, KS 66701. Representative: Wilburn L. Williamson, Suite 615-East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112, (405) 848-7946. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Mid-America Farms, Inc. and Mid-America Dairymen, Inc., both of Springfield, MO.

MC 144377 (Sub-4), filed May 8, 1981. Applicant: FACTORY & STEEL TRANSPORTATION, INC., Rt. 1, Box 66-B, Waverly, TN 37185. Representative: Henry E. Seaton, 929 Pennsylvania Bldg., 425 13th St., N.W., Washington, DC 20004, (202) 347-8862. Transporting *chemicals and related products*, between points in the U.S. in and east of ND, SD, NE, CO, OK, and TX.

MC 144757 (Sub-8), filed May 11, 1981. Applicant: DAKOTA PACIFIC TRANSPORT, INC., 412 Oshkosh, Rapid City, SD 57701. Representative: J. Maurice Andren, 1734 Sheridan Lake Rd., Rapid City, SD 57701, (605) 343-4036. Transporting *building materials*, between points in the U.S., under continuing contract(s) with Masonite Corp. of Bloomington, MN.

MC 145557 (Sub-14), filed May 11, 1981. Applicant: LIBERTY TRANSPORT, INC., P.O. Box 9182, Kansas City, MO 64168. Representative: Arthur J. Cerra, 2100 CharterBank Center, P.O. Box 19251, Kansas City, MO 64141, (816) 842-8600. Transporting *food and related products*, between points in Seward County, KS, on the one hand, and, on the other, points in the U.S.

MC 149157 (Sub-6), filed May 11, 1981. Applicant: STYLE CRAFT TRANSPORT, INC., Hwy 71 So., Milford, IA 51351. Representative: Foster L. Kent, P.O. Box 285, Council Bluffs, IA 51502, (712) 323-9124. Transporting *such commodities* as are dealt in or used by home furnishing outlets, between points in the U.S., under continuing contract(s) with Nebraska Furniture Mart, Inc. of Omaha, NE.

MC 153757, filed May 11, 1981. Applicant: THOMAS R. HUSTON, d.b.a. HUSTON TRUCK LINE, RFD 3, Airport Rd., Benson, MN 56215. Representative: Norman A. Cooper, 145 W. Wisconsin Ave., Neenah, WI 54956, (414) 722-2848. Transporting (1) *machinery*, between points in the U.S., under continuing contract(s) with Davis Equipment Company, of Des Moines, IA; Stevens County Implement, of Morris, MN; Ag Systems, Inc., of Hutchinson, MN; and Bertas, Inc.; Jacobson-Peterson, Inc.; Benson Machine Company, and Lor-Al Corporation, all of Benson, MN, and (2) *metal products*, between points in the U.S., under continuing contract(s) with Dokken Machine Works, of Benson, MN.

MC 155737, filed May 12, 1981. Applicant: DONALD J. MITRZYK, d.b.a. PAUL DEE COMPANY, 2949 Hillcrest Rd., West Branch, MI 48661. Representative: Donald J. Mitrzyk (same address as applicant), (517) 345-1588. Transporting *food and related products*, between points in MN, on the one hand, and, on the other, points in MI.

MC 151747 (Sub-4), filed May 11, 1981. Applicant: WALTER BROTHERS TRUCKING, INCORPORATED, 1266 North Franklin St., Chambersburg, PA 17201. Representative: Christian V. Graf, 407 N. Front St., Harrisburg, PA 17101, (717) 236-9318. Transporting *food and related products*, between points in Cumberland County, PA, on the one hand, and, on the other, points in NY and NJ.

MC 155207, filed May 11, 1981. Applicant: TRANS EAST, INC., R.R. #4, Box 154, Rockport, MO 64482. Representative: Arthur J. Cerra, 2100 CharterBank Center, P.O. Box 19251, Kansas City, MO 64141 (816) 842-8600. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Armour and Company, of Phoenix, AZ.

MC 155357, filed May 8, 1981. Applicant: WILLIAM N. ECONOMOS & JOSEPH W. BUCHALO d.b.a. WEB TRANSPORT, 1918 West Devon Ave., Elk Grove Village, IL 60007. Representative: Abraham A. Diamond, 29 South LaSalle St., Chicago, IL 60603 (312) 236-0548. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Web Services Ltd., of Elk Grove Village, IL.

MC 155897, filed May 11, 1981. Applicant: WILLIAM S. GRAY, 1959 Colfax St., Memphis, TN 38116. Representative: Dale Woodall, 900 Memphis Bank Bldg., Memphis, TN 38103. Transporting *sand and gravel*, between points in De Soto County, MS, on the one hand, and, on the other, points in Shelby, Fayette, Hardeman, McNairy, and Hardin Counties, TN.

MC 155907, filed May 8, 1981. Applicant: MUSTANG DISTRIBUTING COMPANY, INC., 23505 Northeast Halsey, Trontdale, OR 97060. Representative: Robert L. Cope, 1730 M St., N.W., Suite 501, Washington, DC 20036 (202) 296-2900. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Seaport Cooperative, Inc., of Portland, OR.

MC 155917, filed May 11, 1981. Applicant: THRIFTY TRANSPORT, INC., P.O. Box 2087, Sebastian, FL 32958. Representative: Joseph T. Bambrick, Jr., P.O. Box 216, Douglassville, PA 19518 (215) 385-6086. Transporting *general commodities* (except classes A and B explosives), between points in Camden County, NJ, on the one hand, and, on the other, points in DE, MD, NJ, NY, PA, and DC.

Volume No. OPY-4-151

Decided: May 20, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher and Williams.

MC 133937 (Sub-36), filed May 11, 1981. Applicant: CAROLINA CARTAGE CO., INC., 1638 E. Vesta Ave., College Park, GA 30337. Representative: Zoe Ann Page, Suite 2373, One World Trade Center, New York, NY 10048 (212) 432-0940. Transporting *such commodities* as are dealt in or used by mail order houses and department stores, between Los Angeles, Ontario, San Diego and San Francisco, CA, Chicago, IL, New Orleans, LA, Baltimore, MD, Boston, MA, Detroit, MI, Kansas City and St. Louis, MO, Cincinnati, Cleveland, Columbus and Dayton, OH, Portland, OR, Dallas, Fort Worth and Houston, TX, Milwaukee, WI, New York, NY, and points in Washoe County, NV, King County, WA, Hudson, Bergen, Essex, Union, Passaic, Morris, Somerset and Middlesex Counties, NJ, and points in Al, FL, GA, MS, NC, SC, TN and DC.

Note.—Applicant intends to tack to its existing authority.

MC 146927 (Sub-25), filed May 11, 1981. Applicant: DIXIE TRANSPORT, INC., P.O. Box 1126, Hattiesburg, MS 39401. Representative: William P. Jackson, Jr., 3426 N. Washington Blvd., P.O. Box 1240, Arlington, VA 22210 (703) 525-4050. Transporting *food and related products*, between points in Assumption Parish, LA, on the one hand, and, on the other hand, points in and east of ND, SD, NE, KS, OK and TX.

MC 147547 (Sub-16), filed May 11, 1981. Applicant: R & D TRUCKING COMPANY, INC., 4401 Mars Hill Rd., Lauderdale Industrial Pk., Florence, AL 35630. Representative: Roland M. Lowell, 618 United American Bank Bldg., Nashville, TN 37217 (615) 244-8101. Transporting *general commodities* (except classes A and B explosives), between the facilities of Uvalde Rock Asphalt Company, at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 147747 (Sub-1), filed May 11, 1981. Applicant: A.L. MILICAN d.b.a. ROYAL TRUCKING COMPANY, P.O. Box 387, West Point, MS 39773. Representative: Harold H. Mitchell, Jr., P.O. Box 1295, Greenville, MS 38701 (601) 335-3576. Transporting (1) *clay, concrete, glass and stone products*, (2) *metal products* and (3) *machinery*, between points in the U.S., under continuing contract(s) with The Babcock & Wilcox Company of Barberton, OH.

MC 148007 (Sub-2), filed May 12, 1981. Applicant: RAPID HOLDING LTD. d.b.a. RAPID TRANSFER, P.O. Box 518, Oliver, B.C., Canada VOH ITO. Representative: David W. Wiley, 1100 Norton Bldg., Seattle, WA 98104 (206) 622-4067. In *foreign commerce* only, transporting (1) *lumber and wood products*, (2) *building materials* and (3) *machinery*, between points in the U.S., under continuing contract(s) with Lignum Sales Ltd., of Vancouver, B.C., Cascade Imperial Mills Ltd., of Burnaby, B.C. and Weyerhaeuser Company of Tacoma, WA.

Volume No. OPY-4-154

Decided: May 22, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher and Williams.

MC 151916 (Sub-2), filed May 15, 1981. Applicant: BARON TRANSPORT, INC., One Perimeter Way, Suite 455, Atlanta, GA 30339. Representative: Eugene D. Anderson, 910 Seventeenth St., NW, Suite 428, Washington, DC 20006 (202) 296-2550. Transporting (1) *pulp, paper and related products*, and (2) *clay, concrete, glass or stone products*, between points in NY, on the one hand, and, on the other, points in AL, AR, FL, GA, LA, MS, NC, SC, and TN.

MC 152586 (Sub-1), filed May 15, 1981. Applicant: REED MACHINERY & TRANSPORTATION CO., INC., P.O. Box 1105, 712 N. Farnsworth Ave., Aurora, IL 60507. Representative: Leslieann G. Maxey, 907 S. Fourth St., Springfield, IL 62703, (217) 528-8476. Transporting (1) *machinery and machinery parts*, and (2) *metal products*, between points in IL, on the one hand, and, on the other, points in IN, MI, IA, MO, and WI.

MC 155996, filed May 15, 1981. Applicant: J. P. TRANSPORT, INC., P.O. Box E, Western Springs, IL 60558. Representative: Bernard J. Kompare, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603, (312) 263-1600. Transporting *such commodities* as are dealt in or used by manufacturers of building and sound-deadening materials, between points in the U.S., under continuing contract(s) with Blobe Industries, of Chicago, IL.

Volume No. OPY-4-155

Decided: May 22, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher and William.

MC 42487 (Sub-1041), filed May 11, 1981. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Dr., Menlo Park, CA 94025. Representative: W. R. Oldenburg, P.O. Box 3062, Portland, OR 97208, (503) 226-4692. Transporting *general commodities*, between points in the U.S., under continuing contract(s) with Union Carbide Corporation, of New York, N.Y. Condition: To the extent the permit granted in this proceeding authorizes the transportation of classes A and B explosives, it shall be limited in point of time to a period expiring 5 years from its date of issue.

MC 103937 (Sub-9), filed May 12, 1981. Applicant: ANTHRA TRANS, INC., R.D. No. 3, Moscow, PA 18444. Representative: Ronald N. Cobert, 1730 M St., NW., Suite 501, Washington, DC 20036, (202) 296-2900. Transporting *general commodities*, (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Scrapco, Inc., of West Haven, CT.

MC 114177 (Sub-4), filed May 14, 1981. Applicant: CONSOLIDATED DUMP TRANSPORTATION COMPANY, 3220 E. 95th St., Chicago, IL 60617. Representative: Joseph P. Murdock, P.O. Box 40248, Indianapolis, IN 46240, (317) 846-6655. Transporting (1) *commodities in bulk*, and (2) *chemicals and related products*, between points in IL, IN, MI, IA, WI, and MO.

MC 128837 (Sub-37), filed May 14, 1981. Applicant: TRUCKING SERVICE, INC., P.O. Box 229, Carlinville, IL 62626. Representative: Michael W. O'Hara, 300 Reisch Bldg., Springfield, IL 62626, (217) 544-5468. Transporting *brick and cement*, between points in AL, AR, GA, IA, IL, IN, KS, MO, MS, NE, NC, OH, OK, PA, and TN.

MC 136077 (Sub-30), filed May 15, 1981. Applicant: REBER CORPORATION, 2216 Old Arch Rd., Norristown, PA 19401. Representative: Richard L. Thurston, One Franklin Plaza, Philadelphia, PA 19102, (215) 854-6444. Transporting (1) *gypsum and gypsum products*, (2) *building materials*, (3) *paper and paper products*, (4) *chemicals* and (5) *plastic products*, between the facilities of Georgia Pacific Corporation in and east of OH, KY, TN and AL.

MC 149497 (Sub-10), filed May 15, 1981. Applicant: HAUPT CONTRACT CARRIERS, INC., P.O. Box 1023, Wausau, WI 54401. Representative: Robert A. Wagman (same address as applicant), (715) 359-2907). Transporting *malt beverages and malt beverage products*, between points in IL, IN, MI, MN, MO and WI.

MC 153147, filed May 15, 1981. Applicant: BAYSIDE WASTE HAULING & TRANSFER, INC., d.b.a. BAYSIDE DISPOSAL, 7201 W. Marginal Way SW, Seattle, WA 98101. Representative: Jack R. Davis, 1100 IBM Bldg., Seattle, WA 98101, (206) 624-7373. Transporting *hazardous waste*, between points in OR and WA.

Volume No. OPY-5-67

Decided: May 20, 1981.

By the Commission, Review Board No. 3, Members Krock, Joyce and Dowell.

MC 41098 (Sub-59), filed May 4, 1981. Applicant: GLOBAL VAN LINES, INC., One Global Way, Anaheim, CA 92803. Representative: Alan F. Wohlstetter, 1700 K St., N.W., Washington, D.C. 20006, (202) 833-8884. Transporting *vending machines*, between points in the U.S.

Note.—The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under U.S.C. 11343(A) or submit an affidavit indicating why such approval is unnecessary to the Secretary's office. In order to expedite issuance of any authority please submit a copy of the affidavit or proof of filing the application(s) for common control to team 5, Room 6370.

MC 105269 (Sub-95), filed February 18, 1981. Published initially in the **Federal Register** on March 20, 1981. Applicant: GRAFF TRUCKING COMPANY, INC., 2110 Lake St., Kalamazoo, MI 49005. Representative: Edward Malinzak, 900 Old Kent Bldg., Grand Rapids, MI 49503, 616-459-6121. Transporting *general commodities* (except classes A and B explosives), between the facilities of Roberts Consolidated Industries, Inc. at points in the U.S., on the one hand, and, on the other, points in the U.S.

Note.—This application is republished to modify the authority as shown above.

MC 109449 (Sub-60), filed May 4, 1981. Applicant: KUJAK TRANSPORT, INC., 6366 West 6th St., Winona, MN 55987. Representative: Francis Cisewski, (same address as applicant), (507) 462-1032. Transporting *general commodities*, (except classes A and B explosives), between the facilities of Ralston Purina Company and its subsidiaries, at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 115078 (Sub-9), filed May 4, 1981. Applicant: SINDALL TRANSPORT, INC., 102 N. Custer Ave., New Holland, PA 17557. Representative: Jeremy Kahn, Suite 733—Investment Bldg., 1511 K St., NW., Washington, DC 20005, (202) 783-

3525. Transporting *lumber and wood products*, between the ports of entry on the international boundary line between the United States and Canada at points in MI, NY, VT, NH, and ME, and points in ME, on the one hand, and, on the other, points in, PA, DE, MD, VA, NY, NJ, WV, OH, NC, SC, VT, IN, ME, NH, MA, RI, MI, IL, and DC.

MC 135989 (Sub-23), filed May 4, 1981. Applicant: COAST EXPRESS, INC., 14280 Monte Vista Ave., Chino, CA 91710. Representative: William J. Lippman, Steele Park, Suite 330, 50 South Steele St., Denver, CO 80209, (303) 320–6100. Transporting *petroleum, natural gas and their products*, between points in the U.S., under continuing contract(s) with Kendall/Amalie and Sonneborn Divisions, Witco Chemical Corporation, of Bradford, PA.

MC 142059 (Sub-170), filed May 7, 1981. Applicant: CARDINAL TRANSPORT, INC., 1230 North Illinois Drive, Channahon, IL 60410. Representative: Fred H. Daly, 2550 M Street, NW., Suite 475, Washington, DC 20037, 202–293–3204. Transporting *electrical machinery, equipment or supplies*, between the facilities of General Electric Company in the U.S., on the one hand, and, on the other, points in the U.S.

MC 143739 (Sub-52), filed May 4, 1981. Applicant: SHURSON TRUCKING CO., INC. P.O. Box 147, New Richland, MN 56072. Representative: Leonard K. Sackson (same address as applicant), (507) 465–3235. Transporting *food and related products*, (1) between points in Vermilion and Peoria Counties, IL, on the one hand, and, on the other, points in AL, AR, IN, IA, KS, KY, LA, MN, MS, MO, ND, OK, SD, TN, TX, and WI; and (2) between points in Dodge County, WI, on the one hand, and on the other, points in AL, AR, IL, IN, IA, KS, KY, LA, MN, MS, MO, ND, OK, SD, TN, and TX.

MC 146078 (Sub-42), filed May 4, 1981. Applicant: CAL–ARK, INC., 854 Moline, P.O. Box 610, Malvern, AR 72104. Representative: John C. Everett, 14 E. Buchanan, P.O. Box A, Prairie Grove, AR 72753, (501) 846–2185. Transporting *furniture parts, metal products*, and *paper products*, between points in MO, KY, TX, OK, AZ, CO, IL, MA, MN, GA, CA, OH, FL, TN, AL, LA, UT, OR, NJ, KS, MI, WA, NC, AR, MS and WI, on the one hand, and, on the other, points in the U.S.

MC 146149 (Sub-21), filed May 8, 1981. Applicant: KENNEDY FREIGHT LINES, INC., 4989 Vulcan Ave., Columbus, OH 43228. Representative: Paul F. Beery, 275 E. State St., Columbus, OH 43215, 614–228–8575. Transporting *general commodities* (except classes A and B explosives), between the facilities used by Ralston Purina Company and its subsidiaries in the U.S., on the one hand, and, on the other, points in the U.S.

MC 146419 (Sub-3), filed May 8, 1981. Applicant: SCHWANEBECK FREIGHT LINES, INC., Box 342 C, Rural Route #3, Mauston, WI 53948. Representative: Wayne W. Wilson, 150 East Gilman St., Madison, WI 53703, (608) 256–7444. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Sanna, a Subsidiary of Beatrice Foods Company, of Chicago, IL.

MC 146608 (Sub-2), filed May 4, 1981. Applicant: BOARD TRUCKING COMPANY, INC., Big Spring, KY 40106. Representative: Herbert D. Liebman, P.O. Box 478, Frankfort, KY 40602, (502) 875–3493. Transporting *such commodities* as are dealt in or used by wholesalers and retailers of building materials and supplies, between points in the U.S., under continuing contract(s), with The Wickes Corporation, of Saginaw, MI.

MC 146638 (Sub-2), filed May 7, 1981. Applicant: CLYDE HOSTUTLER, d.b.a. CLYDE'S TRANSFER, 604 Aquarius Drive, Mechanicsville, VA 23111. Representative: Calvin F. Major, 200 West Grace St., Richmond, VA 23220, (804) 649–7591. Transporting *such commodities* as are used by the manufacturers of precast and prestressed concrete, between points in MD, and VA, on the one hand, and, on the other, points in DE, MD, NC, PA, VA, and D.C.

MC 147948 (Sub-9), filed May 7, 1981. Applicant: A.J. ROSS ENTERPRISES, INC., 225 Smith Street, Keasbey, NJ 08832. Representative: Morton E. Kiel, Suite 1832, 2 World Trade Center, New York, NY 10048, (212) 466–0220. Transporting (1) *construction equipment, materials, and supplies and* (2) *metal products*, between points in NJ, NY, PA and CT, on the one hand, and, on the other, points in MA, RI, CT, NY, NJ, PA, MD, DE, VA, OH, WV, IN, IL, ME, NH, VT, KY, TN, AL, NC, SC, GA, FL, MI, WI, MS, and DC.

MC 149269 (Sub-2), filed May 7, 1981. Applicant: PALMER INDUSTRIES, INC., P.O. Box 839, Macon, GA 31202. Representative: Virgil H. Smith, Suite 12, 1587 Phoenix Blvd., Atlanta, GA 30349, (404) 996–6266. Transporting *such commodities* as are dealt in or used by the manufacturers and distributors of malt beverages, between points in Houston County, GA, on the one hand, and, on the other, points in AL, AR, OH, MS, and TN.

MC 150189 (Sub-3), filed May 7, 1981. Applicant: R.G. BERRY, Box 8 Shawneetown, IL 62984. Representative: Robert T. Lawley, 300 Reisch Bldg. Springfield, IL 62701, (217) 544–5468. Transporting *food and related products*, between points in Madison County, IL, on the one hand, and, on the other, points in AL, FL, GA, NC, SC, and TN.

MC 150339 (Sub-29), filed May 8, 1981. Applicant: PIONEER TRANSPORTATION SYSTEMS, INC., 151 Easton Blvd. Preston, MD 21655. Representative: J. Cody Quinton, Jr. (same address as applicant) (301) 673–7151 Transporting *metal products*, between points in the U.S., under continuing contract(s) with Defiance Welding Co., of Defiance, OH.

MC 150618 (Sub-1), filed April 20, 1981. Applicant: AVION TRANSPORT, INC., 43 East Hollis St., Nashua, NH 03060. Representative: Robert G. Parks, 20 Walnut St., Ste. 101, Wellesley Hills, MA 02181, (617) 235–5571. Transporting *such commodities* as are dealt in or used by the manufacturers and distributors of plastic articles, between points in the U.S., under continuing contract(s) with Composite Container Corporation, of Medford, MA.

MC 150898 (Sub-53), filed May 7, 1981. Applicant: LOUIS J. KENNEDY TRUCKING COMPANY, 342 Schuyler Ave., Kearney, NJ 07032. Representative: Morton E. Kiel, Suite 1832, Two World Trade Center, New York, NY 10048, (212) 466–0220. Transporting *general commodities* (except classes A and B explosives) between points in the U.S., under continuing contract(s) with W. R. Grace & Co., of Cambridge, MA.

MC 152789, filed May 4, 1981. Applicant: S. R. MEROLA, d.b.a. MEROLA ENTERPRISES, 51 Bay Harbor Blvd., Bricktown, NJ 08723. Representative: Paul J. Keeler, P.O. Box 253, South Plainfield, NJ 07080, (201) 757–3478. Transporting *hazardous waste materials*, between points in the U.S., under continuing contract(s) with Browning-Ferris Industries, Inc., of Elizabeth, NJ.

MC 155059, filed May 1, 1981. Applicant: ZIP TRUCK LINES, INC., P.O. Box 337, Moses Lake, WA 98837. Representative: Boyd Hartman, P.O. Box 3641, Bellevue, WA 98009, (206) 453–0312. Transporting (1) *ores and minerals*, and (2) *machinery*, (a) between the ports of entry on the international boundary line between the United States and Canada, at points in WA and ID, on the one hand, and, on the other, points in Shoshone County, ID, and Pierce County, WA, and (b) between points in Pershing County, NV, on the one hand,

and, on the other, points in Shoshone County, ID, Pierce County, WA, Multnomah County, OR, and Salt Lake County, UT.

MC 155818, filed May 7, 1981. Applicant: LOYD SHORES TRUCKING COMPANY, INC., Route 1, Box 532, Baxter, TN 38544. Representative: Michael E. Clift, 46 North Jefferson Ave., Cookeville, TN 38501, 615–526–3311. Transporting (1) *general commodities* (except classes A and B explosives), between points in Putnam County, TN, on the one hand, and, on the other, points in AL, FL, GA, IN, KS, KY, MI, MS, OH, OK, PA, TX, and VA, and (2) *lumber and wood products*, between points in TN on the one hand, and, on the other, points in AL, AR, FL, GA, IL, IN, IA, KS, KY, LA, MI, MS, MO, NE, NC, OH, OK, PA, SC, TN, TX, VA and WV.

MC 155819, filed May 8, 1981. Applicant: R.C.L. TRUCKLINE, INC., 104 Arlette Drive, Lafayette, LA 70503. Representative: Gene Fournier (same address as applicant), 318–984–3785. Transporting *Mercer commodities* between points in TX, on the one hand, and, on the other, points in LA and OK.

Volume No. OPY–5–68

Decided: May 21, 1981.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC 5888 (Sub-60), filed May 11, 1981. Applicant: MID-AMERICAN LINES, INC., 127 West 10th St., Kansas City, MO 64105. Representative: Carl L. Steiner, 39 South LaSalle St., Chicago, IL 60603, 312–236–9375. Transporting *general commodities* (except classes A and B explosives), between points in IA, IL, IN, KS, KY, MI, MN, MO, OH and WI.

MC 12918 (Sub-2), filed May 11, 1981. Applicant: ALLAN S. KRAFT, d.b.a. KRAFTOURS, 7992 E. 41st St., Tulsa, OK 74145. Representative: Maxwell A. Howell, 1100 Investment Bldg., 1511 K St. NW., Washington, DC 20005, 202–783–7900. To operate as a *broker*, in interstate or foreign commerce, at Tulsa, OK, arranging for the transportation by motor vehicle of passengers and their baggage, in special and charter operations, between points in the U.S.

MC 19778 (Sub-117), filed May 8, 1981. Applicant: THE MILWAUKEE MOTOR TRANSPORTATION COMPANY, 10800 Franklin Ave., Franklin Park, IL 60131. Representative: Robert F. Munsell (same address as applicant), 312–860–4878. Transporting *general commodities* (except classes A and B explosives), between points in the U.S. under continuing contract(s) with Bostrum-Warren, Inc. of Seattle, WA.

MC 19778 (Sub-118), filed May 8, 1981. Applicant: THE MILWAUKEE MOTOR TRANSPORTATION COMPANY, 10800 Franklin Ave., Franklin Park, IL 60131. Representative: Robert F. Munsell (same address as applicant), 312–860–4878. Transporting *machinery*, between points in Iowa County, IA on the one hand, and, on the other, points in TX, OK and AZ.

MC 19778 (Sub-119), filed May 8, 1981. Applicant: THE MILWAUKEE MOTOR TRANSPORTATION COMPANY, 10800 Franklin Ave., Franklin Park, IL 60131. Representative: Robert F. Munsell (same address as applicant), 312–860–4878. Transporting *machinery*, between points in Iowa County, IA on the one hand, and, on the other, points in MT.

MC 78118 (Sub-60), filed May 11, 1981. Applicant: W. H. JOHNS, INC., 35 Witmer Rd., Lancaster, PA 17602. Representative: Christian V. Graf, 407 N. Front St., Harrisburg, PA 17101, 717–236–9318. Transporting *general commodities* (except classes A and B explosives), between points in the U.S. under continuing contract(s) with Sonoco Products Company of Hartsville, SC.

MC 85788 (Sub-12), filed May 11, 1981. Applicant: JACOBSEN TRANSFER, INC., P.O. Box 47, Fairmont, NE 68354. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501, 402–475–6761. Transporting *food and related products*, between points in San Mateo County, CA, on the one hand, and, on the other, points in the U.S. in and east of MT, WY, UT, and NM.

MC 98658 (Sub-9), filed May 8, 1981. Applicant: DONALD L. KERBS, d.b.a. C & R TRUCK LINE, 400 North Seventh St., Salina, KS 67401. Representative: Donald L. Kerbs (same address as applicant), (913) 825–1345. Transporting *general commodities* (except classes A and B explosives) serving Delavan, KS as an off-route point in connection with applicant's otherwise authorized regular route operations.

MC 106748 (Sub-15), filed May 8, 1981. Applicant: GODDARD'S TRANSPORTATION, INC., Route 4A, Fair Haven, VT 05743. Representative: John P. Monte, Box 568, Barre, VT 05641, (802) 476–6671. Transporting *chemicals and related products*, between points in Fairfield County, CT, on the one hand, and, on the other, points in Rutland County, VT.

MC 110878 (Sub-49), filed May 11, 1981. Applicant: ARGO TRUCKING COMPANY, INC., P.O. Box 955, Elberton, GA 30635. Representative: Sol H. Proctor, 1101 Blackstone Bldg., Jacksonville, FL 32202, (904) 632–2300. Transporting *building materials*, between points in Elbert County, GA, on the one hand, and, on the other, points in the U.S.

MC 112989 (Sub-144), filed May 11, 1981. Applicant: WEST COAST TRUCK LINES, INC., 85647 Hwy 99 S., Eugene, OR 97405. Representative: John T. Morgans (same address as applicant), (503) 747–1283. Transporting *rubber and plastic products*, between points in Snohomish County, WA, on the one hand, and, on the other, Carson City, NV.

MC 113658 (Sub-53), filed May 11, 1981. Applicant: SCOTT TRUCK LINE, INC., 5280 Newport St., Commerce City, CO 80022. Representative: Rick A. Rude, Suite 611, 1730 Rhode Island Ave., NW., Washington, DC 20036, (202) 223–5900. Transporting *food and related products*, between points in Jefferson County, CO, on the one hand, and, on the other, points in TN, LA, and MS.

MC 135989 (Sub-25), filed May 12, 1981. Applicant: COAST EXPRESS, INC., 14280 Monte Vista Ave., Chino, CA 91710. Representative: William J. Lippman, Steele Park, Suite 330, 50 South Steele St., Denver, CO 80209, 303–320–6100. Transporting *building materials*, between points in the U.S. under continuing contract(s) with Phillips Industries, Inc. of Cucamonga, CA.

MC 135989 (Sub-26), filed May 12, 1981. Applicant: COAST EXPRESS, INC., 14280 Monte Vista Ave., Chino, CA 91710. Representative: William J. Lippman, Steele Park, Suite 330, 50 South Steele St., Denver, CO 80209, 303–320–6100. Transporting *textile mill products*, between points in the U.S. Under continuing contract(s) with TFI, Division of Kas Tex Corp., of Los Angeles, CA.

MC 138469 (Sub-273), filed May 11, 1981. Applicant: DONCO CARRIERS, INC., P.O. Box 75354, Oklahoma City, OK 73147. Representative: Daniel O. Hands, Suite 200–A, 205 West Touhy Ave., Park Ridge, IL 60068, 312–698–2235. Transporting *general commodities* (except classes A and B explosives), between the facilities used by The Kroger Co., at points in the U.S. on the one hand, and, on the other, points in the U.S.

MC 141369 (Sub-8), filed May 11, 1981. Applicant: V. I. P. LIMOUSINE, INC., 11 Brownhouse Rd., Stamford, CT 06902. Representative: Alan F. Wohlstetter, 1700 K St. NW., Washington, DC 20006, 202–833–8884. Transporting *passengers and their baggage*, in the same vehicle with passengers, in special and charter operations, in non-scheduled door-to-door service, limited to the

transportation of not more than 15 passengers (not including the driver) in any one vehicle at any one time between points in CT, on the one hand, and, on the other, points in MA, NJ, NY, PA and RI.

MC 142059 (Sub-172), filed May 11, 1981. Applicant: CARDINAL TRANSPORT, INC., P.O. Box 911, Joliet, IL 60434. Representative: Jack Riley (same address as applicant) 815-729-3805. Transporting (1) *pulp paper and related products*, (2) *forest products*, (3) *lumber and wood products*, (4) *building materials*, between the facilities of Champion International Corp. at points in the U.S. on the one hand, and, on the other, points in the U.S.

MC 144428 (Sub-14), filed May 5, 1981. Applicant: TRUCKADYNE INC., Route 16, P.O. Box 308, Mendon, MA 01756. Representative: Joseph A. Reed (same address as applicant) 1-800-982-4723. Transporting (1) *petroleum, natural gas and their products*, (2) *coal and coal products*, and (3) *clay, concrete, glass and stone products*, between points in the U.S. under continuing contract(s) with Dry Mix Concrete Co., of Franklin Park, IL.

MC 146148 (Sub-19), filed May 11, 1981. Applicant: B-RIGHT TRUCKING CO., 7087 West Blvd., Suite 8, Youngstown, OH 44512. Representative: A. Charles Tell, 100 E. Broad St., Columbus, OH 43215, 614-228-1541. *Such commodities* as are dealt in by grocery and food business houses, between points in the U.S., under continuing contract(s) with Brothers Trading Co., of Dayton, OH, and Wilco Trading Co., Inc., of Lakewood, NJ.

MC 146659 (Sub-7), filed May 11, 1981. Applicant: GOLDSTON TRANSFER, INC., P.O. Box 1059, Eden, NC 27288. Representative: Archie W. Andrews (same address as applicant), 919-627-7115. Transporting *malt beverages* between points in the U.S. in and east of TX, OK, MO, IA, and MN.

MC 147169 (Sub-3), filed May 8, 1981. Applicant: SERVICEWAY MOTOR FREIGHT, INC., P.O. Box 243, Alcoa, TN 37701. Representative: J. Greg Hardeman, 618 United American Bank Bldg., Nashville, TN 37219, (615) 244-8100. Transporting (1) *pulp, paper and related products*, and (2) *rubber and plastic products*, between points in TN, on the one hand, and, on the other, points in NC.

MC 147228 (Sub-4), filed May 11, 1981. Applicant: ROBERT D. BOWHAY d.b.a. BOWHAY TRUCK LINE, P.O. Box 150, Summerfield, KS 66541. Representative: Larry E. Gregg, 641 Harrison Street, P.O. Box 1979, Topeka, KS 66601, 913-234-0565. Transporting *chemicals and related products*, between points in Gage County, NE, on the one hand, and, on the other, points in CO, IA, KS, MN, MO, ND, OK, and SD.

MC 147279 (Sub-3), filed May 11, 1981. Applicant: LEROY O. SALO d.b.a. SALO TRUCKING, Route 1, Box 49, Gilbert, MN 55741. Representative: Stanley C. Olsen, Jr., 5200 Willson Rd., Suite 307, Minneapolis, MN 55424, 612-927-8855. Transporting (1) *food and related products*, between points in St. Louis County, MN, on the one hand, and, on the other, Omaha, NE, St. Louis, MO, and points in IL and WI, and (2) *metal products and machinery*, between points in St. Louis County, MN, on the one hand, and, on the other, points in the U.S.

MC 151428 (Sub-3), filed May 11, 1981. Applicant: J & H TRUCKING, INC., 12425 Telephone, Chino, CA 91710. Representative: Miles L. Kavaller, 315 So. Beverly Dr., Suite 315, Beverly Hills, CA 90212, (213) 277-2323. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Best Western, Inc., of Los Angeles, CA.

MC 151819 (Sub-3), filed May 11, 1981. Applicant: CARGO MASTERS, INC., 917 S. Harwood St., Dallas, TX 75201. Representative: Jackson Salasky, P.O. Box 45538, Dallas, TX 75245, (214) 358-3341. Transporting *pulp, paper and related products*, between Dallas, TX, and points in Lafourche Parish, LA, and McMinn County, TN, on the one hand, and, on the other, points in the U.S.

MC 154969, filed April 17, 1981. Applicant: WILLIAM S. LEE, d.b.a. WILLIAM S. LEE TRUCKING, Rt. 10, Box 249, McMinnville, TN 37110. Representative: Robert L. Baker, Sixth floor—United American Bank, Nashville, TN 37219, (615) 244-8100. Transporting *such commodities* as are dealt in by grocery stores, between points in Davidson and Rutherford Counties, TN, on the one hand, and, on the other, points in the U.S. in and east of ND, SD, NE, KS, OK, and TX.

MC 155478, filed May 4, 1981. Applicant: R. A. MONCADA, d.b.a. LOS ANGELES-TIJUANA EXPRESS, 421 South Mesita Ave., West Covina, CA 91791. Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609, (213) 945-2745. Over regular routes, transporting *passengers and their baggage*, between Los Angeles, CA, and the port of entry between the United States and the Republic of Mexico at or near San Ysidro, CA, from Los Angeles over Interstate Hwy 5 to junction Interstate Hwy 805 north of San Diego, then over Interstate Hwy 805 to junction Interstate Hwy 5 near San Ysidro, then over Interstate Hwy 5 to the port of entry between the United States and the Republic of Mexico at or near San Ysidro, CA, and return over the same route, serving intermediate and off route points beginning at the intersection of the Los Angeles-Alhambra city limits at or near Interstate Hwy 10 and extending north along the Los Angeles-Alhambra city limits to Main Street, then easterly on Main Street to junction CA Hwy 19, then southerly on CA Hwy 19 to junction Florence Avenue, then westerly on Florence Avenue to the Los Angeles city limits, then northerly and easterly along the Los Angeles city limits to the point of beginning.

MC 155808, filed May 7, 1981. Applicant: DISTRIBUTION TECHNOLOGY, INC., d.b.a. PDC TRUCKING COMPANY AND SHENANDOAH DISTRIBUTION CENTERS TRUCKING COMPANY, 11425 Granite St., Charlotte, NC 28217. Representative: Kenneth M. Colvin (same address as applicant), 704-588-2867. Transporting *general commodities* (except classes A and B explosives), between points in GA, NC, SC, TN and VA.

Volume No. OPY-5-69

Decided: May 2, 1981.

By the Commission, Review Board No. 3, members Krock, Joyce and Dowell.

MC 109449 (Sub-62), filed May 8, 1981. Applicant: KUJAK TRANSPORT, INC., 6366 West 6th Street, Winona, MN 55987. Representative: Francis Cisewski (same address as applicant), (507) 452-1032. Transporting *printed matter*, between points in Montgomery County, OH, on the one hand, and, on the other, points in IL, IA, MN, MO, NE, ND, SD, and WI.

MC 119099 (Sub-39), filed May 11, 1981. Applicant: BJORKLUND TRUCKING, INC., First Ave., N.E. and 8th St., Buffalo, MN 55313. Representative: Val M. Higgins, 1600 TCF Tower, 121 So. 8th St., Minneapolis, MN 55402, (612) 333-1341. Transporting (1) *ores and minerals*, and (2) *chemicals and related products*, between points in Reno County, KS, on the one hand, and, on the other, points in MN.

MC 144969 (Sub-34), filed May 4, 1981. Applicant: WHEATON CARTAGE COMPANY, 3rd and "G" Sts., Millville, NJ 08332. Representative: Laurence J. DiStefano, Jr., 1101 Wheaton Ave., Millville, NJ 08332, (609) 825-1400 ext. 2414. Transporting *general commodities* (except classes A and B explosives), between the facilities of All States

Warehousing, Inc. and their customers, at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 149388 (Sub-7), filed May 11, 1981. Applicant: FEPCO TRUCKING, INC., 3458 Moreland Ave., Conley, GA 30027. Representative: Archie B. Culbreth, Suite 202, 2200 Century Parkway, Atlanta, GA 30345, (404) 321-1765. Transporting *pulp, paper and related products*, between points in Troup County, GA, on the one hand, and, on the other, those points in the U.S. in and east of MN, IA, MO, OK, and TX.

MC 150398 (Sub-4), filed May 13, 1981. Applicant: BLUE EXPRESS, INC., P.O. Box 292, Canton, SD 57013. Representative: Rick A. Rude, Suite 611, 1730 Rhode Island, N.W., Washington, DC 20036, 202-223-5900. Transporting *food and related products*, between points in Seward County, KS, on the one hand, and, on the other, points in the U.S.

MC 154678 (Sub-1), filed May 11, 1981. Applicant: HAYNES MOTOR LINES, INC., 8475 Florida Blvd., Baton Rouge, LA 70806. Representative: John A. Crawford, 17th Floor Deposit Guaranty Plaza, P.O. Box 22567, Jackson, MS 39205, (601) 948-5711. Transporting *general commodities* (except classes A and B explosives), between points in LA and MS.

MC 155778, filed May 4, 1981. Applicant: ALWAYS TRANSIT, INC., P.O. Box 514, Bristol, IN 46507. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240, (317) 846-6655. Transporting *transportation equipment*, between points in St. Joseph, Elkhart and Lagrange Counties, IN, and St. Joseph and Cass Counties, MI, on the one hand, and, on the other, points in the U.S.

MC 155809, filed May 7, 1981. Applicant: PULLENS, INC., 320 North Point Blvd., Baltimore, MD 21214. Representative: Robert L. Cope, 1730 M St. NW., Suite 501, Washington, DC 20036, (202) 296-2900. Transporting *general commodities* (except classes A and B explosives) between points in the U.S., under continuing contract(s) with Parish Division, Dana Corp., of Reading, PA.

MC 155948, filed May 14, 1981. Applicant: JOHN CASSIDY & SONS, INC., 7301 NW 36th Ct., Miami, FL 33147. Representative: Richard B. Austin, 320 Rochester Bldg., 8390 NW 53rd St., Miami, FL 33166, 305-592-0036. Transporting *general commodities* (except classes A and B explosives), between points in Broward, Dade, Martin, Palm Beach and St. Lucie Counties, FL.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-16128 Filed 5-28-81; 8:45 am]
BILLING CODE 7035-01-M

[Volume No. 426]

Republications of Grants of Operating Rights; Authority Prior to Certification

The following grants of operating rights authorities are republished by order of the Commission to indicate a broader grant of authority over that previously noticed in the **Federal Register**.

An original and one copy of a petition for leave to intervene in the proceeding must be filed with the Commission within 30 days after the date of this **Federal Register** notice. Such pleading shall comply with Special Rule 247(e) of the Commission's *General Rules of Practice* (49 CFR 1100.247) addressing specifically the issue(s) indicated as the purpose for republication, and including copies of intervenor's conflicting authorities and a concise statement of intervenor's interest in the proceeding setting forth in detail the precise manner in which it has been prejudiced by lack of notice of the authority granted. A copy of the pleading shall be served concurrently upon the carrier's representative, or carrier if no representative is named.

MC 138144 (Sub-56F) (republication), filed January 14, 1980, published in the **Federal Register** issue of April 17, 1980, and republished this issue. Applicant: FRED OLSON CO., INC., 6022 West State Street, Milwaukee, WI 53213. Representative: William D. Brejcha, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603. A decision of the Commission, Review Board Number 2, decided April 13, 1981, and served April 22, 1981, finds that the performance by applicant of the service described will serve a useful public purpose, responsive to a public demand or need to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *hides and pelts*, between points in CO, KS, MN, MO, NV, IA, IL, ND, and SD, on the one hand, and, on the other, points in IL, and WI; that applicant is fit, willing and able properly to perform the granted service and to conform to statutory and administrative regulations. The purpose of this republication is to reflect applicant's actual grant of authority.

MC 138415 (Sub-22) (republication), filed June 24, 1980, published in the **Federal Register** issue of August 7, 1980, and republished this issue. Applicant: TRAILER EXPRESS, INC., Box #327, Topeka, IN 46571. Representative: Michael M. Yoder, Box #157, Topeka, IN 46571. A decision of the Commission, Review Board Number 3, decided April 1, 1981, and served April 30, 1981, finds that the performance by applicant of the service described will serve a useful public purpose, responsive to a public demand or need to operate as a *contract carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *mobile homes* and *buildings in sections*, from the facilities of Redman Homes, Inc., at Topeka, IN, to points in OH, WV, KY, WI, MI, IL, MO, and PA; and (2) *materials* used in the manufacture of mobile homes, from points in GA, NC, MN, and IA, to the facilities in (1) above, under continuing contract(s) in (1) and (2) with Redman Homes, Inc., of Topeka, IN; that applicant is fit, willing, and able properly to perform the granted service and to conform to statutory and administrative requirements. The purpose of this republication is to include buildings in sections in the commodity description in (1) above.

By the Commission.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-16127 Filed 5-28-81; 8:45 am]
BILLING CODE 7035-01-M

[Docket No. AB-52 (Sub 14F)]

Atchison, Topeka & Santa Fe Railway Co.—Abandonment—Between Williams and Grand Canyon, AZ; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that by a Certificate and Decision decided May 22, 1981, a finding, which is administratively final, was made by the Commission, Review Board Number 3, stating that, subject to the conditions for (1) the protection of railway employees prescribed by the Commission in *Oregon Short Line R. Co.—Abandonment Goshen*, 360 I.C.C. 91 (1979); (2) the public use condition; and (3) historic resources condition, the present and future public convenience and necessity permit the abandonment by the Atchison, Topeka and Santa Fe Railway Company of a line of railroad known as the Grand Canyon District of the Albuquerque Division, extending from milepost 0.0 at Williams to milepost 63.79 at Grand Canyon, all in Coconino County, AZ. A certificate of public convenience and necessity permitting abandonment was issued to the Atchison, Topeka and Santa Fe

Railway Company. Since no investigation was instituted, the requirement of § 1121.38(b) of the Regulations that publication of notice of abandonment decisions in the Federal Register be made only after such a decision becomes administratively final was waived.

Upon receipt by the carrier of an actual offer of financial assistance, the carrier shall make available to the offeror the records, accounts, appraisals, working papers, and other documents used in preparing Exhibit I (§ 1121.45 of the Regulations). Such documents shall be made available during regular business hours at a time and place mutually agreeable to the parties.

The offer must be filed with the Commission and served concurrently on Santa Fe with copies to Ms. Ellen Hanson, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this Notice. The offer, as filed, shall contain information required pursuant to § 1121.38(b)(2) and (3) of the Regulations. If no such offer is received, the certificate of public convenience and necessity authorizing abandonment shall become effective 30 days from the service date of the certificate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-16124 Filed 5-28-81; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-18 (Sub-30F)]

Chesapeake & Ohio Railway Co.—Abandonment—Between Malden and Hy Tower, In and Discontinuance of Service Over Erie-Lackawanna Railroad at Griffith, IN; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that by a decision decided May 21, 1981, an administratively final decision was made by the Commission, Division 2, Acting as an Appellate Division, that the public convenience and necessity permit the abandonment of a segment of rail line known as the Wabash Subdivision between milepost 230.95 near Malden, IN, and milepost 260.62 at Hy Tower, IN, a distance of 29.67 miles, including .04 mile of trackage rights over property owned by Thomas F. Patton and Ralph S. Tyler, Jr., Trustees of the property of Erie-Lackawanna Railway Company, Debtor, all in Porter and Lake Counties, IN, subject to the conditions for the protection of employees discussed in *Oregon Short Line R. Co.—Abandonment Goshen*, 360 I.C.C. 91 (1979). A certificate of abandonment will be issued to the Chesapeake and Ohio Railway Company based on this finding unless within 15 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued. The offer must be filed with the Commission and served concurrently on the applicant, with copies to Ms. Ellen Hanson, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this Notice; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commisssion so finds, the effectiveness of the certificate of abandonment will be postponed. An offeror may request the Commission to set conditions and amount of compensation within 30 days after an offer is made. If no agreement is reached within 30 days of an offer, and no request is made on the Commission to set conditions or amount of compensation, a certificate of abandonment will be effective on the 50th day after this notice is published. Upon notification to the Commission of the execution of an assistance of acquisition and operating agreement, the Commission shall postpone the effectiveness of the certificate for such a period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in 49 U.S.C. 10905 (as amended by the Staggers Rail Act of 1980, Pub. L. 96-448, effective October 1, 1980). All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced decision.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-16121 Filed 5-28-81; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-18 (Sub-36F)]

Chesapeake and Ohio Railway Co.; Abandonment in Mason County, MI and Manitowoc County, WI; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that by a decision decided May 22, 1981, a finding, which is administratively final, was made by the Administrative Law Judge stating that, the public convenience and necessity permit the abandonment by the Chesapeake and Ohio Railway Company or car ferry operations between Ludington, Michigan and Manitowoc, Wisconsin and abandonment of 3.56 miles of yard and terminal tracks, and one (1) slip used in support of the car ferry route and operation in Ludington, Mason County, Michigan. Abandonment is subject to the conditions for the protection of employees discussed in *Oregon Short Line Railroad Co.—Abandoment—Goshen*, 360 I.C.C. 91 (1979). A certificate of abandonment will be issued to the Chesapeake Ohio Railway Company based on the above-described finding, 30 days after publication of this notice, unless within 15 days from the date of publication, the Commission further finds:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued. The offer must be filed with the Commission and served concurrently on the applicant, with copies to Mrs. Ellen Hanson, Room 5417, Interstate Commerce Commission, Washington, DC 20423, not later than 10 days from publication or this Notice; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all of any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed. An offer may request the Commission to set conditions and amount of compensation within 30 days after an offer is made. If no agreement is reached within 30 days of any offer, and no request is make of the Commission to set conditions or amount of compensation, a certificate of abandonment will be issued no later than 50 days after notice is published. Upon notification to the Commission of the execution of an assistance or acquisition and operating agreement, the Commission shall postpone the issuance

of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in 49 CFR 1121 as revised by Ex Parte No. 274 (Sub-No. 6), *Abandonment of Railroad Lines and Discontinuance of Service*, 45 FR 75144 (November 25, 1980). All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced decision.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-16016 Filed 5-28-81; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-18 (Sub-35F)]

Chesapeake and Ohio Railway Co.; Abandonment—Near South Haven and Hartford in Van Buren County, MI; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that by a decision decided May 8, 1981, a finding, which is administratively final, was made by the Administrative Law Judge, stating that, the public convenience and necessity permit the abandonment by the Chesapeake and Ohio Railway Company of the portion of a line of railroad between Milepost 0.78 at or near South Haven and Milepost 15.07 at or near Hartford in Van Buren County, MI, a distance of 14.29 miles. Abandonment is subject to the conditions for the protection of employees discussed in *Oregon Short Line Railroad Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). A certificate of abandonment will be issued to the Chesapeake and Ohio Railway Company based on the above-described finding, 30 days after publication of this notice, unless within 15 days from the date of publication, the Commission further finds:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued. The offer must be filed with the Commission and served concurrently on the applicant, with copies to Ms. Ellen Hanson, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this Notice; and

(2) It is likely that such proffered assistance would:

(a) cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed. An offer may request the Commission to set conditions and amount of compensation within 30 days after an offer is made. If no agreement is reached within 30 days of any offer, and no request is made of the Commission to set conditions or amount of compensation, a certificate of abandonment will be issued no later than 50 days after notice is published. Upon notification to the Commission of the execution of an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in 49 CFR 1121 as revised by Ex Parte No. 274 (Sub-No. 6), *Abandonment of Railroad Lines and Discontinuance of Service*, 45 FR 75144 (November 25, 1980). All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced decision.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-16015 Filed 5-28-81; 8:45 am]

BILLING CODE 7035-01-M

Intent To Engage in Compensated Intercorporate Hauling Operations

This is to provide notice as required by 49 U.S.C. 10524(b)(1) that the named corporations intend to provide or use compensated intercorporate hauling operations as authorized in 49 U.S.C. 10524(b).

1. *Parent corporation:* AFG Industries, Inc., P.O. Box 929, Kingsport, Tennessee 37662.

2. *Wholly-owned subsidiaries which will participate in the operations:* New Jersey Float Glass, Inc.—a Delaware corporation; Piedmont Mining Company—a Tennessee corporation; AFG International, Inc.—a Delaware corporation.

1. Parent corporation and address of principal office: Bemis Company, Inc., 800 Northstar Center, Minneapolis, MN 55402 (incorporated in the State of Missouri).

2. Wholly-owned subsidiaries which will participate in the operations, and state of incorporation:

I. Curwood, Inc., 718 High Street, New London, Wisconsin 54961, (incorporated in the State of Delaware).

II. Bemis Specialty Films Co., a Division of Bemis Company, Inc., P.O. Box 2968, Oshkosh, Wisconsin 54903.

III. Custom Resins, a Division of Bemis Company, Inc., Henderson, Kentucky 42420.

IV. Flock Fibers, Inc., North Walpole, New Hampshire 05101 (incorporated in the State of New Hampshire).

V. Hayssen Manufacturing Company, Highway 42 North, Sheboygan, Wisconsin 53081 (incorporated in the State of Delaware).

VI. Hayssen Manufacturing Company, Flex-Vac Division, 788 Bloomfield Ave., Clifton, New Jersey 07012 (incorporated in the State of Delaware).

VII. Louisiana Plastics, Highway 54 West, Louisiana, Missouri 63353 (incorporated in the State of Delaware).

VIII. Lustour Corporation, 19th and Wall Streets, Murphysboro, Illinois 62966 (incorporated in the State of Delaware).

IX. MacKay Engraving Company, a division of Bemis Company, Inc., 339 East Bloom Street, Louisville, Kentucky 40217.

X. Mankato Corporation, 1301 Third Avenue, Mankato, Minnesota 56001 (incorporated in the State of Delaware).

XI. Perry Industries, Inc., 121 New South Road, Hicksville, New York 11802 (incorporated in the State of Delaware).

XII. Perval Industries, Inc., Plainfield, Connecticut 06374 (incorporated in the State of Delaware).

XIII. Ross & Roberts, Inc., 1299 West Broad Street, Stratford, connecticut 06497 (incorporated in the State of Delaware).

XIV. Sackner Products, Inc., 901 Ottawa Ave., N.W., Grand Rapids, Michigan 49503 (incorporated in the State of Delaware).

XV. Sackner Products, Inc., 2850 East 46th Street, Los Angeles, California 90058 (incorporated in the State of Delaware).

XVI. Sackner Products, Inc., Route 6, Box 178A, Statesville, North Carolina 28677 (incorporated in the State of Delaware).

XVII. Sackner Products, Inc., 220 Midway Avenue, Verona, Mississippi 38779 (incorporated in the State of Delaware).

XVIII. Western Litho Plate & Supply Company, 3433 Tree Court Industrial Blvd., St. Louis, Missouri 63122 (incorporated in the State of Delaware).

XIX. Western Litho Plate & Supply Company, U.S. 69 North, Jacksonville, Texas 75766 (incorporated in the State of Delaware).

XX. Western Litho Plate & Supply Company, Route 10, Springfield, Missouri 65803 (incorporated in the State of Delaware).

XXI. Arnoldware Rogers, Inc., 1200 Arnoldware Ave., Panama City, Florida 32401 (incorporated in the State of Vermont).

XXII. American Packaging Machinery Company, a Division of Bemis Company, Inc., P.O. Box 4300, 1163 Glory St., Ashwaubenon, Wisconsin.

XXIII. Gravure Systems, a Division of Bemis Company, Inc., 7435 Empire Drive, Florence, Kentucky 41042.

1. Parent Corporation: Colonial Foods, Inc., 400 Broadway, Freehold, NJ 07728.

2. Wholly-owned subsidiaries which will participate in the operations:

Transport Enterprises, Inc., 400 Broadway, Freehold, NJ 07728 (a Delaware Corporation).

Eggspress, Inc., 400 Broadway, Freehold, NJ 07728 (a New Jersey Corporation).

1. Parent corporation and address of principal office: Dewitt Wholesale Grocery, Inc., 1600 Jamesville Ave., P.O. Box 250, Syracuse, NY 13205.

2. Wholly-owned subsidiary which will participate in the operations, and State of incorporation: DWG Transport, Inc. (New York).

1. Parent corporation and address of principal offices: Emhart Corporation (a Virginia Corporation), 426 Colt Highway, Farmington, CT 06032.

2. Wholly-owned subsidiaries which will participate in the operations, and addresses of their respective principal offices:

Emhart Industries, Inc. (a Connecticut Corporation), 426 Colt Highway, Farmington, CT 06032.

USM Corporation (a New Jersey Corporation), 181 Elliott Street, Beverly, MA 01915.

Corbin Co. (a Delaware Corporation), 426 Colt Highway, Farmington, CT 06032.

Fellows Corporation (a Delaware Corporation), Precision Park, North Springfield, VT 05150.

Mallory Components Sales Corporation (a Delaware Corporation), 3029 East Washington Street, Indianapolis, IN 46206.

Notifier Company (a Connecticut Corporation), 560 Alaska Avenue, Torrance, CA 90503.

Safe Hardware Corporation (a Pennsylvania Corporation), North Plum & Elizabeth Streets, Lancaster, PA 17601.

Broadview Chemical Corporation (an Illinois Corporation), 2910 South 18th Avenue, Broadview, IL 60153.

Warren Fastener Corporation (a Michigan Corporation), 26750 23 Mile Road, Mt. Clemens, MI 48043.

Woodmont Products, Inc. (a Pennsylvania Corporation), County Line and New Roads, Huntingdon Valley, PA 19006.

1. Parent Corporation: Fisher Scientific Company, 711 Forbes Avenue, Pittsburgh, PA 15219.

2. Wholly-owned Subsidiaries which will Participate:

Conco Industries, Inc., West Haven, Connecticut, Incorporated in State of Connecticut.

Hi-Pure Chemicals, Inc., Nazareth, Pennsylvania, Incorporated in State of Pennsylvania.

Pfeiffer Glass, Inc., Rochester, New York, Incorporated in State of New York.

Rochester Scientific Company, Inc., Rochester, New York, Incorporated in State of New York.

Fisher Scientific, Limited, Ottawa, Canada, Incorporated in Province of Ontario (Domestic haulage in U.S. to border points only).

1. Parent Corporation: Harvey Hubbell, Incorporated, 584 Derby Milford Road, Orange, CT 06477.

2. Wholly-owned subsidiaries which will participate in the operations, and addresses of their respective principal offices:

(a) The Ohio Brass Company, 380 North Main Street, Mansfield, OH 44902.

(b) The Kerite Company, 49 Day Street, Seymour, CT 06483.

(c) RACO Inc., 3902 W. Sample Street, South Bend, IN 46619.

1. Parent corporation and address of principal office: Hastings Irrigation Pipe Co., East on Hwy. 6, Hastings, Nebraska 68901.

2. Wholly-owned subsidiaries which will participate in the operations, and addresses of their respective principal offices:

(a) Hastings Transportation, Inc., East on Hwy. 6, Hastings, Nebraska 68901.

(b) Hastings Pipe International, Inc., East on Hwy. 6, Hastings, Nebraska 68901.

1. Parent corporation and address of principal office: Liberty Diversified Industries, Inc., 5600 North County Road 18, Minneapolis, MN 55428.

2. Wholly-owned subsidiaries which will participate in the operations, and address of their respective principal offices:

(a) Liberty Carton Company, 5600 N. County Road 18, Minneapolis, MN 55428.

(b) Fidelity Products Company, 5600 N. County Road 18, Minneapolis, MN 55428.

(c) Safco Products Company, 5600 N. County Road 18, Minneapolis, MN 55428.

(d) Shamrock Industries, Inc., 5600 N. County Road 18, Minneapolis, MN 55428.

(e) Valley Craft, Inc., 5600 N. County Road 18, Minneapolis, MN 55428.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-16125 Filed 5-28-81; 8:45 am]

BILLING CODE 7035-01-M

[No. 37064]

OKC Corp. v. Missouri-Kansas-Texas Railroad Co., et al.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: Exemption from the application of Subtitle IV of Title 49 of the United States Code is granted under 49 U.S.C. 10505 to permit waiver of undercharges on iron ore movements by complainant between February 6, 1976 and June 11, 1978.

EFFECTIVE DATE: The exemption was effective May 26, 1981.

FOR FURTHER INFORMATION CONTACT: Richard B. Felder or Jane F. Mackall, (202) 275-7656.

SUPPLEMENTARY INFORMATION: By notice published March 27, 1981 (46 FR 19109), the Commission sought comments on its proposal to use its exemption powers under 49 U.S.C. 10505 to permit waiver of undercharges on iron ore movements by complainant, OKC Corporation, between February 6, 1976 and June 11, 1978. Defendant railroads requested that they be permitted to waive collection of charges they agree are unreasonably high. Absent use of section 10505, this relief would be unavailable because market dominance (49 U.S.C. 10709) was not proven.

In the notice, we indicated our belief that use of 49 U.S.C. 10505 was appropriate in the special circumstances presented. However, because this was the first time our authority under that section has been used in this manner, the exemption was made provisional. The exemption was to become effective in 60 days (May 26, 1981) unless we issued an order before that day disapproving the exemption in light of the filed comments. We issued no such order.

No adverse comments were filed on behalf of any shippers or carriers. The Section of Enforcement of the Commission's Office of Consumer Protection expressed concern as to whether Congress intended the exemption authority to be applied retroactively. However, we found

nothing in the Staggers Rail Act to preclude exemptive relief in these limited special circumstances.

As emphasized in the notice, the carriers would not be taking advantage of OKC or any other shipper by not assessing the published rate. In fact, the shipper would be granted relief from what the parties consider to be an unreasonably high rate. Application of contrary provisions in the Act would be an unreasonable burden on the parties. More importantly, the issue is of extremely limited scope, and it is obvious that in this situation regulation is not necessary to protect OKC from an abuse of market power.

An exemption from the application of Subtitle IV will apply on OKC shipments moving from Cushing, TX to Pryor, OK between February 5, 1976 and June 11, 1978. Under the terms of our notice defendants were authorized to waive collection of undercharges after May 26, 1981.

This decision will not significantly affect the quality of the human environment or conservation of energy resources.

(49 U.S.C. 10505)

Decided: May 21, 1981.

By the Commission, Acting Chairman Alexis, Commissioners Gresham, Clapp, Trantum, and Gilliam. Commissioner Gresham dissented. Acting Chairman Alexis and Commissioner Gilliam were absent and did not participate in the disposition of this proceeding.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-16120 Filed 5-28-81; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 29615]

Mt. Vernon Terminal Railway Inc.; Construction and Operation of a Line of Railroad in Whatcom County, WA

AGENCY: Interstate Commerce Commission (ICC), Office of Policy and Analysis, Energy and Environment Branch.

ACTION: Notice of Intent to Prepare an Environmental Impact Statement.

Notice is hereby given that, in accordance with the National Environmental Policy Act (NEPA) of 1969, the Interstate Commerce Commission's Energy and Environment Branch, acting as joint lead agency in cooperation with the State of Washington Department of Ecology, intends to prepare an Environmental Impact Statement (EIS) addressing the proposed construction of a rail line for which Commission authorization is required. The purpose of the rail line is to transport bulk commodities between the port and industrial complex of Cherry Point and an interconnect with the Canadian Pacific Railway Co. at Sumas, in Whatcom County, WA. Applicant, the Mt. Vernon Terminal Railway Company Inc., is giving initial consideration to selection of its proposed alignment.

The EIS will identify and examine the potential environmental impacts of the rail line proposed by the applicant and of all feasible alternative rail routes. The potential impact area as presently defined includes western Whatcom Co. from the City of Bellingham north to the Canadian Border. Alternatives tentatively identified include:

Construction of a completely new line of railroad north of the Nooksack River connecting Sumas to Cherry Point.

Construction of a new line of railroad paralleling the former Milwaukee Road line to a point south of the Nooksack River and then westerly to Cherry Point.

Utilization of existing and/or abandoned railroads to the extent practicable coupled with segments of rail rehabilitation and new construction.

Upon completion of the Draft EIS, its availability will be announced in the **Federal Register** and local newspaper, at which time public comments will be invited.

The Energy and Environment Branch's preparation of an EIS is preliminary to the Commission's adjudication process, at which time other substantive issues will be addressed. Additional opportunities for public input are anticipated. Notice of such opportunities will be provided.

The Commission has taken steps to initiate the scoping process as defined in the current Council on Environmental Quality (CEQ) regulations. Pursuant to this, a public scoping meeting will be held at 7:00 p.m. on Tuesday, June 16 at Fisher Elementary School, 501 North 14th Street, Lynden, Washington. All interested agencies, organizations, and indivudials are invited to attend this meeting, the purpose of which is to determine the scope of issues to be addressed in the EIS, to identify the significant environmental issues related to the proposed action, and to set forth the role of cooperating agencies in the preparation of the EIS.

FOR FURTHER INFORMATION CONTACT:

Mr. Paul S. Mushovic, Energy and Environment Branch, Room 5380, Interstate Commerce Commission, 12th and Constitution Avenue, NW Washington, D.C. 20423, Telephone: (202) 275-7916.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-16013 Filed 5-28-81; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-55 (Sub-50F)]

Seaboard Coast Line Railroad Co.—Abandonment—Between Palatka and Interlachen, FL; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that by a Certificate and Decision decided May 22, 1981, a finding, which is administratively final, was made by the Commission, Review Board Number 3, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979), the present and future public convenience and necessity permit the abandonment by the Seaboard Coast Line Railroad Company of a portion of a line of railroad known as the Palatka Subdivision extending from railroad milepost AS-701.0 near Palatka, FL to milepost AS-715.4 at Interlachen, FL, a distance of 14.4 miles, in Putnam County, FL. A certificate of public convenience and necessity permitting abandonment was issued to the Seaboard Coast Line Railroad Company. Since no investigation was instituted, the requirement of § 1121.38(b) of the Regulations that publication of notice of abandonment decisions in the **Federal Register** be made only after such a decision becomes administratively final was waived.

Upon receipt by the carrier of an actual offer of financial assistance, the carrier shall make available to offeror the records, accounts, appraisals, working papers, and other documents used in preparing Exhibit I (§ 1121.45 of the Regulations). Such documents shall be made available during regular business hours at a time and place mutually agreeable to the parties.

The offer must be filed with the Commission and served concurrently on SCL, with copies to Ms. Ellen Hanson, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this Notice. The offer, as filed, shall contain information required pursuant to § 1121.38(b)(2) and (3) of the Regulations. If no such offer is received, the certificate of public convenience and necessity authorizing abandonment

shall become effective 30 days from the service date of the certificate.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-16123 Filed 5-28-81; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-55 (Sub-45F)]

Seaboard Coast Line Railroad Co.—Abandonment—Between Scotland Neck and Parmele, NC; Findings

Notice is hereby given pursuant to 49 U.S.C. 10903 that by a decision decided May 11, 1981 a finding which is administratively final, was made by the Commission, Review Board Number 3, stating that the public convenience and necessity permit the abandonment by the Seaboard Coast Line Railroad Company of the portion of a line of railroad which extends from milepost AA-110.50 near Scotland Neck, NC to milepost AA-134.77 at Parmele, NC in Halifax and Martin Counties, NC, a total distance of 24.27 miles, subject to the conditions for the protection of employees discussed in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

A certificate of abandonment will be issued to Seaboard Coast Line Railroad Company based on the above-described finding of abandonment, 30 days after publication, unless within 15 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued. The offer must be filed with the Commission and served concurrently on the applicant, with copies of Ms. Ellen Hanson, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this notice; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed. An offer may request the Commission to set conditions and amount of compensation within 30 days after an offer is made. If no agreement is reached within 30 days of an offer, and no request is made on the Commission to set conditions or amount of compensation, a certificate of abandonment will be issued no later than 50 days after notice is published. Upon notification to the Commission of the execution of an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in 49 U.S.C. 10905 (as amended by the Staggers Rail Act of 1980, Pub. L. 96-448, effective October 1, 1980). All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced decision.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-16122 Filed 5-28-81; 8:45 am]

BILLING CODE 7035-01-M

[Section 5b Application No. 2[1]]

Western Railroads—Agreement; Decision

AGENCY: Interstate Commerce Commission.

ACTION: Notice of acceptance of implementation plans.

SUMMARY: In a decision served January 21, 1981 and noticed in the **Federal Register** January 25, 1981 (46 R 9218) the Commission ordered the rate bureaus to comply with its decision by filing, by March 7, 1981, amended agreements and plans phasing in the direct connectors definition of practicable participation in a joint-line movement (49 U.S.C. 10706(a)(3)(iii)). In a decision served March 2, 1981 and noticed in the **Federal Register** March 11, 1981 (46 FR 16150) the carriers were given an extension until April 6, 1981.

The implementation plans were filed in a timely fashion and have been found to conform with our January 21 decision. Therefore, the Commission finds the plans acceptable. This decision approves the implementation plans only; action on the newly-filed agreements will be by separate decision.

FOR FURTHER INFORMATION CONTACT: Richard B. Felder or Jane F. Mackall, (202) 275-7656.

This action will not significantly affect the quality of the human environment or the conservation of energy resources.

[1] This proceeding also embraces Section 5b Application No. 3, Eastern Railroads—Agreement, and Section 5b Application No. 6, Southern Railroads—Agreement.

By the Commission, Acting Chairman Alexis, Commissioners Gresham, Clapp, Trantum, and Gilliam. Acting Chairman Alexis was absent and did not participate.

Dated: May 19, 1981.

James H. Bayne,

Acting Secretary.

[FR Doc. 81-15942 Filed 5-28-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Correction

In FR Doc. 81-10789, published on page 21253 on Thursday, April 9, 1981, in the third column in paragraph "MC 33641 (Sub-163)" in the last line "between two points in the U.S." should be corrected to read "between points in U.S."

BILLING CODE 1505-01-M

DEPARTMENT OF JUSTICE

Antitrust Division

United States v. National Finance Adjusters, Inc.; Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. Section 16 (b) through (h), that a proposed Final Judgment, Stipulation and Competitive Impact Statement (CIS) have been filed with the United States District Court for the Eastern District of Michigan in *United States* v. *National Finance Adjusters, Inc.*, Civil Action No. 81-70005. The Complaint in this case alleged that National Finance Adjusters ("NFA"), a national association of repossessors, and its co-conspirators engaged in a combination and conspiracy to fix prices, restrict territories and limit membership in violation of Section 1 of the Sherman Act, 15 U.S.C. § 1. The proposed Consent Judgment enjoins the defendant from fixing, advertising and publishing any prices for repossession services; participating in any communications with representatives of other repossessor associations that relate to prices for repossession services; engaging in any conduct the effect of which is to influence the formulation of prices for repossession services; and expelling any NFA member or denying or delaying any NFA applicant membership on the basis of population or other demographic information, or on the basis of the number of NFA members who operate or may operate in that service area. Further, the proposed

Judgment enjoins the defendant from any activity the purpose or foreseeable effect of which is to allocate, restrict or otherwise influence the service area or territory in which any of its members operate, and from establishing or maintaining unreasonable fees for NFA membership. The defendant is required to publish certain information in its publications; to eliminate any restrictions on NFA members concerning the manner or extent of advertising their service area; to eliminate certain NFA membership requirements; and to admit any applicant for NFA membership who meets certain requirements. The defendant also is required to establish an antitrust compliance program which must include annual reporting to the Department of Justice and notification of this Judgment to each of its officers, directors, employees and members.

Public comment is invited within the statutory 60-day comment period. Such comments, and responses thereto, will be published in the **Federal Register** and filed with the Court. Comments should be directed to John W. Poole, Jr., Chief, Special Litigation Section, Room 7216, Antitrust Division, Department of Justice, Washington, D.C. 20530, (Telephone: (202) 633–2426).

Joseph H. Widmar,

Director of Operations.

United States District Court, Eastern District of Michigan

United States of America, *Plaintiff,* v. National Finance Adjusters, Inc., *Defendant;* Civil No. 81–70005, file: May 19, 1981.

Stipulation

It is stipulated by the undersigned parties, by their respective attorneys, that:

1. The parties consent that a Final Judgment in the form attached may be filed and entered by the Court's own motion, at any time after compliance with the requirements of the Antitrust Procedures and Penalties Act (15 U.S.C. § 16), and without further notice to any party or other proceedings, provided that the plaintiff has not withdrawn its consent, which it may do any time before the entry of the proposed Final Judgment by serving notice on defendant and by filing that notice with the Court.

2. If the plaintiff withdraws its consent or if the proposed Final Judgment is not entered pursuant to this Stipulation, this Stipulation shall be of no effect whatever and the making of this Stipulation shall be without prejudice to any party in this or any other proceeding.

For the Plaintiff:

William F. Baxter,

Assistant Attorney General.

Mark Leddy,

John W. Poole, Jr.,

Judy Whalley,

Catherine G. O'Sullivan,

Attorney, U.S. Department of Justice.

Charles Jerome Ware,

Terrence F. McDonald,

Steven B. Kramer,

Attorneys, Antitrust Division, U.S. Department of Justice, 10th & Pennsylvania Ave., N.W., Washington, D.C. 20530, Telephone: (202) 633–2438.

For the Defendant:

E. Thomas W. Stahl,

Ralph C. Schwartz,

Phillip M. Sutley.

National Finance Adjusters, Inc.:

By: Derrell Biddy,

President.

Final Judgment

The plaintiff, United States of America, having filed its complaint on January 5, 1981, and the plaintiff and the defendant, by their respective attorneys, having consented to the entry of this Final Judgment without trial or adjudication of any issue of fact or law, and without this Final Judgment constituting any evidence against or admission by any party with respect to any issue;

Now, therefore, before the taking of any testimony and without trial or adjudication of any issue of fact or law, and upon consent of the parties, it is

Ordered, adjudged and decreed, as follows:

I

This Court has jurisdiction over the subject matter of this action and over each of the parties. The complaint states a claim upon which relief may be granted against the defendant under Section 1 of the Sherman Act (15 U.S.C. § 1).

II

As used in this Final Judgment:

(A) "Repossessor" or "adjuster" means any individual, partnership, corporation, association, firm, or any other business or legal entity which provides repossession services for banks, credit unions or other lenders that seek to recover merchandise sold under security agreements where the debtor has forfeited possessory rights by defaulting on loan terms.

(B) "Repossession services" includes, but is not limited to, tracing of property, collection and adjustment of loans, as well as repossession, sale or return of collateral.

III

This final Judgment applies to the defendant National Finance Adjusters, Inc. ("NFA") and to its officers, directors, members, agents, employees, subsidiaries, successors and assigns, and to all other persons in active concert or participation with the defendant who shall have received actual notice of this Final Judgment by personal service or otherwise.

IV

The defendant, whether acting unilaterally or in concert with any other person, is enjoined from, directly or indirectly:

(1) Fixing, establishing, or maintaining any price schedule or list for repossession services;

(2) Advocating, urging, recommending or suggesting any price schedule or list for repossession services;

(3) Publishing or distributing any price schedule or list for repossession services;

(4) Participating in any conversations, discussions or other communications with representatives of other repossessor associations that in any way relate to any price, price schedule or list for repossession services; or

(5) Engaging in any other conduct the purpose or foreseeable effect of which is to influence the formulation of any price schedule or list for repossession services.

V

The defendant is ordered to publish in a prominent manner in the prefatory section of each NFA membership directory or other similar publication, the following statement:

In conformity with a consent decree entered into with the United States Department of Justice, National Finance Adjusters, Inc., has discontinued publishing and disseminating fee schedules. All schedules contained in prior editions are, in their entirety, null and void. National finance Adjusters makes no suggestion whatsoever concerning fees or prices for repossession services and does not restrict or limit the right of any of its members to determine, in accordance with his or her individual business judgment, the fees to charge for repossession services.

VI

The defendant is prohibited from publishing any other reference to prices or fees for repossession services in its directory or other publications; *provided however,* that nothing in this Judgment shall:

(1) Limit the ability of NFA to urge prospective purchasers of repossession services to negotiate in advance with members as to prices or fees; or

(2) Limit the ability of NFA to allow individual NFA members to advertise in the NFA directory, or other NFA listings, his or her individual prices or fees for repossession services.

VII

The defendant is enjoined from expelling any member from NFA membership or from denying or delaying any application for NFA membership, in whole or in part, on the basis of:

(1) The population or other demographic information of a member's or an applicant's service area; or

(2) The number of other NFA members or applicants who operate or may operate in that service area.

VIII

The defendant is ordered and directed to eliminate any restrictions on NFA members

concerning the manner or extent of advertising their service area in any advertisement, directory or other publication.

IX

The defendant, whether acting unilaterally or in concert with any other person, is enjoined from any activity the purpose or foreseeable effect of which is to allocate, protect, limit, or otherwise influence the service area or territory in which any of its members operate or advertise that they operate.

X

Defendant is ordered and directed to eliminate the following NFA membership requirements:

(a) Any time period of experience in the repossession business that is greater than one year.

(b) Full-time repossession business;

(c) United States citizenship; or

(d) Any requirements based on any evaluation or determination of an applicant's financial condition, personal character or morals, or local referral business.

XI

Defendant is ordered and directed to admit any applicant for NFA membership who meets the following requirements:

(1) Ability to obtain and retain, in the commercial market, reasonable fidelity bonds;

(2) Applicant is licensed under all applicable state and local licensing laws;

(3) Certification that he or she has not been convicted of a felony within a period of up to ten years prior to his or her application for membership;

(4) One year of experience as an active repossessor; and

(5) Maintains a principal office location specifically for his or her repossession business during NFA membership.

XII

The defendant is enjoined from establishing or maintaining unreasonable fees for NFA membership.

XIII

The defendant is ordered to publish in the prefatory section of each NFA membership directory, or other similar publication, the address to which applications for NFA memberships should be forwarded. Within fifteen (15) days of receiving any application for membership, the defendant shall furnish to each applicant a written response stating when the application will be reviewed, whether the applicant is complete, and if the application is not complete, a written itemization of any document or information necessary to complete the application. NFA shall convene at least two meetings per yaer at which membership applications shall be reviewed. All applications completed before any NFA meeting shall be reviewed at that meeting. Within ten (10) days after reviewing any membership application, the defendant shall furnish a written notice to each applicant indicating whether the applicant was accepted for NFA membership, and, if the applicant was not accepted, a written statement of reasons why the applicant was not accepted for membership.

XIV

The defendant is ordered and directed:

(A) To furnish within sixty (60) days after entry of this Final Judgment a copy thereof to each of its officers, directors, employees and members engaged in the repossession business;

(B) To furnish a copy of this Final Judgment to each person who in the ten (10) years after entry of this Final Judgment, becomes an officer, director, employee or member engaged in the repossession business within thirty (30) days after such person is employed by or becomes associated with the defendant;

(C) To direct each person to whom a copy of this Final Judgment is furnished pursuant to subparagraphs XIV(A) and XIV(B) hereof to retain such copy as long as he or she is employed by or associated with the defendant;

(D) To require each person to whom a copy of this Final Judgment is furnished pursuant to subparagraphs XIV(A) and XIV(B) hereof to sign and submit to the defendant a certificate in substantially the following form; and the defendant shall retain such certificates as long as this Final Judgment is in effect and for one year thereafter:

The undersigned hereby (1) acknowledges receipt of a copy of the 1981 antitrust Final Judgment, (2) represents that the undersigned has read and understands such Final Judgment, and (3) acknowledges that the undersigned has been advised and understands that non-compliance with the Final Judgment may result in conviction for contempt of court and imprisonment and/or fine.

(E) At least once each year, during the ten (10) years after entry of this Judgment, to call to the attention of each of its officers, directors, employees and members engaged in the repossession or finance adjustment business the limitations imposed upon them by this Final Judgment, and of the sanction that may be imposed for non-compliance therewith;

(F) To file with the court and serve upon the plaintiff, within ninety (90) days from the date of entry of this Final Judgment, an affidavit as to the fact and manner of its compliance with subsection XIV(A) hereof; and

(G) To furnish the plaintiff within thirty (30) days after each anniversary date of the entry of this Final Judgment, for a period of ten (10) years, an affidavit as to the fact of and manner of securing and ascertaining compliance with, the provisions of Sections IV, V, VI, VII, VIII, IX, X, XI, XII, XIII and subsections XIV(B), XIV(C), XIV(D), and XIV(E) of this Final Judgment.

XV

For the purpose of determining or securing compliance with this Final Judgment, and subject to any legally recognized privilege, from time to time:

(A) Any duly authorized representative of the Department of Justice shall, upon written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division, and on reasonable notice to the defendant made to its principal office, be permitted:

(1) Access during the office hours of the defendant to inspect and copy all books, ledgers, account, correspondence, memoranda, and other records and documents in the possession or under the control of the defendant, who may have counsel present, relating to any matters contained in this Final Judgment; and

(2) Subject to the reasonable convenience of the defendant and without restraint or interference from it, to interview officers, directors, employees, agents, or members of the defendant, who may have counsel present, regarding any such matters.

(B) Upon written request of the Attorney General or the Assistant Attorney General in charge of the Antitrust Division made to the defendant's principal office, the defendant shall submit such written reports, under oath if required, with resepct to any of the matters contained in this Final Judgment as may be requested. No information or documents obtained by the means provided in this Section XIV shall be divulged by any representative of the Department of Justice to any person other than a duly authorized representative of the Executive Branch of the United States, except in the course of legal proceedings to which the United States is a party, or for the purpose of securing compliance with this Final Judgment, or as otherwise required by law.

(C) If at the time information or documents are furnished by the defendant to plaintiff, the defendant represents and identifies in writing the material in any such information or documents for which a claim of protection may be asserted under Rule 26(c)(7) of the Federal Rules of Civil Procedure, and the defendant markes each pertinent page of such material, "Subject to Claim of Protection under Rule 26(c)(7) of the Federal Rules of Civil Procedure," then ten (10) days notice shall be given by plaintiff to the defendant prior to divulging such material in any legal proceeding (other than a grand jury proceeding) to which the defendant is not a party.

XVI

Jurisdiction is retained by the Court for purposes of enabling any of the parties to this Final Judgment to apply to this Court at any time for such further orders and directions as may be necessary or appropriate for the construction or implementation of this Final Judgment, for the modification of any of the provisions thereof, for the enforcement or compliance therewith, and the punishment of violations hereof.

XVII

This Final Judgment shall remain in effect until ten (10) years from date of entry.

XVIII

Entry of this Final Judgment is in the public interest.

———,

United States District Judge.

Competitive Impact Statement

This competitive impact statement, relating to the proposed consent judgment submitted for entry in this civil antitrust proceeding, is filed by the United States pursuant to Section 2(b) of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b) (1976).

I Nature and Purpose of the Proceeding

On January 5, 1981, the United States filed a civil antitrust Complaint alleging that National Finance Adjusters, Inc. ("NFA"), a national association of repossessors located in Detroit, Michigan, and its co-conspirators had conspired to fix prices, restrict territories and limit membership in violation of Section 1 of the Sherman Act, 15 U.S.C. 1 (1976).

The Complaint alleges that, beginning at least as early as 1975, and continuing to the date of the filing of the complaint in the action, the defendant and various co-conspirators engaged in a nationwide combination and conspiracy to agree on, prepare, publish in defendant's directory, disseminate and encourage members to adhere to, fee schedules for repossession services; to restrict membership to one or few members in certain geographic areas; to restrict the area in which each of defendant's members could advertise its repossession services; and to establish arbitrary and unreasonable membership restrictions.

The Complaint asks the Court to enjoin and restrain the defendant from such activities in the future.

Entry by the Court of the proposed Final Judgment will terminate this litigation. The Court will retain jurisdiction for possible future proceedings which might be required to interpret, modify or enforce the provisions of the proposed Final Judgment.

II Nature of the Alleged Violation

Repossessors, or adjusters as they are sometimes called, provide services for banks, credit unions and other lenders that seek to recover merchandise sold under a security agreement. During the period covered by the Complaint the defendant had member-repossessors located throughout the United States.

The Complaint alleges that the defendant and co-conspirators agreed to eliminate price and other forms of competition in the trade and commerce of providing repossession services. The Complaint alleges further that they did, among other things, the following: (a) agreed to, prepared, published in the NFA directory, disseminated and encouraged members to adhere to fee schedules for repossession services; (b) restricted membership in NFA to one or few members in certain geographic areas; (c) restricted the area for which each NFA member could advertise its services; and (d) established arbitrary and unreasonable membership restrictions.

III Explanation of the Proposed Final Judgment

The United States and the defendant have stipulated that the proposed Final Judgment may be entered by the Court at any time after compliance with the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b)–(h) (1976). The proposed Final Judgment states that it constitutes no admission by any party with respect to any issue of fact or law.

Under the provisions of the Antitrust Procedures and Penalties Act, entry of the proposed Final Judgment is conditioned upon a determination by the Court that the proposed Final Judgment is in the public interest. Accordingly, Section XVIII of the proposed Final Judgment states that entry of this Final Judgment is in the public interest.

The proposed Final Judgment contains two principal forms of relief. First, the defendant is enjoined from engaging in the behavior that constituted the conspiracy alleged in the Complaint. Second, the proposed Final Judgment places affirmative burdens on the defendant directed toward preventing such behavior.

A. Prohibited Conduct

Under Section IV of the proposed Final Judgment the defendant is restrained from (1) fixing any price schedule or list for repossession services; (2) advertising any price schedule or list for repossession services; (3) publishing any price schedule or list for repossession services; (4) participating in any communications with representatives of other repossessor associations that relate to any price schedule or list for repossession services; or (5) engaging in any conduct the effect of which is to influence the formulation of any price schedule or list for repossession services.

Under Section VI of the proposed Final Judgment the defendant is prohibited, with two exceptions, from publishing any other reference to prices or fees for repossession services in its directory or other publications.

Under Section VII of the proposed Final Judgment the defendant is enjoined from expelling any member from NFA membership or from denying or delaying any application for NFA membership on the basis of (1) the population or other demographic information of a member's or an applicant's service area, or (2) the number of other NFA members or applicants who operate or may operate in that service area.

Under Section IX of the proposed Final Judgment the defendant is enjoined from any activity the purpose or foreseeable effect of which is to allocate, protect, limit or otherwise influence the service area or territory in which any of its members operate or advertise that they operate.

Under Section XII of the proposed Final Judgment the defendant is enjoined from establishing or maintaining unreasonable fees for NFA membership.

B. Defendant's Affirmative Obligations

Under Section V of the proposed Final Judgment the defendant is required to publish in a prominent manner in the prefatory section of each NFA membership directory or other similar publication, a statement of conformity with the prices or fees provisions of the consent decree.

Under Section VIII of the proposed Final Judgment the defendant is required to eliminate any restrictions on NFA members concerning the manner or extent of advertising their service area in any advertisement publication.

Under Section X of the proposed Final Judgment the defendant is required to eliminate certain prior NFA membership requirements.

Under Section XI of the proposed Final Judgment the defendant is ordered to admit any applicant for NFA membership who meets the following requirements: (1) ability to obtain and retain, in the commercial market, reasonable fidelity bonds; (2) licensure under all applicable state and local licensing laws; (3) certification that he or she has not been convicted of a felony within a period of up to ten years prior to his or her application for membership; (4) one year of experience as an active repossessor; and (5) a principal office location specifically for his or her repossession business during NFA membership.

Under Section XIII of the proposed Final Judgment the defendant is ordered to publish in the prefatory section of each NFA membership directory or other similar publication, certain information regarding the membership application process.

Sections XIV and XV of the proposed Final Judgment require the defendant to establish an antitrust compliance program which must include annual reporting to the Department of Justice and notification of this Judgment to each of its officers, directors, employees and members.

Under Section XVI of the proposed Final Judgment, jurisdiction is retained by the Court for purposes of enabling either of the parties to this Final Judgment to apply to this Court at any time for such further orders and directions as may be necessary or appropriate for the construction or implementation of this Final Judgment, for the modification of any of the provisions, for the enforcement or compliance, and the punishment of violations. Further, under Section XVII, the proposed Final Judgment shall remain in effect until ten (10) years from the date of entry.

C. Scope of the Proposed Judgment

The proposed Final Judgment applies to the defendant and to its officers, directors, members, agents, employees, subsidiaries, successors and assigns, and to all other persons in active concert or participation with the defendant who have received actual notice of this Final Judgment by personal service or otherwise.

D. Effect of the Proposed Judgment on Competition

The terms of Sections IV and VI of the Judgment are designed to ensure that the defendant's members will act independently in determining the prices or fees to charge for repossession services. Accordingly, the affirmative obligations of Sections V and XIV are directed toward informing the defendant's clients, members, employees and others of this Final Judgment and their obligations under the decree not to engage in the type of behavior alleged in the Complaint.

The terms of Sections VII and IX of the Judgment are designed to ensure that the defendant will not unfairly or unreasonably restrict NFA memberships and geographic territories in which any of its members operate or advertise that they operate. Accordingly, the affirmative obligations of Sections VIII, X, XI, XIII, and XIV are directed toward the establishment of fair, reasonable and objective criteria for admission to membership in any geographic area, and advertising by members.

Compliance with the proposed Final Judgment should prevent collusion among the defendant, its members and competitors in determining the prices or fees to charge for repossession services and in unreasonably restricting NFA memberships and geographic territories in which NFA members operate or advertise that they operate.

IV Remedies Available to Potential Private Plaintiffs

After entry of the proposed Final Judgment, any potential private plaintiff that might have been damaged by the alleged violation will retain the same right to sue for monetary damages and any other legal or equitable relief that it may have had if the Final Judgment had not been entered. The Final Judgment may not be used, however, as *prima facie* evidence in private litigation, pursuant to Section 5(a) of the Clayton Act, as amended, 15 U.S.C. 16(b).

V Procedures Available for Modification of the Proposed Consent Judgment

The proposed Final Judgment is subject to a stipulation between the Government and the defendant which provides that the Government may withdraw its consent to the proposed Judgment any time before the Court has found that entry of the proposed Judgment is in the public interest. By its terms, the proposed Judgment provides for the Court's retention of jurisdiction of this action in order to permit any of the parties to apply to the Court for such orders as may be necessary for the modification of the Final Judgment.

As provided by the Antitrust Procedures and Penalties Act (15 U.S.C. 16), any person wishing to comment upon the proposed Judgment may, for a sixty-day period subsequent to the publishing of this document in the **Federal Register**, submit written comments to the United States Department of Justice, Attention: John W. Poole, Jr., Chief, Special Litigation Section, Antitrust Division, Washington, D.C. 20530. Such comments and the Government's response to them will be filed with the Court and published in the **Federal Register**. The Government will evaluate all such comments to determine whether there is any reason for withdrawal of its consent to the proposed Judgment.

VI Alternatives to the Proposed Final Judgment

The alternative to the proposed Final Judgment considered by the Antitrust Division was a full trial on the merits and on relief. The Division considers the proposed Final Judgment to be of sufficient scope and effectiveness to make a trial unnecessary because it provides for all the relief prayed for in the Complaint.

VII Determinative Materials and Documents

No materials or documents were considered determinative by the United States in formulating the proposed Final Judgment. Consequently, none are being filed pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b).

Respectfully submitted,

Charles Jerome Ware,

Terrence F. McDonald,

Steven B. Kramer,

Attorneys, Antitrust Division, Department of Justice, Washington, D.C. 20530, (Telephone: (202) 633-2438).

[FR Doc. 81-16063 Filed 5-28-81; 8:45 am]

BILLING CODE 4410-01-M

DEPARTMENT OF LABOR

Employment and Training Administration

Employment Transfer and Business Competition Determinations Under the Rural Development Act; Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 U.S.C. 1924(b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity of existing competitive Commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75. In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.

2. Employment trends in the same industry in the local area.

3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same areas.

4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).

5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice. Comments received after the two-week period may not be considered. Send comments to: Administrator, Employment and Training Administration, 601 D Street, N.W., Washington, D.C. 20213.

Signed at Washington, D.C. this 26th day of May 1981.

Luis Sepulveda,

Acting Director, Office of Program Services.

Applications Received During the Week Ending May 30, 1981

Name of applicant and location of enterprise	Principal product or activity
The Telluride Co., Telluride, Colorado	Ski resort.

[FR Doc. 81-16033 Filed 5-28-81; 8:45 am]

BILLING CODE 4510-30-M

Job Corps; Determination of Negative Environment Impact

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice-finding of negative environmental impact.

SUMMARY: The purpose of this notice is to announce a determination by the Department under the National Environmental Policy Act (NEPA) that the establishment of a Job Corps center at the Ada Merritt Junior High School in Miami, Florida does not constitute a

major Federal action which will significantly affect the environment.

FOR FURTHER INFORMATION CONTACT: Richard A. Jaffe, Director, Office of Job Corps and Young Adult Conservation Corps, Room 6100, Patrick Henry Building, 601 D Street NW., Washington, D.C. 20213. Telephone (202) 376-6995.

SUPPLEMENTARY INFORMATION: Title IV, Part B of the Comprehensive Employment and Training Act (CETA), as amended, Pub. L. 95-524, 29 U.S.C. 923 *et seq.* directs the Secretary of Labor to establish Job Corps centers to provide occupational training to disadvantaged youths ages 16 through 21. The Secretary has issued regulations published at 20 CFR Part 684, implementing Title IV, Part B of CETA. Pursuant to his authority, the Secretary is planning to establish a Job Corps center provided an agreement can be reached on acquisition of the facilities.

Pursuant to the NEPA Regulations at 40 CFR 1501.3 and 1501.4(b) and the Department's NEPA Regulations at 29 CFR 11.10(b), the Department of Labor conducted an environmental assessment as part of a site utilization study and has determined that preparation of an environmental impact statement is not required since the establishment of this Job Corps center is not a major Federal action which will significantly affect the quality of the human environment within the meaning of 40 CFR Part 1508. The proposed Job Corps center will be a training center with residential, nonresidential and educational facilities for approximately 210 disadvantaged youth, men and women, ages 16 through 21, who need and can benefit from intensive employment-related services. The function of the center and the staff of approximately 70 will be to provide skill training in selected vocational courses and continuing and/or remedial education in academic subjects.

The proposed use of the facility is intended for residential living and education.

The center will be a self-contained facility except for Medical/Dental Services which will be contracted for off-center. The center will be located one mile from the heart of downtown Miami: at 550 S.W. Third Street, Miami, between S.W. Seventh and S.W. Sixth Avenues. The site surveyed for use by Job Corps consists of three buildings on 2 to 2½ acres of land. These buildings will be renovated in order to make them suitable for housing the Job Corps center.

Water and sanitary services are provided by the Miami-Dade Water and Sewer Authority. Electric power is supplied by the Florida Power and Light Company. Natural gas is provided by Florida Gas. With regard to fire protection, fire hydrants are located at the end of every block in this section of the city. There are two fire hydrants directly adjacent to the site. The nearest fire department is located at N.W. 20th Street and 12th Avenue, N.W. with an estimated response time of ten minutes.

The proposed Job Corps center will be operated in compliance with the Job Corps Environmental Standards published at 20 CFR 684.125 and with applicable Federal, State and local regulations concerning environmental health. The proposed Job Corps center will comply with the water quality and related standards of the State and local government, and with the standards established pursuant to the Federal Water Pollution Control Act, 33 U.S.C. 1251 *et seq.*, with Executive Order 11752, and with regulations and guidelines of the United States Environmental Protection Agency.

The center installation will be designed, operated, and maintained so as to conform to Federal air quality standards, including those found in Executive Order 11752.

My determination is that the establishment and operation of the Center will have no adverse impact upon traffic, transportation systems, pedestrian or vehicular congestion, police protection services, public safety, legal services, or upon the aesthetics or residential quality of the nearby area. I further determine that the establishment and operation of the Center will have no adverse effects upon ecological systems, population distribution, air or water pollution, municipal services, or health or life support systems. Accordingly, I hereby determine that the establishment of the Job Corps center will not have a significant adverse impact upon the quality of the human environment of the nearby area, or the greater Miami community.

The Job Corps center will be operated with the pass-leave procedures required by Job.Corps regulations and operational procedures. I find that in light of the enrollment level and utilization of the pass-leave procedures, that congestion in the area will not increase.

There will be no material impact upon transportation or traffic within the area.

It is further determined that the establishment and operation of the Center is not likely to have a significant adverse impact upon use of police services or the public safety. Adequate provisions are planned to carefully screen prospective enrollees so as to minimize the possibility of disciplinary problems, or problems with possible Center related public safety.

Adequate staffing personnel and protection will be provided at the Miami Job Corps Center in accordance with Job Corps' operating procedures and regulations.

I further find that fire protection services in the area will not be adversely affected and that systems in the facilities will be upgraded to further reduce risk of fire from the present risk level.

In conclusion, it is my determination, after careful review and consideration of the nature of Job Corps' proposed action, in light of Job Corps' purposes, objectives and operational procedures, that the impact of the establishment of the center at the site upon the surrounding community, will not be significant and that the environmental assessment conducted by the Department of Labor clearly indicates that preparation of an environmental impact statement is not required because the establishment of the Job Corps Center is not a major Federal action which will significantly affect the quality of the human environment within the meaning of 40 CFR Part 1508.

Signed at Washington, D.C., this 13th day of May 1981.

Richard A. Jaffe,

Director, Office of Job Corps and Young Adult Conservation Corps.

[FR Doc. 81-16140 Filed 5-28-81; 8:45 am]

BILLING CODE 4510-30-M

Mine Safety and Health Administration

[Docket No. M-81-3-M]

AMAX Lead Company of Missouri; Petition for Modification of Application of Mandatory Safety Standard

AMAX Lead Company of Missouri, Boss, Missouri 65440 has filed a petition to modify the application of 30 CFR 57.4-61A (installation of ventilation doors) to its Buick Mine located in Iron County, Missouri. The petition is filed under section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. The petition concerns the requirement that ventilation doors be installed at or near shaft stations or intake shafts.

2. The mine's intake ventilation shafts are 18 feet in diameter and concrete lined.

3. Petitioner states that the absence of combustible materials within the intake ventilation shaft negates the need for ventilation doors and further states that

installation of such doors would not provide any increase in safety for the miners affected.

4. For these reasons, petitioner requests a modification of the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before June 29, 1981. Copies of the petition are available for inspection at that address.

Dated: May 21, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-16137 Filed 5-28-81; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-81-114-C]

Consolidation Coal Co.; Petition for Modification of Application of Mandatory Safety Standard

Consolidation Coal Company, Consol Plaza, Pittsburgh, Pennsylvania 15241 has filed a petition to modify the application of 30 CFR 75.305 (weekly examinations for hazardous conditions) to its Renton Mine located in Allegheny County, Pennsylvania. The petition is filed under Section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. The petition concerns the requirement that intake and return air courses be examined in their entirety on a weekly basis.

2. The roofs of the return entries have deteriorated and fallen in some areas; these entries have also experienced water accumulation.

3. Petitioner states that examinations of these air courses would expose miners to hazardous conditions.

4. As an alternate method, petitioner proposes to establish and maintain specified air monitoring stations and record the results of examinations in a book at each location. Weekly air readings and methane testings will be made by a certified person at each location; any increase in methane content of 0.5 percent over the last reading will be immediately investigated. In addition, a 10 percent reduction in the air quantity will be immediately investigated.

5. Petitioner states that the proposed alternate method will provide the same degree of safety to the miners affected as that afforded by the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before June 29, 1981. Copies of the petition are available for inspection at that address.

Dated: May 20, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-16138 Filed 5-28-81; 8:45 am]

BILLING CODE 4510-43-M

[Docket No. M-81-24-M]

Occidental Oil Shale, Inc.; Petition for Modification of Application of Mandatory Safety Standard

Occidental Oil Shale, Inc., Post Office Box 2687, Grand Junction, Colorado 81502 has filed a petition to modify the application of 30 CFR 57.4-58 (underground fires; requirements) to its Logan Wash Operations located in Garfield County, Colorado. The petition is filed under Section 101(c) of the Federal Mine Safety and Health Act of 1977.

A summary of the petitioner's statements follows:

1. The petition concerns the requirement that fires shall not be built underground.

2. Petitioner is under contract with the U.S. Department of Energy (DOE) for engineering development and technical feasibility demonstration of a vertical modified in situ oil shale retorting process (MIS process) at the mine.

3. As an alternate method, petitioner proposes to operate Mini Retort No. 1 using a number of safeguards, including monitoring for various gases such as nitrogen, hydrogen and methane; ventilation proposals; rescue equipment and training; and evacuation and contingency plans.

4. Based on extensive experience over the years, petitioner states that all anticipated relevant factors have been taken into account to guarantee the greatest degree of safety during retort operations and that these will provide miners the same degree of safety as that afforded by the standard.

Request for Comments

Persons interested in this petition may furnish written comments. These comments must be filed with the Office of Standards, Regulations and Variances, Mine Safety and Health Administration, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before June 29, 1981. Copies of the petition are available for inspection at that address.

Dated May 20, 1981.

Frank A. White,

Director, Office of Standards, Regulations and Variances.

[FR Doc. 81-16139 Filed 5-28-81; 8:45 am]

BILLING CODE 4510-43-M

Occupational Safety and Health Administration

[V-78-5]

Interlake Stamping Corp.; Experimental Variance Extension

AGENCY: Occupational Safety and Health Administration, Department of Labor.

ACTION: Extension of variance.

SUMMARY: This notice announces the extension of an experimental variance to Interlake Stamping Corporation from the standards prescribed in 29 CFR 1910.217 concerning mechanical power presses.

DATES: The effective date of the extension is May 29, 1981.

FOR FURTHER INFORMATION CONTACT: James J. Concannon, Director, Office of Variance Determination, U.S. Department of Labor—OSHA, Third Street and Constitution Avenue, N.W., Room N-3662 Washington, D.C. 20210, Telephone: (202) 523-7144; or the following Regional and Area Offices:

U.S. Department of Labor—OSHA, 32nd Street-Room 3263, 230 South Dearborn Street, Chicago, Illinois 60604

U.S. Department of Labor—OSHA, Federal Office Building, Room 847, 1240 East Ninth Street, Cleveland, Ohio 44199

I. Background

The experimental variance granted to Interlake Stamping Corporation under section 6(b)(6)(C) of the Occupational Safety and Health Act of 1970 (84 Stat. 1594; 29 U.S.C. 655), was previously extended for six months on September 9, 1977 (42 FR 45389) and for two years on March 6, 1979 (44 FR 12288). The experimental variance was originally granted on August 31, 1976 (41 FR 36702) from the standards prescribed in 29 CFR 1910.217(c)(3)(iii)(*b*) which prohibits the

use of a presence sensing device for tripping a mechanical power press.

The facility affected by this application is: Interlake Stamping Corporation, 4732 East 355th Street, Willoughby, Ohio 44094.

The initial purpose of this experiment was to collect information to aid in determining whether the OSHA standard should be modified to permit the tripping of mechanical power presses with presence sensing devices.

To date, the comparison record for malfunctions and productivity between the pressses using automatic tripping and those using conventional tripping means show that the presses with automatic tripping have fewer malfunctions and higher productivity.

As information has been collected from Interlake and other sources during this experimental period, it has become apparent that additional information is needed before a final decision can be made on whether to modify the standard and, if so, what requirements and/or restrictions should be included in the new standard.

In order to obtain the necessary information the National Institute for Occupational Safety and Health awarded a contract to Purdue Research Foundation in West Lafayette, Indiana for a fafety study of OSHA's experimental variance on self-tripping of mechanical power pressesl specifically Purdue shall:

1. Observe and evaluate the self tripping experiment at Interlake Stamping Corporation;

2. Research the design and application practices which would probably develop if the experiment were expanded or if § 1910.217(c)(3)(iii)(*b*) was modified; and

3. Develop design and performance criteria approval procedures, and continuing research strategies.

II. Decision

The Purdue study of OSHA's experimental variance on self-tripping of power presses will provide the data and evidence necessary to make a determination on whether to modify the standard. Moreover, the continuing use of the presses in an automatic trip mode will provide continuing comparison data on different methods of actuating presses. This information provides a base against which to evaluate the information obtained through other means. Continuation of the experimental variance will provide an opportunity for Purdue Research Foundation to complete its safety study of the presence sensing device while it is being used under the terms of the experimental variance. In addition, while the experiment may later be expanded to other worksites, it is valuble to have a location in which to observe the system in use.

Therefore, for the above reasons, it has been determined that is is essential that the experimental variance be extended for a period not to exceed one year.

III. Order

Pursuant to authority in section 6(b)(6)(C) of the Occupational Safety and Health Act of 1970, and in Secretary of Labor's Order No. 8–76 (41 FR 25059) it is ordered that Interlake Stamping corporation be, and it is hereby, authorized to continue its experiment for up to one year under the terms of the order granting the experimental variance of August 31, 1976 (41 FR 36702). In addition, Interlake shall obtain, within two weeks of the date of this extension, new statements from all operators as required under item 5(b) of the original order granting the variance. In addition, item 17 of the original order shall be modified to read:

17. This variance shall continue in effect for a period not to exceed one year.

As soon as possible Interlake Stamping Corporation shall give notice to affected employees of the terms of this order by the same means required to be used to inform them of the application for variance.

Effective date. this order shall become effective on May 29, 1981 and shall remain in effect until modified or revoked in accordance with section 6(b)(6)(C) of the Occupational Safety and Health Act of 1970.

Signed at Washington, D.C. this 21st day of May 1981.

Thorne G. Auchter,

Assistant Secretary of Labor.

[FR Doc. 81-16134 filed 5-28-81; 8:45 am]

BILLING CODE 4510-26-M

Office of Pension and Welfare Benefit Programs

Advisory Council on Employee Welfare and Pension Benefit Plans; Meeting

Pursuant to Section 512 of the Employee Retirement Income Security Act of 1974 (ERISA) 29 U.S.C. 1142, a meeting of the Advisory Council on Employee Welfare and Pension Benefit Plans will be held at 9:30 a.m. on Tuesday, June 30, 1981, in Room S–4215C, U.S. Department of Labor, Third and Constitution Avenue, N.W., Washington, D.C.

The purpose of the meeting is to discuss the items listed below and to invite public comment on any aspect of the administration of ERISA.

1. Department of Labor Progress Report.

2. Council Work Group Reports:

Portability Work Group
Communications Work Group
Legislative Work Group
Reporting, Disclosure and Recordkeeping Work Group
Collective Bargaining Work Group

3. Statements from the Public.

Members of the public are encouraged to file a written statement pertaining to any topic concerning ERISA, by submitting 30 copies on or before June 29, 1981, to the Administrator, Pension and Welfare Benefit Programs, U.S. Department of Labor, Room S–4522, Third and Constitution Avenue, N.W., Washington, D.C. 20216.

Persons desiring to address the Council should notify Edward F. Lysczek, Executive Secretary of the Advisory Council, in care of the above address or by calling (202) 523–8753.

Signed at Washington, D.C., this 26th day of May 1981.

Ian D. Lanoff,

Administrator of Pension and Welfare Benefit Programs.

[FR Doc. 81-16071 Filed 5-28-81; 8:45 am]

BILLING CODE 4510-29-M

Office of the Secretary

[TA-W-11,983]

Ball & Socket Plastics, Incorporated, Waldoboro, Maine; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on December 31, 1980, in response to a workers petition received on December 23, 1980, which was filed on behalf of workers at Ball & Socket Plastics, Inc., Waldoboro, Maine.

The petitioner has requested that the petition be withdrawn. Consequently further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed in Washington, D.C., this 21st day of May 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 81-16135 Filed 5-28-81; 8:45 am]

BILLING CODE 4510-28-M

[TA-W-11,854]

E. M. Richmond Company, Hinton, West Virginia; Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on December 8, 1980, in response to a worker petition received on November 24, 1980, which was filed on behalf of the workers at E. M. Richmond Company, Hinton, West Virginia.

The petitioner has requested that the petition be withdrawn. Consequently, further investigation in this case would serve no purpose; and the investigation has been terminated.

Signed in Washington, D.C., this 21st day of May 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 81-16136 Filed 5-28-81; 8:45 am]

BILLING CODE 4510-28-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (81-52)]

NASA Wage Committee; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Wage Committee.

DATE AND TIME: June 26, 1981, 1:30 p.m. to 4:30 p.m.

ADDRESS: National Aeronautics and Space Administration, Room 226B, Federal Building 10B, 600 Independence Avenue SW, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Ms. Deborah C. Green, Code NPM-28, National Aeronautics and Space Administration, Washington, DC 20546 (202/755-8520).

SUPPLEMENTARY INFORMATION: The Committee's primary responsibility is to consider and make recommendations to the NASA Director of Personnel on all matters involved in the development and authorization of a Wage Schedule for the Cleveland, Ohio, wage area, pursuant to Pub. L. 92-392. The Committee, Chaired by Mr. William Dey, consists of 11 members. During this meeting the Committee will consider wage survey data, local reports, recommendations, and statistical analyses and proposed wage schedules reviewed therefrom. Discussions of these matters in a public session would constitute release of confidential commercial and financial information obtained from private industry. Since this session will be concerned with matters listed in 5 U.S.C. 552b(c)(4), it has been determined that this meeting will be entirely closed to the public. However, members of the public who may wish to do so, are invited to submit material in writing to the Chairperson concerning matters felt to be deserving of the Committee's attention.

TYPE OF MEETING: Closed.

PURPOSE OF MEETING: The NASA Wage Committee will recommend to the NASA Wage Fixing Authority the proposed wage schedule to be adopted.

May 22, 1981.

Gerald D. Griffin,

Acting Associate Administrator for External Relations.

[FR Doc. 81-15996 Filed 5-28-81; 8:45 am]

BILLING CODE 7510-01-M

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-445, 50-446]

Availability of Draft Environmental Statement for Comanche Peak Steam Electric Station, Units 1 and 2

Notice is hereby given that a Draft Environmental Statement (NUREG-0775) has been prepared by the Commission's Office of Nuclear Reactor Regulation related to the proposed operation of the Comanche Peak Steam Electric Station, Units 1 and 2, by the Texas Utilities Generating Company. The station is located in Somervell County, Texas.

This Draft Environmental Statement (DES) addresses the aquatic, terrestrial, radiological, social and economic costs and benefits associated with normal station operation. Also considered are station accidents, their likelihood of occurrence and their consequences. Finally, the statement presents an updated discussion of a need for the facility based on information available in 1980.

This DES is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C., and in the Somervell County Public Library, On the Square, P.O. Box 1417, Glen Rose, Texas 76043. The Draft Environmental Statement is also being made available at the North Central Texas Council of Governments, P.O. Drawer COG, Arlington, Texas 76011. Requests for copies of the DES (NUREG-0775) should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Technical Information and Document Control.

Interested persons may submit comments on this DES for the Commission's consideration. Federal, State, and specified local agencies are being provided with copies of the DES (local agencies may obtain these documents upon request).

Comments by Federal, State and local officials, or other members of the public received by the Commission will be made available for public inspection at the Commission's Public Document Room in Washington, D.C. and the Somervell County Public Library. After consideration of comments submitted with respect to the DES, the Commission's staff will prepare a Final Environmental Statement, the availability of which will be published in the **Federal Register.** Comments are due by July 13, 1981.

Comments on this report from interested members of the public should be addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Md., this 22d day of May 1981.

For the Nuclear Regulatory Commission.

B. J. Youngblood,

Chief, Licensing Branch No. 1, Division of Licensing.

[FR Doc. 81-16118 Filed 5-28-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-261]

Carolina Power and Light Co.; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 57 to Facility Operating License No. DPR-23 issued to Carolina Power and Light Company (the licensee), which revised Technical Specifications for operation of the H. B. Robinson Steam Electric Plant, Unit No. 2 (the facility), located in Darlington County, South Carolina. The amendment is effective as of the date of issuance.

The amendment revises the Technical Specifications to incorporate additional fire protection Limiting Conditions for Operation and Surveillance requirements.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The

Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since this amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated May 17, 1979, as supplemented June 7, 1979, October 15, 1980 and December 3, 1980, (2) Amendment No. 57 to License No. DPR-23, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555 and at the Hartsville Memorial Library, Home and Fifth Avenues, Hartsville, South Carolina 29550. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Md., this 15th day of May 1981.

For the Nuclear Regulatory Commission.

Steven A. Varga,

Chief, Operating Reactors Branch No. 1, Division of Licensing.

[FR Doc. 81-16114 Filed 5-28-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-70]

General Electric Co. and General Electric Test Reactor; Availability of Applicant's Environmental Report and Notice of Intent To Publish an Environmental Impact Statement

Pursuant to the National Environmental Policy Act of 1969 and the regulations of the Commission in 10 CFR Part 51, General Electric has filed an environmental report as part of their application for renewal of the operating license for General Electric Test Reactor located at the Vallecitos Nuclear Center near Pleasanton, California. The original request for renewal was submitted on October 21, 1975, and notice of Proposed Renewal of Facility License was published in the **Federal Register** on September 15, 1977 (42 FR 46427). The report, which discusses environmental considerations related to the continued operation of the facility is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555. Copies of the report are also being made available at the Office of the Governor, Office of Planning and Research, 400 Tenth Street, Sacramento, CA 95814 and Association of Bay Area Governments, Hotel Claremont, Berkeley, CA 94705.

In order to determine the scope of the issues to be addressed in the EIS and to identify the significant issues related to the proposed license renewal, an open scoping meeting will be held in the Little Theatre at the Granada High School, 685 Las Positas Boulevard, Livermore, CA 94550 at 9:30 AM on June 13, 1981.

After the environmental report has been analyzed by the staff, a draft environmental statement will be prepared. Upon preparation of the draft environmental statement, the Commission will, among other things, cause to be published in the **Federal Register** a summary notice of availability of the draft statement, with a request for comments from interested persons on the draft statement. The summary notice will also contain a statement to the effect that comments of Federal agencies and State and Local officials will be made available when received. Upon consideration of comments submitted with respect to the draft environmental statement, the staff will issue a final environmental statement, the availability of which will be published in the **Federal Register.**

Any questions regarding the proposed license renewal or the environmental impact statement should be addressed to James R. Miller, Chief, Standardization & Special Projects Branch, Division of Licensing, Office of Nuclear Reactor Regulation, Washington, D.C. 20555, (301) 492-7014.

Dated at Bethesda, Md., this 22d day of May 1981.

For the Nuclear Regulatory Commission.

James R. Miller,

Chief, Standardization and Special Projects Branch, Division of Licensing.

[FR Doc. 81-16115 Filed 5-28-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-261]

Carolina Power and Light Co.; Issuance of Amendment To Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 56 to Facility Operating License No. DPR-23 issued to Carolina Power and Light Company (the licensee), which revised Technical Specifications for operation of the H. B. Robinson Steam Electric Plant, Unit No. 2, (the facility) located in Darlington County, South Carolina. The amendment is effective as of the date of issuance.

The amendment revises the Technical Specifications to clarify certain specifications related to testing Primary Coolant System check valves. This change is an administrative change.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since this amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated May 5, 1981, (2) Amendment No. 56 to License No. DPR-23, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Hartsville Memorial Library, Home and Fifth Avenues, Hartsville, South Carolina 29550. A copy of items (2) and (3) may be obtained upon request addressed to the Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Md., this 14th day of May 1981.

For the Nuclear Regulatory Commission.

Steven A. Varga,

Chief, Operating Reactors Branch No. 1, Division of Licensing.

[FR Doc. 81-16113 Filed 5-28-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 30-0000]

Order To Incorporate a Radiological Contingency Plan in Materials License No. 24-04206-01, Mallinckrodt, Inc.

AGENCY: United States Nuclear Regulatory Commission.

ACTION: Order to Mallinckrodt, Inc., to Modify License To Incorporate a New or Upgraded Radiological Contingency Plan.

Order To Modify License

I

Mallinckrodt Incorporated of St. Louis, Missouri ("the licensee"), with facilities located at 2703 Wagner Place, Maryland Heights, Missouri, is the holder of Materials License No. 24–04206–01 issued by the Nuclear Regulatory Commission ("the Commission"). The license authorizes the possession of any byproduct materials, in any form, having atomic numbers 1–83, inclusive. The license authorizes the use of the materials for the development and production of radiopharmaceuticals, radiochemicals and sources, and distribution to authorize recipients. The current license was issued on January 13, 1981, and is due to expire on December 31, 1985.

II

Before the issuance of this license, the staff reviewed the application and determined that the licensee could operate the facility in a safe manner. Nonetheless, based on the lessons learned from the accident at Three Mile Island and new perspectives on emergency preparedness and planning, the Commission has reevaluated the emergency preparedness requirements for its fuel cycle and materials licensees. The Commission has decided that significant improvements need to be made promptly to ensure that adequate onsite emergency response actions will be taken by licensees with major operations in cases where, even though unlikely, potentially serious radiation accidents could occur. The operations licensed to be carried our pursuant to Materials License No. 24–04206–01 appear to fall in this category and require the development of a comprehensive onsite radiological contingency plan. Specifically, considerations are needed to ensure: (1) That the plant contains adequate engineered safety features and is otherwise designed to limit releases of radioactive materials and radiation exposures in the event of an accident; (2) that a capability exists for measuring and assessing the significance of accidental releases of radioactive materials; (3) that appropriate emergency equipment and planning are provided onsite to protect workers against radiation hazards that might be encountered following an accident; (4) that notifications are made promptly to federal, state, and local government agencies; and (5) that necessary recovery actions are taken in a timely fashion to return the plant to a safe condition following an accident.

The information to be developed and documented is described in the enclosed "Standard Format and Content for Radiological Contingency Plans for Fuel Cycle and Materials Facilities" (Enclosure 1). In summary, the information to be submitted to NRC for review includes a: (1) Description of plant systems important to safety; (2) characterization of classes of credible emergencies that might occur; (3) description of radiological contingency measures for each class of emergency; (4) designation of authorities and responsibilities of key individuals and groups employed by the licensee; and (5) a description of equipment and facilities designated for use during radiation emergencies. The plan is to be directed toward mitigating the consequences of radiological emergencies and providing reasonable assurance that appropriate measures will be taken during an emergency to assure protection of the public and minimize adverse environmental impacts. In preparing the plan, consideration should be given to a set of credible accidents ranging from almost everyday occurrences of small consequence through highly improbable, but not impossible, accidents such as those resulting from severe natural phenomena, human error, multiple equipment failures, and sabotage.

III

In addition to onsite radiological contingency planning, as discussed in Section II above, offsite emergency response planning is also highly important. Offsite planning requirements for fuel cycle and materials facilities are being developed separately and will be considered in a proposed rulemaking to be published in the coming months. Within the framework of that rulemaking, NRC will carry out extensive coordination with state governments and the Federal Emergency Management Agency (FEMA) concerning applicable requirements.

The Commission believes that it is prudent and necessary to require the licensee to develop and submit within 120 days of the effective date of this Order, an onsite radiological contingency plan, as discussed in Section II above, applicable to operations licensed pursuant to Materials License No. 24–04206–01. Such a plan can be developed and effectively implemented apart from offsite emergency response planning, which necessarily involves state and local government emergency planning actions. The onsite radiological contingency plan is a necessary extension of protective actions taken by the licensee during normal operations. Such planning is essential to ensure that proper plans are made by the licensee to protect the public from accidents that could result from the licensed operations. A less learned from the Three Mile Island accident is that accidents thought to be highly improbable can and will occur, and that proper emergency preparedness is required to mitigate radiological consequences.

The reporting and recordkeeping requirements contained in this Order affect fewer than 10 persons and are required by law an therefore, are not subject to Office of Management and Budget clearance as required by Pub. L. 96–511.

V

Accordingly, pursuant to sections 81, 161b and 161o of the Atomic Energy Act of 1954, as amended, § 30.34(e) of 10 CFR Part 30, and § 2.204 of 10 CFR Part 2, it is hereby ordered that within 120 days of the effective date of this Order, the licensee shall submit:

1. A radiological contingency plan in accordance with Enclosure 1 of this Order, "Standard Format and Content for Radiological Contingency Plans for Fuel Cycle and Materials Facilities," and an application for license amendment to incorporate such plan as approved as a condition of the license; *or alternatively,*

2. An application for license amendment to reduce the possession limits for radioactive materials below those specified in Enclosure 2 of this Order.

VI

The licensee or any other person who has an interest affected by this Order may request a hearing on this Order within 20 days of its issuance. A request for a hearing shall be submitted to the Director, Division of Fuel Cycle and Material Safety, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Copies of the request shall also be sent to the Secretary of the Commission and the Executive Legal Director at the same address. If a hearing is requested by a person other than the licensee, that person shall describe, in accordance with 10 CFR 2.714(a)(2), the nature of the person's interest and the manner in which that interest is affected by this Order.

If a hearing is requested by the licensee or other person who has an interest affected by this Order, the Commission will issue an order

designating the time and place of the hearing.

This Order shall become effective upon expiration of the period within which a hearing may be requested or, if a hearing is requested, on the date specified in an order issued following further proceedings on this Order.

VII

If a hearing is held, the issue to be considered at the hearing shall be whether the licensee (1) shall submit a radiological contingency plan which complies with Enclosure 1 of this Order, "Standard Format and Content for Radiological Contingency Plans for Fuel Cycle and Materials Facilities," or (2) if a plan is not submitted as required in Section V(1) of the Order, should an application for a license amendment to reduce its possession limits for radiaactive materials below those specified in Enclosure 2 of this Order be submitted.

FOR FURTHER INFORMATION CONTACT:
Dr. Fred D. Fisher, or Mr. Ralph G. Page, Nuclear Materials Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, (301) 427–4135 or 427–4309.

SUPPLEMENTARY INFORMATION:
Enclosures 1 and 2 to the Order may be found at 46 FR 12569 and 12576 (February 17, 1981).

Signed in Silver Spring, Md., this 22d day of May 1981.

For the Nuclear Regulatory Commission.

Richard E. Cunningham,

Director Division of Fuel Cycle and Material Safety.

[FR Doc. 81-16118 Filed 5-28-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-387, 50-388]

Pennsylvania Power and Light Co. and Allegheny Electric Cooperative, Inc.; Finding of no Significant Antitrust Changes and Time for Filing of Requests for Reevaluation

The Director of Nuclear Reactor Regulation has made an initial finding in accordance with Section 105c(2) of the Atomic Energy Act of 1954, as amended, that no significant (antitrust) changes in the licensee's activities or proposed activities have occurred subsequent to the previous construction permit review of the Susquehanna Nuclear Units 1 and 2 by the Attorney General and the Commission. The finding is as follows:

Section 105c(2) of the Atomic Energy Act of 1954, as amended, provides for an antitrust review of an application for an operating license if the Commision determines that significant changes in the licensee's activities or proposed activities have occurred subsequent to the previous construction permit review. The Commission has delegated the authority to make the "significant change" determination with respect to nuclear reactors to the Director, Office of Nuclear Reactor Regulation. Based upon examination of events that have transpired since issuance of the Susquehanna 1 and 2 construction permits to the Pennsylvania Power & Light Company and the Allegheny Electric Power Cooperative, Inc., the staffs of the Office of Nuclear Reactor Regulation and the Office of the Executive Legal Director, hereafter referred to as the "staff," have jointly concluded, after consulting with the Department of Justice, that the changes that have occurred since the antitrust construction permit review are not "significant" in an antitrust context to require a second antitrust review at the operating license stage of the application for licenses; i.e., the changes which have occurred either are not reasonably attributable to the licensees or do not have antitrust implications that would likely warrant some Commission remedy.

In reaching this conclusion, the staff considered the structure of the electric utility industry in Central and Eastern Pennsylvania, the events relevant to the Susquehanna 1 and 2 construction permit antitrust review, and the events that have occurred subsequent to that permit review.

The conclusion of the staff's analysis is as follows:

Staff has reviewed the changes and proposed changes in the activities of the Applicants (i.e., PP&L and AE) of the Susquehanna plant since their respective construction permit antitrust reviews.

In order to conduct this operating license review, staff has obtained information from PP&L, FERC, SEC, and from other electric utilities that deal with the Applicants. The information received was evaluated using the criteria that the Commission set forth in its June 30, 1980 Memorandum and Order in *summer* upon which to base a significant change determination.

As a result of the analysis of the information obtained, staff finds that the activities and proposed activities of PP&L and AE since the CP review, taken individually and collectively, do not warrant a significant change determination.

The Department of Justice has reviewed a draft analysis by the staff along with other material and has concurred in the staff's finding.

Based on the staff's analysis, it is my finding that an operating license antitrust review of the Pennsylvania Power and Light Company and the Allegheny Electric Power Cooperative, Inc., with respect to the Susquehanna Nuclear Units 1 and 2 is not required.

Signed on May 18, 1981 by Harold R. Denton, Director Office of Nuclear Reactor Regulation.

Any person whose interest may be affected pursuant to this initial determination may file with full particulars a request for reevaluation with the Director of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555 by July 28, 1981.

For the Nuclear Regulatory Commission.

Argil Toalston,

Acting Chief, Utility Finance Branch, Division of Engineering, Office of Nuclear Reactor Regulation.

[FR Doc. 81-16117 Filed 5-28-81; 8:45 am]

BILLING CODE 7590-01-M

PRESIDENT'S ECONOMIC POLICY ADVISORY BOARD

Meeting

May 27, 1981.

The President's Economic Policy Advisory Board will meet on June 11, 1981 at The White House, Washington, D.C. from 10 a.m. to 3:30 p.m. The purpose of this meeting is to review the current state of the national and international economy.

The meeting concerns matters listed in Section 552b(c) of Title 5, United States Code, specifically subparagraphs (1), (4), (8) and (9) thereof, and will be closed to the public.

For further information please contact the Office of Policy Development, The White House at (202) 456–6515.

Martin Anderson,

Assistant to the President for Policy Development.

[FR Doc. 81-16232 Filed 5-28-81; 8:45 am]

BILLING CODE 3115-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 22062; 70-6603]

American Electric Power Service Corp. and American Electric Power Company, Inc.; Proposed Issuance of Note to Bank by Service Corporation and Guaranty by Holding Company

May 22, 1981.

American Electric Power Company, Inc. ("American"), a registered holding company, and its subsidiary service company, American Electric Power Service Corporation ("Service Corporation"), 2 Broadway, New York, New York 10004, have filed a declaration with this Commission pursuant to Sections 6(a), 7, and 12(b) of the Public Utility Holding Company Act of 1935 ("Act") and Rule 45 promulgated thereunder.

Pursuant to a building loan agreement between Service Corporation and Irving Trust Company, Service Corporation proposes to issue a building loan note

maturing December 31, 1987, to evidence advances of up to $100,000,000 from Irving Trust Company. The principal amount of the advances will bear interest at Irving Trust Company's published prime rate. American proposes to guarantee repayment of such loan and interest thereon and performance of certain other obligations of Service Corporation in connection with such loan. The proceeds will be used by Service Corporation to acquire land and construct a 31-story office building in Columbus, Ohio, to serve as a new headquarters for American and Service Corporation. It is anticipated that the loan will be repaid with the proceeds of a sale-leaseback transaction.

The fees and expenses related to the proposed transactions are estimated not to exceed $60,000. It is stated that no state or federal commission, other than this Commission has jurisdiction over the proposed transactions.

The declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by June 19, 1981, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the declarants at the address specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the declaration, as filed or as it may be amended, may be permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-16000 Filed 5-28-81; 8:45 am]

BILLING CODE 8010-01-M

Cincinnati Stock Exchange; Applications for Unlisted Trading Privileges and of Opportunity for Hearing

May 22, 1981.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the following stocks:

Allied Corporation, Common Stock, $1 Par Value (File No. 7-5931).

Signal Companies, Inc., Common Stock, $2 Par Value (File No. 7-5932).

These securities are listed and registered on one or more other national securities exchanges and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before June 15, 1981 written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-16131 Filed 5-28-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 22063; 70-6598]

Connecticut Yankee Atomic Power Co.; Proposed Issuance and Sale of Notes to Banks

Connecticut Yankee Atomic Power Company ("Yankee"), P.O. Box 270, Hartford, Connecticut 06101, a subsidiary of Northeast Utilities and the New England Electric System, registered holding companies, has filed an application-declaration and an amendment thereto with this Commission pursuant to Sections 6(a) and 7 of the Public Utility Holding Company Act of 1935 ("Act") and Rule 50 (a)(2) thereunder.

Yankee proposes to issue and sell notes to banks from time to time through June 30, 1982. The aggregate principal amount of notes outstanding at any one time would not exceed $25,000,000. The notes would be dated as of the date of issue, would have maximum maturity dates of nine months, and would bear interest at the prime rate. The notes would be prepayable at any time without premium. Under the lines of credit yankee must maintain compensatory balances of 5% of the line of credit and 15% of actual borrowings. Assuming an 18% prime rate and full usage of the line of credit, the effective interest cost of borrowings under such balance requirements would be 21.60%.

The funds to be derived from the borrowing would be used to repay outstanding notes, to finance construction and to purchase nuclear fuel. Yankee estimates construction expenditures of $29,000,000 in 1981 and $27,000,000, in 1982, as well as nuclear fuel costs of $20,000,000 in 1981 and $41,000,000 in 1982.

The application-declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by June 15, 1981, to the Secretary, Securities and exchange Commission, Washington, D.C. 20549, and serve a copy on the applicant-declarant at the address specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

May 22, 1981

[FR Doc. 81-16099 Filed 5-28-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-17813; File No. SR-MSRB-81-5]

Municipal Securities Rulemaking Board; Self-Regulatory Organizations; Proposed Rule Changes

Proposed Rule Changes By Municipal Securities Rulemaking Board, relating to proposed rule changes to Rule G-7 relating to information concerning associated persons, Rule G-8 concerning recordkeeping, Rule G-26 concerning administration of accounts, and Rule G-27 concerning supervision. Comments requested on or before June 19, 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 May 13, 1981, the Municipal Securities Rulemaking Board filed with the Securities and Exchange

Commission the proposed rule changes 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 changes from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Changes

The Municipal Securities Rulemaking Board is filing herewith amendments to rule G–7 relating to information concerning associated persons, rule G–8 concerning recordkeeping, rule G–26 concerning administration of accounts, and rule G–27 concerning supervision (hereafter referred to as the "proposed rule changes.") The text of the proposed rule changes is as follows: [1]

Rule G–7. Information Concerning Associated Persons

(a) No associated person (as hereinafter defined) of a municipal securities broker or municipal securities dealer shall be qualified for purposes of rule G–2 of the Board unless such associated person meets the requirements of this rule. The term "associated person" as used in this rule means (i) a municipal securities principal, (ii) *a municipal securities sales principal,* [(ii)] *(iii)* a financial and operations principal and *(iv)* a municipal securities representative.

(b) through (e) No change.

(f) Every municipal securities broker and municipal securities dealer shall maintain and preserve a record of the name and residence address of each associated person, designated by the category of function performed (whether municipal securities principal, *municipal securities sales principal,* municipal securities representative, or financial and operations principal) and indicating whether such person has taken and passed the qualification examination for municipal securities principals or *municipal securities sales principals* or municipal securities representatives or financial and operations principals prescribed by the Board or was exempt from the requirement to take and pass such examination, indicating the basis for such exemption, until at least three years after the association person's employment or other associated with such municipal securities broker or municipal securities dealer has terminated.

(g) through (i) No change.

[1] Italics indicate new language; [brackets] indicate deletions.

Rule G–8. Books and Records To Be Made by Municipal Securities Brokers and Municipal Securities Dealers

(a) Description of Books and Records Required To Be Made. Except as otherwise specifically indicated in this rule, every municipal securities broker and municipal securities dealer shall make and keep current the following books and records, to the extent applicable to the business of the municipal securities broker or municipal securities dealer:

(i) through (x) No change.

(xi) Customer Account Information. A record for each customer, other than an institutional account, setting forth the following information to the extent applicable to such customer:

(A) through (F) No change.

(G) Signature of municipal securities representative or general securities representative introducing the account and signature of a municipal securities principal, *municipal securities sales principal* or general securities principal indicating acceptance of the account;

(H) with respect to discretionary accounts, customer's written authorization to exercise discretionary power or authority with respect to the account, written approval of municipal securities principal *or municipal securities sales principal* who supervises the account, and written approval of municipal securities principal *or municipal securities sales principal* with respect to each transaction in the account, indicating the time and date of approval;

(I) through (J) No change.

(xii) No change.

(b) through (g) No change.

Rule G–26. Administration of Discretionary and Other Accounts

(a) No change.

(b) Discretionary Account Authorization. No broker, dealer, or municipal securities dealer shall effect a transaction in municipal securities with or for a discretionary account except to the extent clearly permitted by the prior written authorization of the customer and accepted in writing by a municipal securities principal *or municipal securities sales principal* on behalf of the broker, dealer, or municipal securities dealer.

(c) Review of Transactions. A municipal securities principal *or municipal securities sales principal* shall promptly review and approve in writing each transaction in municipal securities effected with or for a discretionary account introduced or carried by the broker, dealer or municipal securities dealer, and shall review at regular and frequent intervals all customer accounts introduced or carried by the broker, dealer, or municipal securities dealer in which transactions in municipal securities are effected, in order to detect and prevent irregularities and abuses.

Rule G–27. Supervision

(a) No change.

(b) Designation of Supervisors. Each municipal securities broker and municipal securities dealer shall designate one or more municipal securities principals and financial and operations principals as responsible for supervising the activities and business referred to in section (a) of this rule and for enforcing the supervisory procedures referred to in section (c) of this rule. Nothing contained in this rule shall require municipal securities brokers and municipal securities dealers to designate or have associated with them a financial and operations principal unless required by rule G–3 of the Board. A financial and operations principal shall not be designated to supervise non-financial activities. *Each municipal securities broker and municipal securities dealer (other than a bank dealer) may also designate a duly qualified municipal securities sales principal as responsible for the direct supervision of sales to and purchases from customers of municipal securities.*

(c) Written Procedures. Each municipal securities broker and municipal securities dealer shall establish, maintain, and enforce written supervisory procedures adopted by the municipal securities broker or municipal securities dealer to assure compliance with the rules and regulations thereunder. Such procedures shall provide, at a minimum, for

(i) the designation of at least one duly qualified municipal securities principal as responsible for supervising the activities with respect to municipal securities of the associated persons of the municipal securities broker or municipal securities dealer and at least one duly qualified municipal securities principal as responsible for supervising the activities with respect to municipal securities of each branch office or other location or unit in which an associated person engages in any of the activities set forth in rule G–3(a)(iii) of the Board, [;] *provided, however, that a duly qualified municipal securities sales principal may be designated as responsible for the direct supervision of sales to and purchases from customers of municipal securities;*

(ii) the prompt review and written approval by the designated municipal

securities principal (or by a general securities principal if specifically authorized by rule of the Board) *or (to the extent that the following relate to sales and purchases from customers) by the designated municipal securities sales principal,* of:

(A) through (D) No change.

(E) other matters required by rule of the Board to be reviewed or approved by a municipal securities principal or general securities principal *or a municipal securities sales principal;* and

(iii) the regular and frequent examination by the designated municipal securities principal *or the designated municipal securities sales principal* of customer accounts introduced or carried by the municipal securities borker or municipal securities dealer, in which transactions in municipal securities are effected, in order to detect and prevent irregularities and abuses.

No change in remainder of text.

II. Self-Regulatory Organization's Statement on the Purpose of, and Statutory Basis for, the Proposed Rule Changes

A. Self-Regulatory Organization's Statement on the Purpose of, and Statutory Basis for, the Proposed Rule Changes

On March 19, 1981, the Board filed with the Commission proposed amendments to rule G–3 concerning professional qualifications. If approved, the proposed amendments will, in part, establish a new professional qualification category of municipal securities sales principal. As defined under the proposed amendments to rule G–3, a municipal securities sales principal would be a person associated with a securities firm whose activities as they relate to municipal securities are limited to supervising customer sales and purchases.

The adoption of the municipal securities sales principal classification would require a conforming amendment to Board rule G–7. Rule G–7 requires municipal securities brokers and municipal securities dealers to record certain background information concerning their associated persons. The proposed rule changes would expand the definition of "associated person" in rule G–7(a) to include a municipal securities sales principal, in order to insure that municipal securities brokers and municipal securities dealers maintain adequate records regarding such persons. In addition, the proposed rule changes amend rule G–7(f) requiring municipal securities brokers and municipal securities dealers to maintain a record of each associated person's professional qualification examination status and any examination exemptions accorded such person by extending this requirement to include the professional qualification records of municipal securities sales principals.

As discussed in the Board's October 15, 1980 notice concerning the draft amendments to rule G–3, in developing the municipal securities sales principal category the Board contemplated that the full municipal securities principal would continue to have general supervisory responsibility for customer sales and purchases but that certain direct supervisory functions could be delegated to municipal securitieds sales principals.

The proposed rule changes are intended to permit municipal securities sales principals to perform certain supervisory functions which Board rules currently require full municipal securities principals to perform, as follows:

Rule G–8

Rule G–8 enumerates the specific records to be made and maintained by municipal securities brokers and municipal securities dealers. Rule G–8(a)(xi) lists the customer account information to be recorded for each customer. Rule G–8(a)(xi)(G) requires that each customer account information record shall set forth, among other information, the signature of the municipal securities principal or general securities principal indicating acceptance of the account. The purpose of the proposed rule change to this is to permit municipal securities sales principals to record acceptance of customer accounts as part of the customer account information record required by rule G–8.

Rule G–8(a)(xi)(H) provides that customer account information records shall include, with respect to discretionary accounts, the written approval of the municipal securities principal who supervises the account and the written approval of the municipal securities principal with respect to each transaction in the account. The purpose of the proposed rule change to this section of rule G–8 is to make explicit the municipal securities sales principal's authorization to approve discretionary accounts and discretionary account transaction.

Rule G–26

Rule G–26(b) concerning the administration of discretionary accounts provides that no broker, dealer, or municipal securities dealer shall effect a transaction in municipal securities with or for a discretionary account except to the extent clearly permitted by the prior written authorization of the customer and accepted in writing by a municipal securities principal on behalf of the broker, dealer, or municipal securities dealer.

Insofar as rule G–26(b) reflects the requirement of rule G–8(a)(xi)(H) that written acceptance of discretionary accounts be retained in the customer account information records, the proposed change to rule G–8(a)(xi)(H) permitting municipal securities sales principals to provide written acceptance of such accounts will require a conforming change to rule G–26(b).

Rule G–26(c) relating to review of transactions provides that a municipal securities principal shall promptly review and approve in writing each transaction in municipal securities effected with or for a discretionary account, and shall review at regular and frequent intervals all customer accounts in which transactions in municipal securities are effected, in other to detect and prevent irregularities and abuses. The purpose of the proposed change to rule G–26(c) is to make explicit that a municipal securities sales principal's supervisory authority with respect to customer sales and purchases of municipal securities may include the performance of required reviews of transactions in discretionary and other customer accounts.

Rule G–27

Rule G–27 concerning supervision requires all municipal securities brokers and municipal securities dealers to supervise the activities of their associated persons and the conduct of their municipal securities business. Rule G–27(b) requires that each municipal securities broker or municipal securities dealer shall designate one or more municipal securities principals and financial and operations principals as responsible for supervising such activities. The proposed rule change will, if approved, amend rule G–27(b) to permit municipal securities brokers and municipal securities dealers to designate a duly qualified municipal securities sales principal as responsible for the direct supervision of sales to and purchases from customers of municipal securities.

Rule G–27(c) requires that the written supervisory procedures required by the rule provide for the designation of at least one municipal securities principal as responsible for supervising the municipal securities activities of the associated persons of the municipal securities broker or municipal securities

dealer and at least one municipal securities principal as responsible for supervising the municipal securities activities of each branch office or other location or unit in which an associated person performs municipal securities activities.

The purpose of the proposed rule change to rule G-27(c)(i) is to permit designation of a municipal securities sales principal as responsible for directly supervising customer sales and purchase activities in each branch office or other unit in which any associated person engages in such activities. Rule G-27(c)(ii) currently provides for the prompt review and written approval by the designated municipal securities principal (or by a general securities principal if specifically authorized by rule of the Board) of:

(A) The opening of each customer account introduced or carried by the municipal securities broker or municipal securities dealer, in which transactions in municipal securities may be effected,

(B) Each transaction in municipal securities,

(C) The handling of all written customer complaints pertaining to transactions in municipal securities,

(D) All correspondence pertaining to the solicitation or execution of transactions in municipal securities, and

(E) Other matters required by rule of the Board to be reviewed or approved by a municipal securities principal or general securities principal.

The purpose of the proposed change to rule G-27(c)(ii) is to establish the authority of a municipal securities sales principal to review and approve the items and activities described as they relate to customer sales and purchases of municipal securities.

Rule G-27(c)(iii) requires written supervisory procedures for the regular and frequent examination by the designated municipal securities principal of customer accounts in which municipal securities transactions are effected. The purpose of the proposed change to rule G-27(c)(iii) is to permit the municipal securities sales principal, rather than the full principal, to perform the regular review of customer accounts. This proposed rule change is also intended to conform rule G-27(c) to rule G-26(c) concerning review of transactions as it is proposed to be amended.

The Board has adopted the proposed rule changes pursuant to Section 15B(b)(2)(A) of the Securities Exchange Act which directs the Board to adopt rules to

> * * * provide that no municipal securities broker or municipal securities dealer shall effect any transaction in, or induce or attempt to induce the purchase or sale of, any municipal security unless such municipal securities broker or municipal securities dealer * * * and every natural person associated with [it] meets such standards of training, experience, competence, and such other qualifications as the Board finds necessary or appropriate in the public interest or for the protection of investors * * *

and pursuant to Section 15B(b)(2)(G) of the Securities Exchange Act which directs the Board to adopt rules to

> * * * prescribe records to be made and kept by muinicipal securities brokers and municipal securities dealers * * *

As indicated above, the Board believes that the proposed rule changes would clarify the authority of a municipal securities sales principal to perform certain supervisory functions, and would insure adequate recordkeeping relating to the background and designated functions of such persons.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Board believes that the proposed rule changes will have no significant impact on competition. The proposed rule changes merely adjust the recordkeeping and supervisory procedures with which all municipal securities brokers and municipal securities dealers are required to comply to reflect the newly-proposed qualification category of municipal securities sales principal.

C. Self-Regulatory Organization's Statement of Comments on the Proposed Rule Changes Received from Members, Participants, or Others

The Board neither solicited nor received comments on the proposed rule changes.

III. Date of Effectiveness of the Proposed Rule Changes and Timing for Commission Action

On or before July 6, 1981, 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 changes, or

(B) Institute proceedings to determine whether the proposed rule changes 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 changes that are filed with the Commission, and all written communications relating to the proposed rule changes 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, NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted on or before June 19, 1981.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: May 21, 1981.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-16132 Filed 5-28-81; 8:45 am]

BILLING CODE 8010-01-M

Philadelphia Stock Exchange, Inc.; Application for Unlisted Trading Privileges and of Opportunity for Hearing

May 22, 1981.

The above named national securities exchange has filed an application with the Securities and Exchange Commisison pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlimited trading privileges in the common stock of:

National Medical Enterprises, Inc. Common Stock, $.05 Par Value (File No. 7-5930)

This security is listed and registered on one or more other national securities exchanges and is reported on the consolidated transaction reporting system.

Interested persons are invited to sumit on or before June 15, 1981 written data, views and arguments concerning the above-referenced application. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the commission will approve

the application if it finds, based upon all the information available to it, that the extension of unlisted trading privileges pursuant to such application is consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-16133 Filed 5-28-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 22061; 70-6605]

West Texas Utilities Co.; Proposed Issuance and Sale of First Mortgage Bonds at Competitive Bidding

May 22, 1981.

West Texas Utilities Company ("West Texas"), 301 Cypress, Abilene, Texas 79604, an electric utility subsidiary of Central and South West Corporation, Inc., a registered holding company, has filed a declaration with this Commission pursuant to Sections 6(a) and 7 of the Public Utility Holding Company Act of 1935 ("Act") and Rule 50 thereunder.

West Texas proposes to issue and sell up to $25,000,000 principal amount of its first mortgage bonds. The terms will be determined by competitive bidding. The bonds will be issued under West Texas' Mortgage dated August 1, 1943, as amended and as to be further amended. The proceeds will be used to repay short-term borrowings incurred or expected to be incurred to finance construction expenditures.

The declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by June 19, 1981, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the declarant at the address specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the declaration, as filed or as it may be amended, may be permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-16091 Filed 5-28-81; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[License No. 09/09-0184]

Grocers Capital Company, Inc.; Application for Approval of Conflict of Interest Transaction Between Associates

Notice is hereby given that Grocers Capital Company (Grocers) 2601 S. Eastern Avenue, Los Angeles, California 90040, a Federal Licensee under the Small Business Investment Act of 1958, as amended, has filed an application with the Small Business Administration pursuant to Section 107.1004 of the Regulations governing small business investment companies (13 CFR 107.1004(1981)) for approval of several conflict of interest transactions.

Grocers proposed to loan $40,000 to Emil and Lee De Angelis, 19009 Laurel Park Road, Dominguez Hills, California 90220; $28,000 to Freedman & Smith, d.b.a. Best Foods Market, 5425 Long Beach Boulevard, Long Beach, California 90805; $260,000 to K. V. Mart, Inc., d.b.a. Top Value Market, 15870 E. Amar Road, City of Industry, California 91744; and $140,000 to McCowan's Foods, Inc., d.b.a. McCowan's Market, 1932 Walker Street, San Pedro, California 90731.

The proceeds of these loans will be used to purchase either capital goods or inventory from Grocers Equipment Company (GEC). All of Grocers' stock is owned by subsidiaries of Certified Grocers of California, Ltd. (certified), a retailer owned grocery cooperative. GEC, a subsidiary of Certified, is a 41 percent shareholder of Grocers and is defined as an Associate by Section 107.3 of the SBA Rules and Regulations. As a result, Grocers financing of Emil and Lee De Angelis, Best Foods Market, Top Value Market, and McCowan's Market fall within the purview of Section 107.1004(b)(5) of the SBA Regulations.

Grocers' loans to these concerns require the prior written approval of SBA.

Notice is hereby given that any person may not later than 15 days from the date of publication of this Notice, submit written comments to the Associate Adminstrator for Investment, Small Business Administration, 1441 "L" Street, N.W. Washington, D.C. 20416.

A similar Notice concerning the transactions shall be published in a newspaper of general circulation in the Los Angeles, California area.

(Catalog of Federal Domestic Assistance Programs No. 95.001, Small Business Administration)

Dated: May 20, 1981.

Peter F. McNeish,

Acting Associate Administrator for Investment.

[FR Doc. 81-16082 Filed 5-28-81; 8:45 am]

BILLING CODE 8025-01-M

Small Business Investment Co.; Maximum Annual Cost of Money to Small Business Concerns

13 CFR Section 107.301(c) sets forth the SBA Regulation governing the maximum annual cost of money to small business concerns for Financing by small business investment companies.

Section 107.31(c)(2) requires that SBA publish from time to time in the **Federal Register** the current Federal Financing Bank (FFB) rate for use in computing the maximum annual cost of money pursuant to Section 107.301(c)(1). It is anticipated that a rate notice will be published each month.

13 CFR Section 107.301(c) does not supersede or preempt any applicable law that imposes an interest ceiling lower than the ceiling imposed by that regulation. Attention is directed to new subsection 308(i) of the Small Business Investment Act, added by section 524 of Pub. L. 96-221, March 31, 1980 (94 Stat. 161), to that law's Federal override of State usury ceilings, and to its forfeiture and penalty provisions.

Effective June 1, 1981, and until further notice, the FFB rate to be used for purposes of computing the maximum cost of money pusuant to 13 CFR Section 107.301(c) is 13.925% per annum.

Dated: May 26, 1981.

Peter F. McNeish,

Deputy Associate Administrator for Investment.

[FR Doc. 81-16081 Filed 5-28-81; 8:45 am]

BILLING CODE 8025-01-M

VETERANS ADMINISTRATION

Rehabilitation Engineering and Outpatient Clinic; New York, N.Y.; Availability of Draft Environmental Impact Statement

Notice is hereby given that a document entitled "Draft Environmental Impact Statement, for the Rehabilitation Engineering and Outpatient Clinic, Veterans Administration Medical Center New York, New York," dated May 1981, has been prepared as

required by Section 102(2)(C) of the National Environmental Policy Act of 1969.

The preferred alternative proposes to construct a multilevel addition to the existing Veterans Administration Medical Center (VAMC) in New York (Manhattan). The new structure would contain space for the VA Rehabilitation Engineering Center and consolidate outpatient facilities at the VAMC from their satellite location at 252 7th Avenue, New York. Some functions would stay at the 7th Avenue location to include the VA Department of Veterans Benefits, the prosthetics manufacturing center and the metadone drug program. The VA investigated alternative project actions, but through examination concluded that the only other viable alternate was a No Action Alternative. This alternative leaves existing facilities in place with no significant changes.

The Draft Environmental Impact Statement Discusses the potential environmental impacts that may be associated with the Construction Alternative. The No Action Alternative would not alter the existing physical conditions. The document is being placed for public examination at the Veterans Administration, Washington, D.C. Persons wishing to examine a copy of the document may do so at the following office: Mr. Willard Sitler, P.E., Director, Office of Environmental Affairs (003A), Room 950, Veterans Administration, 1425 K Street, NW, Washington, DC (202) 389-2526. Single copies of the Draft Statement may be obtained on request to: Director, Office of Environmental Affairs (003A), 810 Vermont Avenue, NW, Washington, DC 20420.

Dated: May 21, 1981.

Rufus H. Wilson,

Acting Administrator.

[FR Doc. 81-16021 Filed 5-28-81; 8:45 am]

BILLING CODE 8320-01-M

Station Committee on Educational Allowances; Meeting

Notice is hereby given pursuant to Section V, Review Procedure and Hearing Rules, Station Committee on Education Allowances that on July 2, 1981 at 8:30 a.m. DST the Seattle Veterans Administration Regional Office Station Committee on Educational Allowances shall at Hearing Room 1186, Federal Building, 915 Second Avenue, Seattle, Washington 98174, conduct a hearing to determine whether Veterans Administration benefits to all eligible persons enrolled in KNAPP BUSINESS COLLEGE, 1001 North J Street, Tacoma, Washington 98403, should be discontinued, as provided in 38 CFR 21.4134, because a requirement of law is not being met or a provision of the law has been violated. All interested persons shall be permitted to attend, appear before, or file statements with the Committee at that time and place.

Dated: May 20, 1981.

Richard F. Murphy,

Director, VA Regional Office.

[FR Doc. 81-16073 Filed 5-28-81; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register
Vol. 46, No. 103
Friday, May 29, 1981

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONTENTS

	Items
Federal Deposit Insurance Corporation	1
Federal Election Commission	2
Federal Energy Regulatory Commission	3
Federal Home Loan Bank Board	4, 5
Federal Home Loan Mortgage Corporation	6
Federal Reserve System (Board of Governors)	7
National Transportation Safety Board	8

1

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of agency meeting.

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that the Board of Directors of the Federal Deposit Insurance Corporation will meet in partially open/partially closed session at 11:30 a.m. on Thursday, May 28, 1981.

The following matter will be considered in open session:

Memorandum and resolution proposing the adoption of a policy statement on the disposition of income from the sale of credit life insurance.

The following matters will be considered in closed session pursuant to subsections (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B)):

Recommendations regarding the liquidation of assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assests:
Case No. 44,816-L—Livingston State Bank, Livington, New Jersey
Case No. 44,816-L—Livinston State Bank, Livingston, New Jersey
Case No. 44,819-L—Franklin National Bank, New York, New York

Recommendations with respect to the initiation, termination, or conduct of administrative enforcement proceedings (cease-and-desist proceedings, termination-of-insurance proceedings, suspension or removal proceedings, or assessment of civil money penalties) against certain insured banks or officers, directors, employees, agents, or other persons participating in the conduct of the affairs thereof:

Names of persons and names and locations of banks authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(6), (c)(8), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(6), (c)(8), and (c)(9)(A)(ii).

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550 17th Street, N.W., Washington, D.C.

Requests for information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389-4425.

Dated: May 27, 1981.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-839-81 Filed 5-27-81; 10:53 am]

BILLING CODE 6714-01-M

2

[FR 797]

FEDERAL ELECTION COMMISSION.

PREVIOUSLY ANNOUNCED DATE AND TIME: Thursday, May 28, 1981 at 10 a.m.

CHANGE IN MEETING: The following matter has been added to the agenda of the open meeting:

Request for 2nd Resubmission of Rejected Contributions from Resubmissions 02, 03, 04 by Kennedy for President Committee.

* * * * *

AGENCY: Federal Election Commission.

DATE AND TIME: Thursday, May 28, 1981 following open meeting.

PLACE: 1325 K Street, N.W., Washington, D.C.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Audit—continued from the Executive Session of May 27, 1981.

PERSON TO CONTACT FOR IMFORMATION: Mr. Fred Eiland, Public Information Officer; telephone: 202-523-4065.

Marjorie W. Emmons,

Secretary of the Commission.

[S-841-81 Filed 5-27-81; 2:57 pm]

BILLING CODE 6715-01-M

3

FEDERAL ENERGY REGULATORY COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 46 FR 28274, May 26, 1981.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10 a.m., May 27, 1981.

CHANGE IN THE MEETING: The following items have been added:

Item No., Docket No., and Company

CAP-9. Project Nos. 4307-000, 4305-000, 4321-000, and 4322-000, Northeastern Minnesota Municipal Power Agency: Mississippi Lock and Dam No. 5A Hydroelectric Project and Mississippi Lock and Dam No. 5 Hydroelectric Project
RP-5 RP80-101, Texas Gas Transmission Corporation
CP-6(A). CP80-430 and CP81-144-000, Columbia Gas Transmission Corporation
CP-6(B). CP81-20-000, Columbia Gas Transmission Corporation and Transcontinental Gas Pipe Line Corporation
CP-7(C). CP79-206-001, Columbia Gas Transmission Corporation

Kenneth F. Plumb,

Secretary.

[S-837-81 Filed 5-27-81; 8:45 am]

BILLING CODE 6450-85-M

4

FEDERAL HOME LOAN BANK BOARD.

[No. 493]

May 27, 1981.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 46 FR 28553, May 27, 1981.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10 a.m., May 29, 1981.

PLACE: 1700 G Street, N.W., 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 withdrawn from the agenda for the open meeting:

Geographical Restrictions on Remote Service Unit Operations

[S-842-81 Filed 5-27-81; 3:20 pm]

BILLING CODE 6720-01-M

5

FEDERAL HOME LOAN BANK BOARD.

[No. 492]

May 27, 1981.

TIME AND DATE: 10 a.m., June 4, 1981.

PLACE: 1700 G Street, N.W., sixth floor, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202–377–6679).

MATTERS TO BE CONSIDERED:

Credit life policy statement
Geographical restrictions on remote service unit operations

[S-843-81 Filed 5-27-81; 3:29 pm]

BILLING CODE 6720-01-M

6

FEDERAL HOME LOAN MORTGAGE CORPORATION.

TIME AND DATE: 10 a.m., Tuesday, May 26, 1981.

PLACE: 1776 G Street, N.W., fourth floor, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Maud Mater (202) 789–4730.

MATTERS TO BE CONSIDERED: ARM Pilot Purchase Program

May 22, 1981.

[S-840-81 Filed 5-27-81; 2:18 pm]

BILLING CODE 6720-02-M

7

FEDERAL RESERVE SYSTEM.

BOARD OF GOVERNORS.

TIME AND DATE: 10 a.m., Wednesday, June 3, 1981.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board (202) 452–3204.

Dated: May 26, 1981.

James McAfee,

Assistant Secretary of the Board.

[S-836-81 Filed 5-27-81; 10:32 am]

BILLING CODE 6210-01-M

8

NATIONAL TRANSPORTATION SAFETY BOARD.

[NM–81–18]

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 46 FR 27439, May 19, 1981.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 9 a.m., Wednesday, May 27, 1981.

CHANGE IN MEETING: A majority of the Board has determined by recorded vote that the business of the Board requires revising the agenda of this meeting and that no earlier announcement was possible. The agenda as now revised is set forth below.

STATUS: The first 3 items will be open to the public; item 4 will be closed to the public under Exemption 10 of the Government in the Sunshine Act.

MATTERS TO BE CONSIDERED:

1. *Aircraft Accident Report*—Continental Airlines/Air Micronesia, Inc., Boeing 727, N18479, Yap, Western Caroline Islands, November 21, 1980.
2. *Recommendation* to the Federal Aviation Administration regarding Flight Attendant Training and Ventral Airstair Door Control Markings on Boeing 727–100 Models.
3. *Railroad Accident Report*—Head-on Collision Between Baltimore & Ohio Railroad Company Train No. 88 and Brunswick Helper 7603–7545 near Germantown, Maryland, February 9, 1981, and *Recommendations* to the Baltimore & Ohio Railroad Company.
4. *Opinion and Order*—Petition of Abrams, Dkt. SM–2538.

CONTACT PERSON FOR MORE INFORMATION: Sharon Flemming, 202–382–6525.

May 27, 1981.

[S-844-81 Filed 5-27-81; 3:35 pm]

BILLING CODE 4910-58-M

federal register

Friday
May 29, 1981

Part II

Environmental Protection Agency

Solid Waste Disposal; Inventory of Open Dumps

ENVIRONMENTAL PROTECTION AGENCY

[WH-FRL 1799-2]

Solid Waste Disposal; Inventory of Open Dumps

AGENCY: Environmental Protection Agency.

ACTION: Publication of inventory of open dumps.

SUMMARY: This notice provides the first annual installment of the inventory of open dumps. The Resource Conservation and Recovery Act (RCRA or the Act) requires that the Administrator of the Environmental Protection Agency (EPA) publish an inventory of open dumps.

For purposes of the inventory, the Act defines "open dumps" as facilities which do not comply with "Criteria for Classification of Solid Waste Disposal Facilities" (40 CFR 257). This inventory resulted from the evaluation of disposal facilities by State solid waste management agencies. Facilities were evaluated against the Criteria, and those found to fail one or more of the Criteria are included in the inventory.

The facility evaluations were conducted by State agencies as part of their effort to develop and implement State solid waste management plans in accordance with the Act. The inclusion of a facility in the inventory is not an administrative determination by EPA that any particular party is engaging in prohibited acts of open dumping.

ADDRESSES: See Appendix I for persons from State solid waste management agencies. Single copies of the Open Dump Inventory are available from Ed Cox, Solid Waste Information, U.S. Environmental Protection Agency, 26 West St. Clair Street, Cincinnati, Ohio 45268 (513)684-5362.

FOR FURTHER INFORMATION CONTACT: Martha A. Madison, Office of Solid Waste, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460 (202)382-2210.

SUPPLEMENTARY INFORMATION:

Structure of Subtitle D Planning Program

Subtitle D of the Resource Conservation and Recovery Act (RCRA or the Act) provides for a voluntary program through which participating States receive Federal financial support to develop and implement solid waste management plans. EPA's role in the program is to publish guidelines for States to follow in developing their plans, provide funds for the States, and approve those State plans which meet the requirements of the Act.

On July 31, 1979, EPA published "Guidelines for Development and Implementation of State Solid Waste Management Plans" (40 CFR 256, 44 *FR* 45066-45086). The Guidelines are based on Section 4003 of the Act, which lists the requirements with which State plans must comply. Section 4007 of the Act provides for EPA approval of State plans meeting the requirements.

Role of the Inventory

One requirement listed in the Act and addressed in the Guidelines is that "The plan shall provide for the closing or upgrading of all existing open dumps within the State * * *." To aid the States in satisfying this requirement, EPA has funded State efforts to identify all open dumps so that they can plan to provide for their closure or upgrading.

In furtherance of this planning effort, the act requires that EPA publish an inventory of all open dumps. Publication of the inventory will serve to inform the Congress and the public of those facilities which the States have found to be open dumps. The true pervasiveness of open dumps could be known only after evaluation of the entire universe of all disposal facilities to determine which are, indeed, open dumps. However, this first publication of the inventory reflects the initial efforts of the States in evaluating a small portion of that total universe of facilities, and the first list represents only a fraction of the total number of open dumps likely to exist.

Classification Criteria

For purposes of state planning and the inventory, the act defines the term open dump to mean "* * * any facility or site where solid waste is disposed of which is not a sanitary landfill which meets the criteria promulgated under section 4004 and which is not a facility for disposal of hazardous waste."

As required by Section 4004 of the Act, EPA has published "Criteria for Classification of Solid Waste Disposal Facilities and Practices" (40 CFR 257). The Criteria appeared in the Federal Register on September 13, 1979 (44 FR 53438-53464) and consist of eight major elements: Floodplains; Endangered Species; Surface Water; Ground Water; Application to Land Used for the Production of Food Chain Crops; Disease; Air; and Safety. In accordance with the Act's definition, open dumps are those solid waste disposal facilities which do not meet the Criteria. Thus, for purposes of the State plans and the inventory, any facility which fails to comply with any one element of the Criteria is an open dump.

Open Dumping

In addition to establishing a mechanism whereby States, with EPA assistance, provide control over *facilities* which are found to be open dumps, RCRA prohibits the *practice* of open dumping of solid waste as matter of Federal law.

The Federal prohibition may be enforced in Federal District court through the citizen suit provisions in Section 7002 of RCRA. The Act does not give EPA authority to take legal action against parties that may violate the open dumping prohibition. Whether specific acts of specific individuals constitute the prohibited practice is a matter for the Federal courts to determine in the context of particular cases after *de novo* review of the facts in each case.

The open dumping prohibition is a provision of Federal law which stands on its own, separate from the State planning program. The inventory of open dumps is a publication of State findings from State planning efforts to satisfy the requirement of Section 4003 of the Act. The inclusion of a facility in the list of open dumps is not an administrative determination by EPA that any particular parties are engaging in the prohibited act of open dumping.

A determination for purposes of the open dump inventory need not precede an open dumping suit. However, before the results of the inventory may be used to support a legal determination that open dumping has occurred, the court would have to determine that the classification was a correct application of the criteria and that the defendant was responsible for actions violating the criteria. The court would be obliged to review the sufficiency of the State's classification of a facility and not simply defer to the State's decision.

Development of the Inventory

State/Federal Role

The identification of open dumps is an adjunct of the State planning process of Subtitle D of RCRA. The statutory intent of Subtitle D of RCRA is that the States, rather than the Federal Government, plan for and manage the disposal of solid wastes. The States, not EPA, have authority to inspect facilities in order to determine whether they are open dumps. Also, it is the States' role, Not EPA's, to plan for the closure or upgrading of open dumps. An active EPA role in identifying open dumps would undermine the "State" nature of Subtitle D. Therefore, EPA's role in the inventory process has been to develop the Criteria which are to be used by the

States to determine which facilities are open dumps and to provide funds to the States for their efforts.

In order to identify which facilities are open dumps and are to be listed in the inventory, the States must evaluate the entire universe of disposal facilities to determine which facilities fail any element of the Criteria. The Act defines open dump on the basis of the Federal Criteria, rather than State facility standards or criteria. Thus, it is the Federal Criteria against which States must evaluate facilities. Based on their evaluations of the facilities, the States identify to EPA those facilities which fail any element(s) of the Criteria. EPA then lists these facilities in the inventory of open dumps which it publishes.

Time-Phasing

EPA has estimated that there may be as many as 360,000 disposal facilities in the United States. In order to develop and publish a complete inventory of all open dumps in the nation, each of these many facilities will have to be evaluated against the Federal Criteria to identify those facilities which do not comply. Depending on facility-specific conditions, the facility evaluations are likely to be technically complex, costly, and time-consuming. Due to the large number of facilities to be evaluated and the effort involved in the evaluations, it will be some time before the States can evaluate all facilities.

In order to accommodate these complexities while providing for publication of the inventory, EPA intends to publish the inventory in annual installments. Each year, beginning with Fiscal Year 1980, the States will conduct evaluations to the extent of their ability. Those facilities found during the year to be open dumps will be included in the next installment of the inventory which EPA publishes. Thus, States will be time-phasing their facility evaluation efforts. EPA's planning Guidelines (40 CFR 256.23) provide that phasing is to be based on :

(1) The potential health and environmental impact of the facility;

(2) The availability of State regulatory powers; and

(3) The availability of Federal and State resources for this purpose.

This time-phasing is likely to vary among States and is to be addressed in the solid waste management plans which participating States will be submitting to EPA. The States will be identifying open dumps at different time rates and through various approaches described in their plans. However, in all cases open dumps will be identified on the basis of the Federal Criteria.

Actions on Facilities

Because the inventory lists facilities which pose a reasonable probability of adverse effects on health or the environment, participating States will be planning for the closure or upgrading of these facilities pursuant to State authority. Specific actions may vary, including issuance of a State administrative order or the gathering of additional data. In some cases, States already have placed listed open dumps on compliance schedules for closure or upgrading prior to publication of this list. Interested parties may wish to contact the State solid waste management agencies concerning the current status of any of these open dumps and the responsibilities they have under State law.

All such actions are to be taken under State law and through State regulatory and administrative procedures. RCRA does not provide States with authority which they would not otherwise have.

Open Dump Reporting

For each facility found to fail any element(s) of the Criteria, the State completed an Open Dump Inventory Report form. This form is shown in Appendix II. The form identifies the facility, its location, and the element(s) of the Criteria with which it does not comply. The States mailed their forms to the U.S. Bureau of the Census for data processing. Near the end of the fiscal year, the Bureau of the Census provided each State with a summary of data which has been submitted by the State over the year. The summaries were provided to allow the States opportunity to verify the information which would be published in the inventory.

Following verification, the States returned the corrected summaries to the Bureau of the Census. The Bureau then used the State-verified summaries to prepare the inventory which EPA is today publishing.

Description of Inventory

State Approaches

As required by EPA's planning Guidelines, the plans of participating States are to provide for an orderly time-phasing of the evaluation of disposal facilities to determine which facilities are open dumps. Thus, there is considerable flexibility for the States to structure their programs to evaluate facilities over time. This flexibility is tempered by the three factors identified in 40 CFR 256.23 as discussed under "Time-Phasing", above. The structuring of these State programs is part of the State plans subject to the public participation provisions of 40 CR 256.60. Also, each year's facility evaluation plans are part of the States' annual work programs, and consultation with the public is required by 40 CFR 256.61.

Reflecting variables resources, authorities, and knowledge of facilities, the States have taken differing approaches in prioritizing facilities for evaluation and in conducting evaluations. For example, where States had at hand extensive, previously-gathered data on facilities, prioritizations or noncompliance determinations could more readily be made. Otherwise, resources had to be expended in locating facilities and gathering information, and fewer determinations would be likely over the year. Also, some States, pursuant to eisting State authority, have already proceeded to establish compliance schedules for facilities found to be open dumps. Such schedules can provide for development of additional data on the facilities, for facility closure, or for facility upgrading.

Most participating States provided the Agency with brief descriptions of actions and approaches they have taken in evaluating facilities, as an adjunct of their planning process, for this first installment of the inventory. Those descriptions are summarized in Appendix III.

Explanation of Inventory Tables

The first installment of the inventory of open dumps is presented below in tabular form. The table displays information which was provided by the State agencies on Open Dump Inventory Report forms. A form was completed and submitted for each facility which the State found to fail one or more elements of the Federal Criteria. Appendix IV provides summary tabulations of forms submitted by the States.

Open dumps are identified in the table by political subdivision (State, county, and city where applicable), common name, location (mailing address or description of location), and geographic coordinates or survey grid description. Open dumps listed under "Balance of County" are those which are not located in cities or city-equivalents within the county.

For each open dump, the table indicates "Noncompliance Category Codes". These codes identify the particular part or parts of the Federal Criteria which the State agency found the facility to fail. Not all facilities reported were evaluated for all parts of the Criteria; failure to comply with any part of the Criteria results in

classification of the facility as an open dump as defined by the Act.

Subsequent installments of the inventory will include additions to and deletions from the table. As the State agencies evaluate additional facilities, those which are found to fail the Criteria will be added. Where State agencies subsequently find that listed facilities no longer fail the Criteria, those facilities will be deleted. This latter situation may arise from (1) proper closing or upgrading of the facility, or (2) further examination of the facility or new information on the facility.

Compliance With Executive Order 12291

Under Executive Order 12291, EPA must judge whether a regulation is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. The inventory is not a "major" rule because it is not a rule at all. The inventory is essentially an EPA report to Congress and the public about State decisions made in applying the Criteria to particular facilities. EPA does not have authority under RCRA to add or remove particular facilities from the inventory on its own initiative.

This inventory was submitted to the Office of Management and Budget for review under Executive Order 12291. Since the inventory does not reflect an EPA decision, no public comments are being sought on it.

Dated: May 20, 1981.

Walter C. Barber, Jr.,

Acting Administrator.

BILLING CODE 6560-29-M

INFORMATION FORMAT

BELOW IS AN EXAMPLE OF THE INFORMATION FORMAT USED IN THIS REPORT AND AN EXPLANATION OF THE INDIVIDUAL INFORMATION ITEMS

1.	2.	3.	4.	5.	6.	7.
	NORTHUMBERLAND	MT. CARMEL	MOUNT CARMEL LANDFILL	1.5 MI WEST OF MT. CARMEL BORO ON PDH RT =49017 THEN 800 FT. NW	40 47 25 076 26 10	01 06 08 09 11

1. STATE ABBREVIATION
2. COUNTY NAME (IF APPLICABLE)
3. CITY NAME (IF APPLICABLE)
4. FACILITY NAME
5. FACILITY LOCATION
6. COORDINATES (LATITUDE-LONGITUDE) OR SURVEY GRID DESCRIPTION (RANGE-TOWNSHIP-SECTION)
7. NONCOMPLIANCE CATEGORY CODES, WHERE:

   01 = FLOOD PLAINS
   02 = ENDANGERED SPECIES
   03 = SURFACE WATER
   04 = GROUND WATER
   05 = APPLICATION TO FOOD-CHAIN CROPLAND
   06 = DISEASE
   07 = AIR
   08 = GASES
   09 = FIRES
   10 = BIRD/AIRCRAFT HAZARD
   11 = ACCESS

AL	DEKALB		NOT APPLICABLE	FORT PAYNE SANITARY LANDFILL		
WEST OF US11 TO STATE 35 GO .5 MILES TURN RT ON CITY DUMP RD				9E	7S	7	03 06 09
AL	JACKSON		NOT APPLICABLE	CROW MOUNTAIN SANITARY		LANDFILL
APPROX 2 MILES SE OF CEMETARY	ON UNNUMBERED RD ON RIGHT			6E	2S	32	03 06 08 09 11
AL	LAWRENCE		NOT APPLICABLE	JOHNSON'S LANDFILL		
WEST FROM TRINITY ON SHEATS	CHAPEL RD 1.5 MILES TURN LEFT			6W	5S	25	04 07 09
AL	MORGAN		NOT APPLICABLE	OLD MOLTON ROAD SANITARY		LANDFILL DECATUR ALABAMA
SIX MILES WEST OF DECATUR ON	OLD MOLTON ROAD			5W	6S	8	03 08
AL	MORGAN		NOT APPLICABLE	DECATUR MORGAN COUNTY SANITARY LANDFILL		
.25 W OF US 31 ON DEER SPRINGS ROAD				4W	6S	20	03
AK	BARROW-NORTH SLOPE CENSUS DIV		BARROW	BARROW DUMP		
SOUTH SALT LAGOON				71 18 00	156 47 00		03 06 07 09 11
AK	BETHEL CENSUS DIVISION		BETHEL	BETHEL LANDFILL		
BETHEL CENSUS DIVISION				60 48 00	161 43 00		06 09
AK	FAIRBANKS NORTH STAR BOROUGH		FAIRBANKS	THE FAIRBANKS NORTH STAR		BOROUGH LANDFILL
FAIRBANKS NORTH STAR BOROUGH				64 48 20	147 41 15		06
AK	KETCHIKAN CENSUS DIVISION		KETCHIKAN	CITY OF KETCHIKAN LANDFILL		
DEER MOUNTAIN ROAD				91E	75S	29	07 09
AK	KOBUK CENSUS DIVISION		KOTZEBUE	THE KOTZEBUE LANDFILL		
2 MILES SOUTHWEST OF KOTZEBUE				66 52 00	162 33 00		03 06 07 09 10 11
AK	KODIAK ISLAND BOROUGH		NOT APPLICABLE	KODIAK COAST GUARD LANDFILL		
KODIAK ISLAND BOROUGH				R20W	T28S	9	10
AK	OUTSIDE BOROUGH AREAS		CORDOVA	CORDOVA LANDFILL		
MILE 0.5 WHITSHED RD				60 32 10	145 45 46		06 07 09
AK	SKAGWAY-YAKUTAT CENSUS DIV		HOONAH	HOONAH DUMP		
SITE ROAD				R61E	T43S	28	06 07 09 11
AK	SOUTHEAST FAIRBANKS CENSUS DIV		NOT APPLICABLE	NORTHWAY LANDFILL		
1/4 MILE NORTHWEST OF THE	NORTHWAY AIRFIELD			63 01 00	141 45 00		03 07 09 10 11
AK	UPPER YUKON CENSUS DIVISION		EAGLE VILLAGE	EAGLE VILLAGE LANDFILL		
UPPER YUKON CENSUS DIVISION				64 51 00	141 14 00		07 09 10
AK	UPPER YUKON CENSUS DIVISION		NOT APPLICABLE	CIRCLE CITY LANDFILL		
TWO MILES SOUTH OF CIRCLE CITY				65 48 00	144 05 00		06
AK	WRANGELL-PETERSBURG CENSUS DIV		PETERSBURG	CITY OF PETERSBURG LANDFILL		
E AND WITHIN 1 MI OF CITY OF	PETERSBURGS AIRPORT RUNWAY			R79E	T58S	35	07
AK	WRANGELL-PETERSBURG CENSUS DIV		WRANGELL	WRANGELL MUNICIPAL LANDFILL		
WRANGELL-PETERSBURG CENSUS DIV				R83E	T62S	24	06 07 09 10
AZ	APACHE		CHAMBERS	CHAMBERS LANDFILL		
.25 MI S OF I-40 E ON CHAMBERS EXIT TO RR	TRN E .25 MI TO END			35 11 23	109 25 26		01 03 06 09 11
AZ	APACHE		NAVAJO	NAVAJO LANDFILL		
.5 MI S OF I-40 ON NAVAJO EXIT RD PAST RR	TRACK ON W SIDE			35 07 21	109 32 10		01 06 09 11
AZ	APACHE		SANDERS	SANDERS LANDFILL		
0.2 MI S OF I-40 E AT SANDERS	EXIT 0.4 MI E TO SITE			35 58 03	109 19 28		01 03 06 09 11

AZ	COCONINO	CLINTS WELL	CLINTS WELL LANDFILL	
.1 MI W OF AZ 486 S ON W SIDE			34 33 37	111 19 13	06
AZ	COCONINO	FLAGSTAFF	CINDER LAKE LANDFILL	
5.5 MI N OF I 40 E ON AZ 89 N	ON E SIDE 2.3 MI		35 18 33	111 31 58	06 09
AZ	COCONINO	FOREST LAKES	FOREST LAKES LANDFILL	
2 MI N OF AZ 260 E ON END OF	CANYON DR.		34 21 10	110 49 22	06 11
AZ	COCONINO	FREDONIA	FREDONIA LANDFILL	
1.5 MI E OF US ALT 89 ON END	OF PRATT ST		36 56 46	112 30 00	06 09 11
AZ	COCONINO	GRAND CANYON	SOUTH RIM LANDFILL	
1.1 MI W OF AZ 64 N ON RD 2.1	MI N OF PARK BOUNDARY		36 02 04	112 07 38	06 11
AZ	COCONINO	LEES FERRY	LEES FERRY LANDFILL	
4 MI N OF ALT US 89 N ON LEES	FERRY RD ON W SIDE		36 52 03	111 37 10	06
AZ	COCONINO	MORMON LAKE	MORMON LAKE LANDFILL	
.7 MI W OF AZ 486 S ON N SIDE	OF MORMON LAKE RD		34 59 11	111 27 25	06 11
AZ	COCONINO	MUNDS PARK	MUNDS PARK LANDFILL	
.9 MI W OF I-17 N ON N SIDE OF	WILLARD SPRING RD		34 58 20	111 41 23	06 11
AZ	COCONINO	NORTH RIM	NORTH RIM LANDFILL, HARVEY	MEADOW
1.2 MI W OF AZ 67 S ON END OF	WIDFORSS PT RD		36 14 45	112 04 45	01 06 11
AZ	COCONINO	TUSAYAN	TUSAYAN LANDFILL	
2.4 MI E OF AZ 64 N ON N SIDE	OF TEN-X RD		35 55 00	112 10 00	06 11
AZ	MARICOPA	AVONDALE	AVONDALE LANDFILL	
INTERSECTION OF US 80 W AND	THE AGUA FRIA RIVER ON N SIDE		33 24 00	112 21 00	01 11
AZ	MARICOPA	EL MIRAGE	EL MIRAGE LANDFILL	
INTERSECTION OF AZ 93 N AND	THE AGUA FRIA RIVER ON S SIDE		33 35 00	112 20 00	01
AZ	MARICOPA	GLENDALE	GLENDALE LANDFILL	
ON N SIDE OF W GLENDALE AVENUE	AND E SIDE OF AGUA FRIA RIVER		33 32 10	112 17 50	01
AZ	MARICOPA	PHOENIX	SARTORIS LANDFILL	
1.5 MI E OF I-17 N ON END OF	GREENWAY RD ON N SIDE		33 37 40	112 05 25	01
AZ	MARICOPA	PHOENIX	16 TH ST. LANDFILL (DEL RIO)	
1 MI S OF I 10 E ON 16 TH ST	ON W SIDE		33 24 56	112 03 14	01 06 08
AZ	MARICOPA	PHOENIX	19TH AVE LANDFILL	
1 MI S OF I 10 E ON 19 TH AVE	ON E SIDE		33 25 00	112 04 00	01 04 08
AZ	MARICOPA	PHOENIX	27 TH AVE LANDFILL	
S OF I 10 W ON 19 TH AVE, TRN	W ON L. BUCKEYE RD TO 27 AVE		33 25 12	112 07 07	01 06
AZ	MARICOPA	TEMPE	RRCA LANDFILL	
1.3 MI N OF APACHE BLVD ON	HAYDEN RD, TRN R ON PIMA ST		33 26 01	111 54 06	01
AZ	NAVAJO	HOLBROOK	HOLBROOK SOUTH LANDFILL	
5.5 MI S OF I 40 E ON AZ 77 S	ON W SIDE		34 49 30	110 09 00	06 11
AZ	NAVAJO	HOLBROOK	LONE PINE LANDFILL	
6.9 MI N OF US 60 ON AZ 77 N	TRN W 1.7 MI ON LONE PINE DAM		34 20 00	110 10 00	06 09 11
AZ	NAVAJO	WINSLOW	WINSLOW LANDFILL	
8.5 MI N OF I 40 E ON N. PARK	DR ON W SIDE		35 10 00	110 40 00	06 09 11

AZ	YUMA		BOUSE	BOUSE LANDFILL		
1 MI S.W. OF AZ 72 ON PLOMOSA	RD THEN .4 MI W			33 55 00	114 10 00	06 09
AZ	YUMA		DATELAND	DATELAND LANDFILL		
2.8 MI N OF I-8 ON EXIT 67	THEN 2 MI W			32 50 00	113 45 00	06 09 11
AZ	YUMA		DOME	DOME LANDFILL		
4 MI N OF U.S. 80 ON DOME ROAD	THEN E 1 MI			32 45 00	114 30 00	06 09 11
AZ	YUMA		EHRENBERG	EHRENBERG LANDFILL		
FROM I-10 EXIT 1 TO S FRONTAGE RD	1.1 MI E AND S THEN .3 MI W			33 31 00	114 20 00	06 09 11
AZ	YUMA		MARTINEZ LAKE	MARTINEZ LAKE LANDFILL		
1.4 MI N.E. OF FISHERS LANDING	AT N END OF AIRSTRIP			32 59 00	114 25 00	06 09
AZ	YUMA		NORTH GILA VALLEY	NORTH GILA VALLEY LANDFILL		
4 MI N OF AZ 95 ON AVE 7E	THEN 1.5 MI E			32 45 00	114 25 00	06 11
AZ	YUMA		QUARTZSITE	QUARTZSITE LANDFILL		
2.5 MI N OF I-10 ON AZ 95	THEN .1 MI W			33 45 00	114 15 00	06 09 11
AZ	YUMA		ROLL	ROLL LANDFILL		
6 MI N OF U.S. 80 ON EXIT 38 E				33 45 00	113 58 00	06 09 11
AZ	YUMA		SALOME	SALOME LANDFILL		
.3 MI N OF US 60 ON CENTER ST	2.4 MI. W. 1 MI N .3 MI W			33 45 00	113 40 00	06 09
AZ	YUMA		SAN LUIS	SAN LUIS LANDFILL		
2.75 MI E OF AZ 95 ON COUNTY	23 STREET			32 30 00	114 45 00	06 09 11
AZ	YUMA		VICKSBURG	VICKSBURG LANDFILL		
.4 MI N OF VICKSBURG JCT	THEN .3 MI W			33 45 00	113 50 00	06
AZ	YUMA		WENDEN	WENDEN LANDFILL		
1.8 MI E OF POST OFFICE ON US	60 THEN 1.5 MI S			33 45 00	113 30 00	06
AR	BENTON		GRAVETTE	GRAVETTE DUMP		
.5 MI N OF GRAVETTE ON AR HWY	59 W SIDE OF HWY			36 27 45	094 27 15	03 04 09
AR	CRAIGHEAD		MONETTE	MONETTE CITY DUMP		
.75 MI SOUTH .5 MI WEST ON	COUNTY RD OFF HIGHWAY 18E			35 52 55	090 21 20	06 07 09
AR	CRITTENDEN		EARLE	EARLE CITY DUMP		
1.5 MI NW OF EARLE OFF HWY 184				35 16 54	090 29 18	03 06 07 09 11
AR	DALLAS		FORDYCE	FORDYCE DUMP		
2.5 MI W OFF HWY 79S				33 49 06	092 28 58	06 07 09
AR	DALLAS		PATERSON STATION	SPARKMAN CITY DUMP		
1.1 MILE NE OF HWY 7, 4 MILES	NORTH OF SPARKMAN			33 58 32	092 51 48	03 06 07 09
AR	FRANKLIN		CHARLESTON	CHARLESTON DUMP		
2 MI N OF CHARLESTON ON 217	.75 MI E ON 60 THEN .5 MI S			35 19 42	093 59 36	06 09
AR	GARLAND		NOT APPLICABLE	JESSIEVILLE DUMP		
1 MILE NORTH OF JESSIEVILLE	ON HIGHWAY 7 NORTH			34 42 55	093 03 30	06 07 09
AR	GRANT		SHERIDAN	SHERIDAN CITY DUMP		
SOUTHWEST CITY LIMITS OFF ARK	HWY 46			13W	5S	9 03 06 07 09 11
AR	HEMPSTEAD		FULTON	FULTON DUMP		
1 MI EAST FROM CENTER OF	FULTON PARALLEL TO RAILROAD			33 37 03	093 48 12	03 06 07 09 11

AR	HEMPSTEAD	HOPE	ROCKY MOND DUMP		
1.2 MI NORTH OF HWY 73 EAST OF HOPE AT ROCKY MOUND TOWNSHIP			33 40 49	093 31 07	06 07 09 11
AR	HOWARD	DIERKS	DIERKS DUMP		
1 MI NE OF DIERKS APPROX 0.8	MI E OFF HWY 70 NORTH		34 08 03	094 00 24	06 07 09 11
AR	INDEPENDENCE	BATESVILLE	BATESVILLE CITY DUMP		
NW OF BATESVILLE JUST OFF HWY	69		35 48 02	091 40 22	03 06 09
AR	INDEPENDENCE	CAVE CITY	CAVE CITY DUMP		
1 MI W ON COUNTY RD OFF HWY	167N AT COUNTY LINE		35 56 15	091 33 53	06 07 09 11
AR	JACKSON	DIAZ	DIAZ CITY DUMP		
1 MI E OF DIAZ OFF HWY 18 EAST			35 38 08	091 13 19	06 07 09 11
AR	LEE	MARIANNA	MARIANNA CITY DUMP		
2.5 MI S ON 44 FROM BUS 1 THEN	LEFT ON DIRT RD 2.4 MI		34 44 25	090 41 38	06 09 11
AR	LINCOLN	STAR CITY	STAR CITY DUMP		
1.5 MI SOUTH ON WHY 11 OFF HWY	81		33 54 36	091 51 30	03 06 07 09
AR	LITTLE RIVER	ASHDOWN	ASHDOWN CITY DUMP		
1.5 MI NORTH OF ASHDOWN ON HWY	234		33 41 15	094 07 24	06 07 09 11
AR	LONOKE	CARLISLE	CARLISLE CITY DUMP		
SOUTH OF CARLISLE ADJACENT TO	ARK STATE HWY 13		34 46 27	091 45 09	01 03 06 07 09 11
AR	LONOKE	ENGLAND	ENGLAND CITY DUMP		
1 MILE SOUTH OF ENGLAND OFF	ARK STATE HWY 256		34 32 20	091 58 25	03 06 07 09 11
AR	LONOKE	LONOKE	LONOKE CITY DUMP		
1 MI SOUTH US 70 1.5 MI WEST	ARK 31		34 45 01	091 56 27	01 03 06 07 09 11
AR	MADISON	HUNTSVILLE	HUNTSVILLE DUMP		
3 MI W OF WHY 68 AND 2 MI W OF	HWY 23 NW OF HUNTSVILLE		36 09 29	093 46 37	07 09
AR	MISSISSIPPI	BLYTHEVILLE	BLYTHEVILLE CITY DUMP		
2.25 MI N ON FRANKLIN ST THEN	.5 MI EAST		35 57 00	089 48 24	06 09
AR	MONROE	CLARENDON	CLARENDON CITY DUMP		
.9 MI SOUTH ON 86 FROM 79 TURN	LEFT .3 MI EAST ON COUNTY ROAD		34 41 06	091 21 15	06 07 09 11
AR	PHILLIPS	MARVELL	MARVELL CITY DUMP		
EAST ST (SE CORNER OF MARVELL)			34 32 38	090 54 00	03 07 09
AR	PIKE	DAISY	NEWHOPE, DAISY, KIRBYS AND		LANGLEY CITY DUMP
.5 MILE OFF HWY 70 ON HWY 369	4 MILES WEST OF DAISY		34 15 00	093 48 30	03 06 07 09
AR	PIKE	GLENWOOD	GLENWOOD DUMP		
0.7 MI SOUTH OFF HIGHWAY 70	WEST 0.5 MI WEST OF GLENWOOD		24W	055 09	06 07 09 11
AR	PIKE	MURFREESBORO	MURFREESBORO DUMP		
1 MI NORTH ON TIMBER ACCESS RD	3 MI NORTH OF JCT HWY 26 ON 27		34 06 42	093 39 30	06 07 09 11
AR	PULASKI	LITTLE ROCK	MILLER DEMOLITION DUMP		
1 MI E OF SALINE COUNTY LINE	OFF ARK HWY 5		13W	1S 8	01 03 09
AR	UNION	SMACKOVER	SMACKOVER DUMP		
1.25 MI SOUTH OF SMACKOVER			33 20 18	092 44 09	03 07 09 11
AR	VAN BUREN	CLINTON	CLINTON CITY DUMP		
2 MI N OF CLINTON ADJACENT TO	US HWY 65		35 38 00	092 27 18	03 06 07 09 11

AR	YELL	DANVILLE	DANVILLE CITY DUMP	
1.2 MI SOUTH ON COUNTY ROAD	OFF OF HWY 10 EAST	35 03 09	093 21 30	07 09 11
CA	ALAMEDA	ALAMEDA	CITY OF ALAMEDA LANDFILL	
NORTH SIDE OF DOOLITTLE DR	ADJACENT TO SAN LEANDRO BAY	37 45 00	122 14 00	06
CA	CONTRA COSTA	NOT APPLICABLE	ACME LANDFILL	
N END OF ARTHUR RD OFF HWY 680		38 02 00	122 04 00	03 06
CA	INYO	NOT APPLICABLE	INDEPENDENCE DISPOSAL SITE	
RD. EAST OFF HWY 395 ABOUT ONE MILE S TOWN		36 47 00	118 11 00	07
CA	INYO	NOT APPLICABLE	LONE PINE DISPOSAL SITE	
CEMETARY RD EAST OF TOWN		36 36 00	118 02 00	07 09 11
CA	INYO	NOT APPLICABLE	HOMEWOOD CANYON DISPOSAL SITE	
NORTH OF HOMEWOOD CANYON RD.		35 53 00	117 21 00	06 07 11
CA	LOS ANGELES	MONTEREY PARK	OPERATING INDUSTRIES, INC.	
1000 POTRERO GRANDE DRIVE		34 02 00	118 05 00	06 07 08 11
CA	LOS ANGELES	WILMINGTON	HARBOR DISPOSAL	
1322 EAST LOMITA BLVD		33 47 00	118 15 00	08
CA	LOS ANGELES	NOT APPLICABLE	THREE POINTS DISPOSAL SITE	
AVENUE A-8 SOUTH OF KERN	COUNTY LINE	34 49 00	118 35 00	01 03 06 07 09 11
CA	LOS ANGELES	NOT APPLICABLE	155TH STREET DISPOSAL SITE	
NEAR 155TH STREET AND AVENUE H		34 43 00	117 50 00	01 03 06 07 09 11
CA	LOS ANGELES	NOT APPLICABLE	75TH ST. EAST AND LITTLE ROCK DISPOSAL SITE	
75TH ST. EAST AND LITTLE ROCK	CREEK EAST OF LANCASTER	34 31 00	118 00 00	01 03 06 07 09 11
CA	MARIN	NOT APPLICABLE	REDWOOD SANITARY LANDFILL	
4MI NW NOVATO BTW. S. ANTONIO	AND RR	38 10 00	122 34 00	06
CA	MODOC	ALTURAS	ALTURAS	
INTERSECTION OF COUNTY ROS. 54 AND 60		41 27 00	120 34 00	06 11
CA	MODOC	NOT APPLICABLE	CEDARVILLE DISPOSAL SITE	
HWY 299 SIX MILES EAST OF	CEDERVILLE	41 32 00	120 03 00	06 07 09 11
CA	MODOC	NOT APPLICABLE	EAGLEVILLE DISPOSAL SITE	
COUNTY RD 38 FOUR MILES EAST	OF EAGLEVILLE	41 18 30	120 02 30	06 11
CA	MODOC	NOT APPLICABLE	LAKE CITY DISPOSAL SITE	
6 MILES SE OF LAKE CITY OFF RD 158		41 37 00	120 07 00	11
CA	MODOC	NOT APPLICABLE	LOOKOUT DISPOSAL SITE	
COUNTY ROAD 98 ONE MILE N.W.OF LOOKOUT		41 13 00	121 10 00	06 07 09 11
CA	PLACER	ROSEVILLE	BERRY STREET MALL - FINGER	LANDFILL
BERRY STREET		38 46 00	121 16 00	06 09 11
CA	PLACER	NOT APPLICABLE	NORTH TAHOE SANITARY LANDFILL	
2 MILES SOUTH OF I80 HALF MILE WEST OF HIGHWAY 89		37 17 00	120 12 00	06 11
CA	PLUMAS	PORTOLA	CITY OF PORTOLA LANDFILL	
OFF HWY 70 1.5 MILES NE OF	PORTOLA	39 49 00	120 27 00	06 11
CA	RIVERSIDE	RIVERSIDE	RIVERSIDE CITY SANITARY	LANDFILL
5253 TEQUESQUITE AVENUE		33 58 00	117 24 00	06

CA	SACRAMENTO		NOT APPLICABLE	WHITE ROCK ROAD DISPOSAL SITE (ABANDONED)
INTERSECTION OF WHITE ROCK	ROAD AND GRANT LINE ROAD			38 36 00 121 12 00 03 06 09 11
CA	SAN BERNARDINO		UPLAND	CITY OF UPLAND SANITARY LANDFILL SITE
BETWEEN 14TH AND 15TH STREETS	NEAR CAMPUS AVENUE			34 07 00 117 38 00 03 08 11
CA	SAN BERNARDINO		NOT APPLICABLE	BLACK MEADOW LANDING RESORT DISPOSAL SITE
1.5 MILES SOUTH OF BLACK	MEADOW RESORT			34 20 00 114 12 00 03 06 07 11
CA	SAN MATEO		COLMA	COLMA HILLSIDE DISPOSAL SITE
SAND HILL ROAD OFF HILLSIDE	BLVD			37 41 00 122 26 30 06 08
CA	SANTA CLARA		ALVISO	MARSHLAND DISPOSAL SITE
HWY 237 AND GOLD STREET				37 25 00 122 00 00 06 09
CA	SANTA CLARA		SAN JOSE	SAN JOSE MUNIPAL
850 SINGLETON RD				37 18 00 121 49 00 06 09 11
CA	SANTA CLARA		NOT APPLICABLE	NINE PAR DISPOSAL SITE
ON LOS ESTEROS RD, ALVISO				37 26 00 121 57 00 06
CA	SANTA CRUZ		NOT APPLICABLE	BEN LOMOND SOLID WASTE DISPOSAL SITE
END OF NEWELL CREEK ROAD				37 05 00 122 04 00 03 06 11
CA	SANTA CRUZ		NOT APPLICABLE	BUENA VISTA DISPOSAL SITE
TWO & HALF MILES WEST OF	WATSONVILLE			36 54 00 121 48 00 03 06
CA	VENTURA		OXNARD	BAILARD SANITARY LANDFILL
2501 NORTH VENTURA ROAD				34 13 00 119 14 00 01 06 09 11
CO	ADAMS		COMMERCE CITY	ROCKY MOUNTAIN ARSENAL
72ND AVENUE AND QUEBEC				67W 02S 26 03 04
CO	ADAMS		DENVER	AMERICAN SMELTER AND REFINING COMPANY
GLOBE PLANT 495 EAST 51ST AVE.				67W 02S 15 03
CO	ALAMOSA		HOOPER	HOOPER SOLID WASTE DISPOSAL FACILITY
1 MI EAST OF HOOPER				10E 40N 03 09 11
CO	ARAPAHOE		DEER TRAIL	DEER TRAIL SOLID WASTE DISPOSAL SITE
1 MI NORTHWEST OF DEER TRAIL	ON 1ST STREET EXTENSION			60W 05S 12 09 11
CO	ARCHULETA		PAGOSA SPRINGS	PAGOSA SPRINGS SOLID WASTE DISPOSAL SITE
2.1 MI SOUTH OF INTERSECTION	HIGHWAY 160 AND 8TH STREET			02W 35N 26 09 11
CO	BOULDER		BOULDER	BEECH AIRCRAFT CORPORATION
WEST FOOTHILLS HIGHWAY US 36				70W 01N 01 03
CO	CLEAR CREEK		EMPIRE	EMPIRE LANDFILL
1 MI NORTH OF EMPIRE ON US HWY	40			74W 03S 21 09 11
CO	ELBERT		KIOWA	WESTERN ELBERT COUNTY SANITARY LANDFILL
3.8 MI SOUTH OF ELIZABETH ON	COUNTY ROAD 17			64W 08S 33 09
CO	HUERFANO		GARDNER	GARDNER SOLID WASTE DISPOSAL SITE
1MI SOUTHEAST OF GARDNER				69W 26S 19 11
CO	LARIMER		ESTES PARK	ESTES PARK SANITARY LANDFILL
1 MI WEST OF ESTES PARK ON US	HIGHWAY 34			73W 05N 22 08
CO	LOGAN		STERLING	STERLING MERINO LANDFILL
2.5 MI NORTHWEST OF STERLING				52W 07N 02 06

CO PUEBLO	PUEBLO	PUEBLO SOUTH SOLID WASTE	DISPOSAL SITE
5 MI SOUTHWEST OF PUEBLO ON COLORADO HIGHWAY 76		65W 21S 18	08 09 11
CO RIO GRANDE COUNTY	MONTE VISTA	MONTE VISTA SOLID WASTE	DISPOSAL SITE
2 MI SOUTH OF MONTE VISTA HIGHWAY 15		07E 38N 15	09 11
CO ROUTT	HAYDEN	HAYDEN PROMISCUOUS DUMP	
ADJACENT TO HAYDEN RACEWAY ONE MI SOUTH OF US HIGHWAY 40		88W 06N 22	11
CO SAGUACHE	CENTER	CENTER SOLID WASTE DISPOSAL	SITE
10 MI WEST OF CENTER		07E 41N 31	09 11
CO SAN JUAN	SILVERTON	SILVERTON SANITARY LANDFILL	
0.5 NORTHEAST OF SILVERTON		07W 41N 16	09
CO TELLER	CRIPPLE CREEK	CRIPPLE CREEK LANDFILL	
1 MI NORTH OF CRIPPLE CREEK		70W 15S 12	09 11
CO TELLER	VICTOR	VICTOR LANDFILL	
1 MI SOUTHWEST OF VICTOR		69W 15S 31	09 11
CO WELD	LONGMONT	LONGMONT SANITARY LANDFILL	
.5 MI SOUTH OF COLORADO STATE HIGHWAY 119 EAST OF LONGMONT		68W 02N 08	01
CT FAIRFIELD	BRIDGEPORT	BRIDGEPORT SEASIDE PARK	DISPOSAL AREA
CEDAR CREEK DRIVE, SEASIDE PARK		41 09 20 073 12 40	06 07 09 11
CT FAIRFIELD	SHELTON	SHELTON MUNICIPAL LANDFILL	
ROUTE 110 .2 MILE NORTH OF STRATFORD TOWN LINE		41 15 45 073 05 35	08
CT FAIRFIELD	WESTON	WESTON MUNICIPAL LANDFILL	
GODFREY ROAD .5 MILE SOUTH WEST FROM VALLEY FORDGE ROAD		41 14 35 073 21 55	04
CT HARTFORD	BROADBROOK	KEMENT PARK LANDFILL	
NORTH ROAD .5 MILES WEST OF ROUTE 191		41 55 45 072 33 05	03 09
CT HARTFORD	EAST GRANBY	EAST GRANBY DISPOSAL AREA	
STATE ROUTE 20 1.5 MILES EAST OF ROUTES 10 AND 202		41 56 45 072 46 00	03 04
CT LITCHFIELD	LITCHFIELD	TOWN OF LITCHFIELD DISPOSAL	AREA
LITTLE PITCH RD (OLD PITCH RD) AT END OF PAVED PORTION		41 43 28 073 10 50	03 09
CT LITCHFIELD	THOMASTON	THOMASTON MUNICIPAL DISPOSAL	AREA
END OF CHAPEL STREET		41 39 50 073 04 30	03
CT MIDDLESEX	EAST HAMPTON	TOWN OF EAST HAMPTON DISPOSAL	AREA
BEAR SWAMP ROAD,END OF PAVED ROADWAY		41 35 17 072 28 52	06 09 11
CT MIDDLESEX	MIDDLEFIELD	DURHAM-MIDDLEFIELD SANITARY	LANDFILL
CHERRY HILL ROAD AT THE DURHAM TOWN LINE		41 29 40 072 41 28	08 09
CT NEW HAVEN	DERBY	DERBY MUNICIPAL LANDFILL	
OFF OF PINE STREET 600 FEET EAST OF MARSHALL LANE		41 19 20 073 02 52	06 09
CT NEW HAVEN	HAMDEN	HAMDEN TIRE SALVAGE TIRE POND	
REAR 2891 STATE STREET		41 21 40 072 53 05	03 09
CT NEW HAVEN	HAMDEN	LAND FILL ASSOCIATES - BULKY	WASTE DISPOSAL PIT AREA
REAR 2891 STATE STREET		41 21 25 072 53 13	03 06 07 09
CT NEW HAVEN	WALLINGFORD	MERIDEN MUNICIPAL DISPOSAL	AREA
SOUTH OF MERIDEN CITY LINE ON EVANSVILLE AVENUE		41 30 30 072 49 25	03 08 10

CT	NEW LONDON		MONTVILLE	TOWN OF MONTVILLE DISPOSAL	AREA
STATE ROUTE 163 3.0 MILES		NORTH OF ROUTE 52		41 27 50 072 09 30 04	
CT	NEW LONDON		NORWICH	ROGERS ROAD SANITARY LANDFILL	
ROGERS ROAD AT INTERSECTION OF CHASE ROAD				41 32 30 072 07 15 03 04	
CT	TOLLAND		ELLINGTON	REFUSE GARDENS	
STATE ROUTE 140 .5 MILES NORTH OF DEPOT STREET				41 55 45 072 30 30 04 08	
CT	TOLLAND		STORRS	UNIVERSITY OF CONNECTICUT	DISPOSAL AREA
OFF OF NORTH EAGLEVILLE ROAD		BEHIND SEWAGE TREATMENT PLANT		41 48 45 072 16 05 03	
DE	NEW CASTLE		WILMINGTON	NEW CASTLE COUNTY SANITARY	LANDFILL PIGEON POINT
I-495 EXIT RT. 9A MARINE TERM. 1.1 MILES TO PIGEON POINT				39 41 58 075 31 57 03 06 08 09	
DE	SUSSEX		NOT APPLICABLE	SUSSEX COUNTY DISPOSAL SITE	NO. 3 ANGOLA
HART TRACT COUNTY RT. NO. 288A				38 40 47 075 12 24 04 08	
FL	BAY		NOT APPLICABLE	SOUTHPORT LANDFILL	
HIGHWAY 77				30 18 18 085 38 24 11	
FL	CALHOUN		ALTHA	ALTHA LANDFILL	
MUSGROVE ROAD				30 33 00 085 10 00 06 07 09 11	
FL	CALHOUN		BLOUNTSTOWN	BLOUNTSTOWN LANDFILL	
STATE ROAD 69				30 25 32 085 03 27 03 07 09	
FL	CALHOUN		BLOUNTSTOWN	CHIPOLA RIVER LANDFILL	
STATE ROAD 20				30 26 04 085 10 31 06 07 09 11	
FL	CALHOUN		NOT APPLICABLE	CALHOUN CO SANITARY LANDFILL	
SR 20				30 25 03 085 07 53 06 09 11	
FL	CALHOUN		NOT APPLICABLE	HALL LANDFILL	
SR 275 AT FLANDERS				30 33 00 085 15 30 06 09 11	
FL	CALHOUN		NOT APPLICABLE	SHULER LANDFILL	
SHULER PIT ROAD				30 29 03 085 07 36 06 09 11	
FL	CALHOUN		NOT APPLICABLE	FRINK LANDFILL	
INTERNATIONAL PAPER COMPANY RD				30 22 25 085 12 20 06 09 11	
FL	CALHOUN		NOT APPLICABLE	LINSEY REED LANDFILL	
STATE ROAD 286				30 36 00 084 58 00 03 06 09 11	
FL	CALHOUN		NOT APPLICABLE	OCHEESEE LANDFILL	
STATE ROAD 286				30 36 00 085 00 20 06 09 11	
FL	CALHOUN		NOT APPLICABLE	PITT'S MILL LANDFILL	
STATE ROAD 392				30 17 47 085 13 27 06 09 11	
FL	CALHOUN		NOT APPLICABLE	SCOTT'S FERRY LANDFILL	
SR 71 SOUTH				30 17 30 085 08 00 03 06 09 11	
FL	DADE		MIAMI	MAIN COUNTY LANDFILL	
8831 N W 58 STREET				40E 53S 16 04	
FL	DUVAL		JACKSONVILLE	MORSE AVENUE LANDFILL	
118 STREET -MORSE AVENUE				30 13 04 081 46 11 08	
FL	DUVAL		PICKETVILLE	JACKSONVILLE SHIPYARD DUMP	
5363 PICKETTVILLE ROAD				30 22 15 081 44 20 03	

FL ESCAMBIA JAMESVILLE ROAD	PENSACOLA	BEULAH SLUDGE DISPOSAL SITE 30 30 54 087 20 41 01 03 06	
FL GULF INDUSTRIAL ROAD	PORT ST. JOE	PORT ST. JOE LANDFILL 29 50 22 085 17 26 11	
FL INDIAN RIVER RANGE LINE ROAD	VERO BEACH	INDIAN RIVER COUNTY LANDFILL 27 35 00 080 29 00 03	
GA APPLING US HWY 341 EAST	BAXLEY	FRP MONSANTO 31 46 09 082 19 45 09 11	
GA CAMDEN PO BOX 428	WOODBINE	UNION CARBIDE CORP AGRICULTURAL PRODUCTS DIVISION 30 57 00 081 32 22 01	
GA CHATHAM DEPTFORD TRACT	SAVANNAH	AMERICAN CYANAMID 32 05 02 081 01 24 01 03	
GA DOUGHERTY FRONT STREET	ALBANY	DOUGHERTY COUNTY SANITARY LAND FILL 31 33 38 084 08 51 03 04	
GA GLYNN BENEDICT ROAD	BRUNSWICK	HERCULES TOXAPHENE DISPOSAL SITE 31 12 29 081 29 13 03	
GA WALKER SOUTH MARBLE TOP ROAD AND STATE ROAD 143	LAFAYETTE	MATHIS BROTHERS MARBLE TOP ROAD SITE 34 48 12 085 22 39 03	
GA WHITFIELD BROOKER DRIVE	DALTON	CITY OF DALTON SANITARY LANDFILL 34 48 02 084 55 43 03	
HI HONOLULU OAHU STREET SCHOFIELD BARRACKS	NOT APPLICABLE	SCHOFIELD ARMY SOLID WASTE DISPOSAL FACILITY 21 30 22 158 04 48 04	
ID ADAMS 0.25 MILES SOUTH OF COUNCIL ON U.S. 95	NOT APPLICABLE	COUNCIL LANDFILL R 1 W T 16 N 15 06 07 09 11	
ID ADAMS 1.5 MILES W OF INDIAN VALLEY POST OFFICE	NOT APPLICABLE	INDIAN VALLEY LANDFILL R 1 W T 14 W 9 06 07 09 11	
ID ADAMS 0.75 MILES WEST OF NEW MEADOWS ON US95	NOT APPLICABLE	NEW MEADOWS LANDFILL R 1 E T 19 N 14 06 07 09 11	
ID BINGHAM 1.25 MILES EAST OF ABERDEEN	ABERDEEN	ABERDEEN SANITARY LANDFILL 42 56 00 112 47 00 06 09 11	
ID BINGHAM .75 MILE NORTH OF ATOMIC CITY	ATOMIC CITY	ATOMIC CITY DUMP 43 26 17 112 47 50 06 07 09 11	
ID BLAINE 4 MI WEST 1/8 MILE SOUTH OF CAREY	NOT APPLICABLE	CAREY MODIFIED LANDFILL 20E 1S 36 07 09	
ID BUTTE 2 MILES EAST OF MOORE IDAHO	MOORE	MOORE MODIFIED LANDFILL 43 44 10 113 18 21 06 07 09 11	
ID BUTTE .75 MILE WEST OF SUMMIT CR RD ON PASS CR RD	NOT APPLICABLE	CLYDE MODIFIED LANDFILL 44 11 02 113 15 20 06 07 09 11	
ID BUTTE .75 MILE NORTHEAST OF HOWE	NOT APPLICABLE	HOWE MODIFIED LANDFILL 43 47 45 113 00 52 06 07 09 11	
ID CASSIA 3 MILES SOUTHEAST .5 MILE EAST	ALBION	ALBION SOLID WASTE SITE 25E 12S 15 07 09 11	

ID	CASSIA		BURLEY	CASSIA COUNTY LANDFILL					
650 SOUTH 250 EAST				23E	11S	27	06	09	11
ID	CASSIA		MALTA	MALTA LANDFILL					
EAST 1.5 MILE ON SUBLETT ROAD	.5 MILE NORTH .25 MILE EAST			27E	13S	5	07	09	
ID	CASSIA		RUPERT	JACKSON LANDFILL					
4.1 MILES EAST OF RUPERT CITY	CENTER			25E	9S	21	07	09	11
ID	CASSIA		NOT APPLICABLE	ALMO LANDFILL					
1 MILE SOUTH OF ALMO				24E	15S	26	07	09	
ID	CASSIA		NOT APPLICABLE	ELBA LANDFILL					
1 MILE EAST				25E	13S	33	07	09	
ID	CLARK		BLUE DOME	BIRCH CREEK DISPOSAL SITE NEAR BLUE DOME					
WEST OF HWY 28 ABOUT .5 MILE	NORTH OF BLUE DOME			30E	10N	30	07	09	11
ID	CLARK		DUBOIS	CLARK COUNTY MODIFIED LANDFILL NEAR DUBOIS					
.5 MILE WEST OF DUBOIS				36E	10N	20	07	11	
ID	CLARK		KILGORE VIA SPENCER	KILGORE REFUSE DISPOSAL AREA NO. 1					
3 MI SOUTH OF IDMAN ALONG HWY	A2			38E	11N	1	07	09	11
ID	CLARK		SPENCER	SPENCER REFUSE DISPOSAL AREA					
7 MI NORTH OF DUBOIS ON OLD	HWY 91			36E	11N	20	07	09	11
ID	CUSTER		CHALLIS	CHALLIS SANITARY LANDFILL					
.5 MI WEST OF HWY 93 AND 1 MI	SOUTH OF CHALLIS			19E	13N	4	06	07	09 11
ID	CUSTER		CLAYTON	CLAYTON DISPOSAL SITE					
2 MI EAST OF CLAYTON				18E	11N	29	06	07	09 11
ID	CUSTER		MACKAY	MACKAY MODIFIED LANDFILL					
3.5 MI EAST OF MACKAY				25E	7N	30	06	07	
ID	CUSTER		STANLEY	STANLEY SANITARY LANDFILL					
5.5 MI NW OF STANLEY ON HWY 21				12E	11N	23	06	07	
ID	CUSTER		NOT APPLICABLE	ROUND VALLEY MODIFIED LANDFILL					
2 MI N AND 1 MI E OF INTERSECT OF HWY 93A	3.5 MI S OF CHALLIS			20E	14N	31	06	07	09 11
ID	ELMORE		MOUNTAIN HOME	MOUNTAIN HOME LANDFILL					
PORTION OF SW 1/4 SEC 23 T3S	R6E NW OF SAWTOOTH LUMBER CO.			6E BM	3 S	23	07		
ID	FREMONT		ASHTON	ASHTON REFUSE DISPOSAL AREA					
4 MI N OF ASHTON ON HWY 20-191				43E	9N	7	06	07	09 11
ID	FREMONT		ISLAND PARK	ISLAND PARK SANITARY LANDFILL					
.5 MI S ON LANDFIL RD .25 MI W OF INC HWY	20-191 AND CY RD A2			43E	13N	15	06	11	
ID	FREMONT		ST ANTHONY	ST ANTHONY REFUSE DISPOSAL AREA					
ONE MILE NORTH OF ST ANTHONY				41E	8N	30	06	07	09 11
ID	JEFFERSON		MUD LAKE	MUD LAKE REFUSE DISPOSAL AREA					
0.8 MILE NW OF INC HWY 88 AND	28 WEST OF MUD LAKE ON HWY 28			34E	6N	18	06	07	09 11
ID	JEFFERSON		RIGBY	JEFFERSON COUNTY SANITARY LANDFILL AT RIGBY					
2 MI SOUTH OF RIGBY ON WEST	MILO ROAD THEN 1.5 MILES EAST			39E	4N	28	06	11	
ID	JEROME		HAZELTON	EDEN HAZELTON MODIFIED SANITARY LANDFILL					
3 MI EAST AND .25 MI NORTH OF	HAZELTON			20E	9S	35	06	07	09 11

ID	JEROME		JEROME	JEROME SANITARY LANDFILL			
4 MI EAST AND .75 MI NORTH OF	JEROME CITY CENTER			17E	8S	14	07 09
ID	LEMHI		LEADORE	LEADORE MODIFIED LANDFILL			
2.7 MILES NORTHEAST OF LEADORE				27E	16N	25	06 07 11
ID	LEMHI		SALMON	SALMON SANITARY LANDFILL			
1.5 MILE NORTHEAST OF SALMON				22E	22N	33	06
ID	LEMHI		NOT APPLICABLE	LEMHI MODIFIED LANDFILL			
5 MILES EAST OF LEMHI ON	NORTHEAST			24E	18N	33	06 07 09 11
ID	LEMHI		NOT APPLICABLE	TENDOY MODIFIED LANDFILL			
1.7 MI EAST OF TENDOY AND .2	MI NORTH OF AGENCY CREEK ROAD			24E	19N	28	06 07 09 11
ID	LINCOLN		DIETRICH	DIETRICH DUMP			
1 MILE NORTH OF DIETRICH				18E	6S	1	06 07 09 11
ID	LINCOLN		RICHFIELD	RICHFIELD DUMP			
1 MILE EAST OF RICHFIELD				20E	4S	30	06 07 09 11
ID	LINCOLN		SHOSHONE	SHOSHONE LANDFILL			
1.5 MI NORTH AND .25 MI WEST	OF SHOSHONE CITY CENTER			17E	5S	26	06 07 09 11
ID	ONEIDA		MALAD	ONEIDA COUNTY SANITARY			LANDFILL
1.5 MILES NORTHEAST OF MALAD				42 12 15		112 13 20	06 07 09 11
ID	OWYHEE		NOT APPLICABLE	BRUNEAU - GRANDVIEW LANDFILL			
2 MILES SOUTH OF HIGHWAY 78 ON	MORMON ROAD			R 4 E	T 6 S	14	07 09
ID	POWER		AMERICAN FALLS	POWER COUNTY SANITARY LANDFILL			
1 MILE SOUTHWEST OF AMERICAN	FALLS			42 45 54		112 53 38	06 07 09 11
ID	TWIN FALLS		FILER	FILER DUMP			
5.25 MI SOUTH AND .25 MI EAST	OF FILER			16E	11S	8	07 09
ID	TWIN FALLS		MURTAUGH	TWIN FALLS COUNTY EAST			LANDFILL
3 MI WEST AND 1 AND 1/8 MILES	SOUTH OF MURTAUGH CITY CENTER			19E	11S	10	07 09
ID	TWIN FALLS		NOT APPLICABLE	ROGERSON DUMP			
.5 MI NORTH AND 1 MI EAST OF	ROGERSON			16E	14S	10	06 11
IL	CHRISTIAN		TAYLORVILLE	TAYLORVILLE/TAYLORVILLE			LANDFILL
RT. 104				30 34 15		089 22 28	06 09 11
IL	COLES		HUMBOLT	HUMBOLT/KAUFMAN			
9 MILES NORTH OF MATTOON,	2 MILES WEST OF HUMBOLT			39 37 00		088 22 00	03
IL	JACKSON		DE SOTO	DE SOTO/ALLEN NO. 2			
ROCK ROAD				37 50 30		089 19 20	06
IL	KNOX		GALESBURG	GALESBURG/KNOX CONSTRUCTION			
EAST KNOX RD RR NO. 4				40 57 00		090 21 00	07 09
IL	LAKE		DEERFIELD	DEERFIELD/METRO DISPOSAL CO.			
LAKE-COOK RD. EAST OF RT 41				42 27 04		087 51 55	03 11
IL	LAKE		WAUKEGAN	WAUKEGAN/MUNICIPAL NO. 1			
MC AREE AND YORKHOUSE ROADS				42 24 23		087 51 49	03 11
IL	LAKE		WAUKEGAN	WAUKEGAN/YEOMAN CREEK			
LEWIS AVE. SOUTH OF SUNSET				42 22 33		087 53 45	03 11

IL	MACOUPIN	VIRDEN	VIRDEN/MUNICIPAL	
DEAN ROAD WEST OF VIRDEN			39 29 50 089 47 30	03 06 07 09 11
IL	MADISON	GRANITE CITY	CHOUTEAU ISLAND/CHAIN OF ROCKS	
OLD CHAIN OF ROCKS RD RR NO. 1			38 45 15 090 09 10	01
IL	PEORIA	PEORIA	PEORIA/JANSON	
CREEK ROAD			40 40 40 089 39 12	06 07 09
IL	ROCK ISLAND	EAST MOLINE	EAST MOLINE/MUNICIPAL	
20 TH AVENUE			41 32 40 090 23 00	06
IL	WARREN	MONMOUTH	MONMOUTH/MUNICIPAL	
11 TH STREET			40 55 00 090 37 00	03
IL	WILLIAMSON	CARTERVILLE	CARTERVILLE/ALLEN	
3/4 MILE EAST OF CAMBRIA RD.	NORTH OF RT. 13		37 46 25 089 06 23	06
IL	WILLIAMSON	HERRIN	HERRIN/MUNICIPAL	
RT. 148			37 46 50 089 00 10	06
IN	GREENE	NEWBERRY	GREENE CO CONTAINER SITE	
HWY 57 AND W FORK OF WHITE	RIVER		6W 6N 25	06 07 09 11
IN	LAKE	GARY	CITY OF GARY DUMP	
SOUTH OF 15TH AVE BETWEEN BURR ST AND COLFAX ST- 1900 BURR ST			9W 36N 12	06 09
IN	LAPORTE	ROLLING PRAIRIE	MROZINSKI DUMP	
CO RD 600 E AND CO RD 750 N			31W 38N 30	06 09 11
IN	LAWRENCE	OOLITIC	PATTON HILL ROAD OPEN DUMP	
0.25 MI WEST OF SR 37 ON	PATTON HILL ROAD		1W 5N 5	06 09 11
IN	SULLIVAN	LEWIS	LEWIS DUMP	
3 MILES S OF LEWIS ON RD 975 N	.25 MILES W. OF RD 800E		8W 9N 14	06 07 09 11
IN	VANDERBURG	EVANSVILLE	BRENNER DUMP	
BEHIND GRIMM LUMBER NO. 2	PLANT OFF N EVANS ST.		11W 6S 20	06 09 11
IN	VANDERBURG	EVANSVILLE	HUFF DUMP	
3200 S. WEINBACH ST.			11W 7S 10	06 09 11
IN	VANDERBURGH	EVANSVILLE	FRANK STREET DUMP	
900 BLOCK FRANK STREET			11W 6S 27	06 09
IN	VANDERBURGH	EVANSVILLE	YOUNG'S SOLID FILL SITE	
7800 OLD BOONEVILLE HIGHWAY			9W 6S 6	06 09 11
IN	VIGO	TERRE HAUTE	VIGO CO. FAIRGROUNDS DUMP	
BEHIND RACETRACK AT VIGO CO.	FAIRGROUNDS		9W 11N 4	06 11
IA	BUTLER	PARKERSBURG	BUTLER COUNTY SANITARY	LANDFILL
8 MI NORTH 1 MI WEST .5 MI	NORTH OF PARKERSBURG		42 42 30 092 49 10	06
IA	MILLS	GLENWOOD	RUCKMAN OPEN DUMP	
OAK TWP. RR 3			41 06 00 095 47 30	05 06 07 09 11
IA	MILLS COUNTY	COUNCIL BLUFFS	GREAT PLAINS BEEF (SCHEIDLE)	DUMP SITE-MILLS COUNTY
SAINT MARYS TWP RR1			41 07 20 095 51 57	03 06 09 11
IA	UNION COUNTY	KENT	TRASH CITY	
PLATTE TWP			40 53 55 094 21 30	01 06 07 11

KS DOUGLAS 1.5 MI W AND 2 MI N OF US 59	LAWRENCE AND 24 JCT	CITY OF LAWRENCE SANITARY LAND FILL 39 00 00 095 16 00 03	
KS WYANDOTTE 4420 SORTER DRIVE	KANSAS CITY	WHITES LAND IMPROVEMENT 39 10 00 094 41 00 03	DEMOLITION LANDFILL
KY DAVIESS ON CEMETARY ROAD 1.5 MILES	NOT APPLICABLE FROM GRANDVIEW ROAD	GREEN RIVER DISPOSAL, INC. 37 53 19 086 58 16 03	
KY FLOYD 2.5 MILES FROM DRIFT KY UP	NOT APPLICABLE STONECOAL BRANCH	STUMBO HOLLOW DUMP 37 29 41 082 43 57 06 07 09 11	
KY FLOYD 1 MILE NORTH OF KY 404 ON BLUE	NOT APPLICABLE RIVER BRANCH	MIDDLE CREEK DUMP 37 38 25 082 49 43 06 07 09 11	
KY GREENUP ARMCO STEEL CORP ASHLAND WORKS	RUSSELL	ARMCO STEEL CORPORATION 38 30 30 082 40 00 01	
KY JEFFERSON BEYOND THE END OF LEE'S LANE	SHIVELY AT OHIO RIVER	LEE'S LANE LANDFILL 38 11 42 085 52 50 01 03 06	
KY MARSHALL BETWEEN KY 1523 AND TENNESSEE	CALVERT CITY RIVER UP FROM MILE PT 18	AIRCO CARBIDE/AIR PRODUCTS AND CHEMICALS INC 37 03 00 088 19 40 01	
KY MARTIN EAST OF INEZ OFF KY 40 .5 MI.	NOT APPLICABLE NORTH UP SWEETWATER BRANCH	CITY OF INEZ DUMP 37 50 30 082 28 28 06 11	
KY MCCLEAN .25 MILES WEST OF ISLAND ON KY 5	NOT APPLICABLE	DOUG BRANTLEY AND SONS , INC. LANDFILL 37 26 42 087 09 18 03 11	
KY MEADE NORTHEAST OF GUSTON ON KY710	NOT APPLICABLE BEYOND L&N RAIL CROSSING	MEADE COUNTY--CITY OF 37 54 20 086 12 25 03	BRANDENBURG DUMP
KY PIKE .25 MILE NE OFF KY 1428 BEYOND	NOT APPLICABLE TITAN SIDING	CITY OF PIKEVILLE DUMP 37 28 25 082 32 30 06 07 09	
KY SHELBY 1.6 MILES EAST ON KY 637 FROM	NOT APPLICABLE WADDY	SOLID WASTE COMMISSION (WADDY) 38 07 25 085 03 08 03 06 07 09	
LA AVOYELLES PARISH HWY 1181 WEST WARD 8	PLAUCHEVILLE	PLAUCHEVILLE DUMP 30 58 54 091 58 35 03 06 07 09 11	
LA AVOYELLES PARISH 0.6 MI NE OF CENTER OF	SIMMESPORT SIMMESPORT	SIMMESPORT DUMP 30 58 41 091 48 18 03 06 11	
LA BOSSIER PARISH OFF HWY 72 W NE OF BOSSIER	NOT APPLICABLE CITY NEAR RED RIVER	BOSSIER CITY SANITARY LANDFILL 32 31 00 093 44 30 01 06	
LA CADDO PARISH 1/2 MI W OF HWY 1 ON HWY 169	MOORINGSPORT	MOORINGSPORT SANITARY LANDFILL 32 41 15 093 57 00 03 06	
LA CADDO PARISH OFF HWY 1 SOUTH	NOT APPLICABLE	BAGLEY ROAD LANDFILL 32 24 30 093 41 00 03 06	
LA CALCASIEU PARISH 4331 E BROAD STREET	LAKE CHARLES	LAKE CHARLES CITY DUMP 30 14 12 093 07 36 06 11	BROAD STREET
LA CALCASIEU PARISH SHATTUCK ST.	LAKE CHARLES	LAKE CHARLES CITY DUMP 30 15 45 093 11 48 03 06 07 09 11	SHATTUCK ST.
LA CAMERON PARISH N SIDE OF HWY 82, 4 MI W OF	NOT APPLICABLE OAK GROVE	CAMERON DUMP 29 47 18 093 11 00 03 06 07 09	

LA	CATAHOULA PARISH	HARRISONBURG	HARRISONBURG CITY DUMP	
OFF GRAVEL RD W OF LA 124	ABOUT 1 MI W OF HARRISOSNBURG		31 46 13 091 54 49	03 06
LA	EAST BATON ROUGE PARISH	SCOTLANDVILLE	DEVIL'S SWAMP LANDFILL	
HWY 61, SW OF BAKER			30 32 32 091 12 14	03 06 11
LA	EAST CARROLL PARISH	LAKE PROVIDENCE	LAKE PROVIDENCE CITY DUMP	
LEVEE RD IN NE LAKE PROVIDENCE	OVIDENCE		32 48 20 091 10 00	03 06 07 09 11
LA	FRANKLIN PARISH	WINNSBORO	WINNSBORO CITY DUMP	
0.25 MI. SE OF INTERSECTION OF	LA HWY 15 AND 865		32 08 36 091 42 38	06
LA	IBERIA PARISH	NEAR DELCAMBRE	DELCAMBRE CITY DUMP	
ABOUT 1 1/2 MI E OF DELCAMBRE	ON PARISH RD 707		29 55 43 091 58 35	06 08 09 10 11
LA	IBERIA PARISH	NEW IBERIA	NEW IBERIA CITY DUMP	
OFF LA HWY 31 ABOUT 0.5 MI S	OF ST MARTIN PARISH LINE		30 01 55 091 49 36	06
LA	JEFFERSON PARISH	GRAND ISLE	GRAND ISLE CITY DUMP	
HWY 1-2 MI SW OF CAMINADA PASS			29 11 22 090 04 43	03 06 08 11
LA	JEFFERSON PARISH	WEST OF KENNER	GREATER NEW ORLEANS LANDFILL	
SO. KENNER RD. JEFFERSON - ST.	CHARLES PH. BORDER.		29 55 40 090 16 18	03 06 11
LA	JEFFERSON PARISH	WESTWEGO	WASTE DISPOSAL SANITARY	LANDFILL
9601 LA PALCO BLVD			29 53 13 090 10 31	03 06 11
LA	JEFFERSON PARISH	WESTWEGO	WESTWEGO CITY DUMP	
SOUTH END OF CENTRAL AVENUE			29 53 25 090 08 58	03 07 09
LA	JEFFERSON PARISH	NOT APPLICABLE	DISPOSAL SERVICE INC.	
LA HWY 61 1 MI. E OF LA 50			29 53 08 090 13 42	03 06 07 09 10 11
LA	LAFAYETTE PARISH	LAFAYETTE	CITY OF LAFAYETTE	LANDFILL DISPOSAL
LARRAGEE PIT ROAD	LANDFILL DISPOSAL		30 15 20 091 58 00	03 06 07 09 11
LA	LAFOURCHE PARISH	THIBODAUX	THIBODAUX CITY DUMP	
LA 3185 ACROSS FROM PARISH	PRISON		29 45 52 090 50 45	03 06 11
LA	LAFOURCHE PARISH	NOT APPLICABLE	RACELAND DUMP PARISH LANDFILL	
HWY 90 HWY 3198 INTERSECTION			29 40 57 090 38 30	03 06
LA	LIVINGSTON PARISH	DENHAM SPRINGS	DENHAM SPRINGS DUMP	
LA 1032			30 26 15 090 58 12	01 03 06
LA	MOREHOUSE PARISH	NEAR BASTROP	BASTROP DUMP	
E OF BASTROP, HWY. 2, SE OF	BASTROP		32 46 03 091 50 48	03 06
LA	ORLEANS PARISH	NEW ORLEANS	RECOVERY 1	
17000 CHEF MENTEUR HWY			30 02 54 089 53 00	03 06 11
LA	RAPIDES PARISH	ALEXANDRIA	ALEXANDRIA LANDFILL	
HWY 116E APPROX 2 MI NE OF	ALEXANDRIA		31 22 10 092 22 39	03 06
LA	ST CHARLES PARISH	NOT APPLICABLE	CITY OF KENNER LANDFILL	(JEFFERSON DISPOSAL)
HWY 61, 0.7 MI N OF LA 50			29 58 50 090 19 04	03 06 09 10 11
LA	ST CHARLES PARISH	NOT APPLICABLE	PELICAN STATE LANDFILL	
HIGHWAY 61 0.9 MI N OF LA 50			29 59 02 090 19 46	03 06
LA	ST. BERNARD PARISH	NOT APPLICABLE	ST. BERNARD LANDFILL	SOUTHERN WASTE DISPOSAL INC.
APPROX. 2 MI NE ON HWY 47 FROM	HWY 39.		29 58 10 089 57 30	03 06 11

LA ST. JOHN THE BAPTIST PARISH 0.4 MILE ON PARISH ROAD OFF LA 51 APPROX 4 MILES N OF LAPLACE	NOT APPLICABLE	LAPLACE DUMPSITE 30 06 06 090 25 56	03 06 07 09 11
LA ST. JOHN THE BAPTIST PARISH N OF HWY 61 0.5 E OF LA 53	NOT APPLICABLE	TROSCLAIR INC. DISPOSAL 30 05 00 090 32 40	03
LA ST. MARY PARISH PARISH ROAD 0.5 MI SW OF LA HWY 3052	FRANKLIN	FRANKLIN CITY DUMP 29 46 15 091 31 00	03 06 07 09 11
LA TERREBONNE PARISH WOODLAWN RANCH ROAD	WOODLAWN	HOUMA LANDFILL CITY DUMP 29 33 12 090 39 19	03 06 11
LA VERMILION PARISH OFF HIGHWAY 167 N NORTH OF ABBEVILLE	ABBEVILLE	ABBEVILLE CITY DUMP 30 02 46 092 06 35	03 06 11
LA VERMILION PARISH 0.5 MI W OF US HWY 167 BETWEEN LA 696 AND 697	ABBEVILLE	VERMILION PARISH SOLID WASTE PLANT 30 02 49 092 08 20	03 06 11
LA VERMILION PARISH 0.2 MI S ON PARISH RD FROM LA 14, 2 MI E OF KAPLAN	NOT APPLICABLE	NUNEZ DUMP 29 59 20 092 14 38	03 06 07 09
LA VERMILION PARISH LA HWY 335 APPROX 4 MI W OF LA HWY 35	NOT APPLICABLE	TAN ROMERO DUMP 29 56 45 092 26 10	03 06
LA VERNON PARISH 1.5 MI OFF US HWY 171 W OF LEESVILLE ON PARISH ROAD	LEESVILLE	LEESVILLE CITY DUMP 31 05 31 093 17 51	03 06 07 09 11
LA WEST BATON ROUGE PARISH HWY 76, 10.5 MI. W OF PORT ALLEN	NOT APPLICABLE	WEST BATON ROUGE PARISH LANDFILL 31 28 02 092 21 02	07 09 11
LA WEST CARROLL PARISH NW TIP OF OAKGROVE, 0.2 MI N OF LA 2 E OF GRAVEL ROAD BRDG.	OAKGROVE	OAKGROVE CITY DUMP 32 51 45 091 23 47	06 08 09 11
LA WINN PARISH OFF HWY 167S 1.5 MI SE OF WINNFIELD	WINNFIELD	WINNFIELD LANDFILL 31 54 22 092 36 37	03 06 07 09 11
ME ANDROSCOGGIN GREENLAWN RD	AUBURN	CITY OF AUBURN SOLID WASTE DISPOSAL FACILITY 44 07 27 070 14 18	04 06 08
ME ANDROSCOGGIN ROUTE 132	SABATTUS	TOWN OF SABATTUS SOLID WASTE DISPOSAL FACILITY 44 07 07 070 05 09	04 06 07
ME ARDOSTOOK GAGNON ROAD	MADAWASKA	TOWN OF MADAWASKA SOLID WASTE DISPOSAL FACILITY 47 20 23 068 18 00	03 06 07 09
ME ARDOSTOOK OFF ROUTE 163	MAPLETON	CITY OF PRESQUE ISLE SOLID WASTE DISPOSAL FACILITY 46 41 05 068 03 30	03 04 06 09
ME HANCOCK OFF LONG POND ROAD	SOUTHWEST HARBOR	WORCESTER LANDFILL 44 17 30 068 20 57	03 04
ME KENNEBEC ANNABESSACOOK LAKE	WINTHROP	SAVAGE LANDFILL 44 16 30 069 59 20	03 04 06
ME KENNEBEC ANNABESSACOOK LAKE ROAD	WINTHROP	WINTHROP LANDFILL 44 16 34 069 59 18	03 04 06
ME KNOX OFF ROUTE 131 TENANTS HARBOR	ST. GEORGE	TOWN OF ST. GEORGE SOLID WASTE DISPOSAL FACILITY 43 58 27 069 13 60	03 06 07 09 11
ME LINCOLN OFF ROUTE 130 PEMAQUID	BRISTOL	TOWN OF BRISTOL SOLID WASTE DISPOSAL FACILITY 43 54 07 069 29 44	03 09

ME	OXFORD	NORWAY	NORWAY SOLID WASTE DISPOSAL	FACILITY
OFF ROUTE 26			44 12 24 070 31 18	03 04
ME	OXFORD	OXFORD	TOWN OF OXFORD SOLID WASTE	DISPOSAL FACILITY
OFF SKEETFIELD ROAD			44 49 10 070 30 09	03 04
ME	OXFORD	SOUTH PARIS	TOWN OF PARIS SOLID WASTE	DISPOSAL FACILITY
OFF HIGH STREET			44 14 46 070 32 18	03 04 06
ME	OXFORD	WOODSTOCK	WOODSTOCK LANDFILL	
ROUTE 232 BRYANT POND			44 25 05 077 38 47	03 07 09
ME	PENOBSCOT	CORINNA	TOWN OF CORINNA SOLID WASTE	DISPOSAL FACILITY
PHINNEY ROAD			44 58 45 069 13 35	03 04 06
ME	PENOBSCOT	DEXTER	TOWN OF DEXTER SOLID WASTE	DISPOSAL FACILITY
UPPER GARLAND ROAD			45 01 16 069 16 10	03
ME	PENOBSCOT	LEVANT	STETSON LANDFILL	
ROUTE 222			44 54 00 069 01 55	01 03 06 07 09
ME	SAGADAHOC	BOWDOINHAM	TOWN OF BOWDOINHAM SOLID WASTE	DISPOSAL FACILITY
CARDIN MACHINE ROAD			44 03 24 069 50 07	03 07
ME	SOMERSET	PITTSFIELD	TOWN OF PITTSFIELD SOLID WASTE	DISPOSAL FACILITY
THE HORSEBACK ROAD			44 46 15 069 21 25	03 04 06 09
ME	WALDO	SEARSPORT	SEARSPORT SOLID WASTE DISPOSAL	FACILITY
BACK SEARSPORT ROAD			44 28 24 068 56 14	03 04 06 07 09
ME	WASHINGTON	LUBEC	TOWN OF LUBEC SOLID WASTE	DISPOSAL FACILITY
SOUTH LUBEC ROAD			44 48 37 066 48 64	03 07 09 11
ME	WASHINGTON	MILBRIDGE	TOWN OF MILBRIDGE SOLID WASTE	DISPOSAL FACILITY
ROUTE 1A			44 33 68 067 51 38	03 06 07
ME	YORK	BIDDEFORD	CITY OF BIDDEFORD SOLID WASTE	DISPOSAL FACILITY
OFF ROUTE 111			43 28 55 070 31 48	03 04 06
ME	YORK	LEMINGTON	TOWN OF LIMINGTON SOLID WASTE	DISPOSAL FACILITY
PINE HILL ROAD			42 44 06 070 41 25	03
ME	YORK	NORTH BERWICK	NORTH BERWICK SOLID WASTE	DISPOSAL FACILITY
OFF TURKEY STREET			43 19 54 070 45 32	03 04 07
MD	DORCHESTER COUNTY	SECRETARY	SECRETARY SANITARY LANDFILL	
THOMAS' CORNER RD (MD.RT.14)			38 34 10 076 58 00	06 08 09
MD	FREDERICK COUNTY	BRUNSWICK	BRUNSWICK SANITARY LANDFILL	
CUMMINGS DRIVE			39 19 00 077 36 40	06 08 11
MA	BARNSTABLE	BARNSTABLE	BARNSTABLE SANITARY LANDFILL	
FLINT STREET			41 39 37 070 23 54	06
MA	BARNSTABLE	BOURNE	BOURNE SANITARY LANDFILL	
MACARTHUR BLVD			41 43 50 070 34 30	06
MA	BARNSTABLE	DENNIS	DENNIS SANITARY LANDFILL	
OFF ROUTE 134			41 41 30 070 09 00	06
MA	BARNSTABLE	MASHPEE	MASHPEE SANITARY LANDFILL	
ASHER'S PATH			41 37 50 070 28 48	06

MA BARNSTABLE RACE POINT ROAD		PROVINCETOWN	PROVINCETOWN SANITARY LANDFILL 42 03 40 070 11 52 06
MA BARNSTABLE UNION STREET		YARMOUTH	YARMOUTH SANITARY LANDFILL 41 41 12 070 13 32 06
MA BERKSHIRE WEST ROAD		CLARKSBURG	CLARKSBURG TOWN DUMP 42 43 30 073 06 30 06 09 11
MA BERKSHIRE ORE BED ROAD 1 MILE NORTH OF	BALANCE ROCK ROAD	LANESBOROUGH	LANESBOROUGH LANDFILL 42 31 16 073 15 52 06 09
MA BERKSHIRE GOULD ROAD 1000 FEET NORTH OF	CURTIS ROAD	MONTEREY	MONTEREY LANDFILL 42 10 37 073 15 47 06
MA BERKSHIRE SOUTH SANDISFIELD ROAD 1.5	MILES EAST OF ROUTE 57	NEW MARLBOROUGH	NEW MARLBOROUGH DUMP 42 06 22 073 10 57 06 09 11
MA BERKSHIRE AVENUE E OFF WEST SHAFT ROAD		NORTH ADAMS	NORTH ADAMS DUMP 42 40 05 073 05 44 06 09
MA BERKSHIRE CHAPEL ROAD OFF LOOP ROAD		SAVOY	SAVOY TOWN DUMP 42 34 46 073 00 00 06 07 09 11
MA BERKSHIRE BARNUM ROAD 1 MILE SOUTH OF	SALISBURY ROAD	SHEFFIELD	SHEFFIELD DUMP 42 05 06 073 22 30 06 07 09
MA BERKSHIRE MONTEREY ROAD .6 MILE SOUTH	OF MAIN ROAD	TYRINGHAM	TYRINGHAM DUMP 42 13 28 073 11 50 06 09
MA BRISTOL N MAIN STREET		ACUSHNET	ACUSHNET SANITARY LANDFILL 41 42 30 070 53 42 06
MA BRISTOL LEONARD STREET		ACUSHNET	BATISTA LANDFILL 41 43 30 070 53 36 06 11
MA BRISTOL INDUSTRIAL PARK ROAD		FALL RIVER	FALL RIVER SANITARY LANDFILL 41 41 21 071 06 07 06
MA BRISTOL 1103 SHAWMUT AVE		NEW BEDFORD	NEW BEDFORD SANITARY LANDFILL 41 39 51 070 57 28 06
MA BRISTOL HIXBRIDGE ROAD		WESTPORT	WESTPORT SANITARY LANDFILL 41 34 21 071 04 25 06
MA DUKES TABOR HOUSE ROAD		CHILMARK	CHILMARK SANITARY LANDFILL 41 21 50 070 43 30 06
MA DUKES SOUTH ROAD		GAY HEAD	GAY HEAD LANDFILL 41 20 20 070 48 06 06
MA DUKES COUNTY ROAD		OAK BLUFFS	OAK BLUFFS SANITARY LANDFILL 41 26 10 070 34 30 06
MA DUKES VINEYARD HAVEN ROAD		TISBURY	TISBURY SANITARY LANDFILL 41 26 30 070 36 48 06
MA DUKES VINEYARD HAVEN ROAD		WEST TISBURY	WEST TISBURY SANITARY LANDFILL 41 24 30 070 40 00 06
MA ESSEX ROUTES 150 AND 110 AND SUMMIT	AVE.	AMESBURY	ST. JOSEPH'S DEMOLITION LANDFILL 42 50 30 071 57 42 06 09

MA ESSEX	BEVERLY	BRIMBAL AVENUE LANDFILL		
OFF BRIMBALL ADJ TO ROUTE 128		42 34 27	070 52 37	06
MA ESSEX	DANVERS	DANVERS SANITARY LANDFILL		
POPES LANE OFF EAST COAST RD		42 33 36	070 59 14	06
MA ESSEX	ESSEX	ESSEX SANITARY LANDFILL		
OFF LANDING ROAD		42 37 40	070 47 10	06
MA ESSEX	GLOUCESTER	GLOUCESTER SANITARY LANDFILL		
OFF WESTERN AVE RT 127		42 35 45	070 42 30	06
MA ESSEX	MANCHESTER	MANCHESTER SANITARY LANDFILL		
PINE STREET		42 36 30	070 47 30	06
MA ESSEX	METHUEN	HUNTINGTON AVENUE LANDFILL		
OFF HUNTINGTON AVENUE		42 43 30	071 11 30	06 11
MA ESSEX	ROCKPORT	ROCKPORT SANITARY LANDFILL		
OFF MAIN STREET		42 38 30	070 37 30	06
MA ESSEX	ROWLEY	ROWLEY SANITARY LANDFILL		
OFF OLD BOSTON ROAD		42 45 30	070 52 30	06
MA ESSEX	SALISBURY	SALISBURY LANDFILL		
OFF OLD COUNTY ROAD		42 51 30	070 50 30	06
MA FRANKLIN	ASHFIELD	ASHFIELD TOWN DUMP		
BUCKLAND ROAD OFF RT 112		42 33 11	072 48 16	06 09
MA FRANKLIN	ERVING	ERVING DUMP		
OFF MAPLE STREET		42 35 59	072 23 16	06 07 09
MA FRANKLIN	GILL	GILL DUMP		
OFF MAIN STREET		42 40 09	072 29 26	06 07 09
MA FRANKLIN	HEATH	HEATH-HAWLEY-CHARLEMONT DUMP		
BARRINGTON ROAD		42 38 16	072 48 56	06 07 09
MA FRANKLIN	MONTAGUE	MONTAGUE OLD DUMP SITE		
RANDALL ROAD		42 35 09	072 33 31	06 07 09
MA FRANKLIN	NEW SALEM	NEW SALEM DUMP		
WENDELL ROAD		42 30 37	072 20 38	06 07 09
MA FRANKLIN	NORTHFIELD	NORTHFIELD DUMP		
PARKER AVE		42 41 17	072 27 48	01 06 07
MA FRANKLIN	ORANGE	ORANGE DUMP		
JONES ROAD		42 35 28	072 17 45	06 07
MA FRANKLIN	WHATELY	WHATELY TOWN DUMP		
STRAITS ROAD		42 27 16	072 36 24	07 09
MA HAMPDEN	LUDLOW	LUDLOW LANDFILL		
HOLYOKE STREET 1500 FEET WEST OF WEST STREET		42 10 55	072 30 48	06
MA HAMPDEN	SOUTHWICK	SOUTHWICK WOOD AND DEMOLITION DUMP		
OFF ROUTE 20		42 02 30	072 46 59	07 09
MA HAMPDEN	TYNGSBORO	CHARLES GEORGE LAND RECLAIMATION TRUST		
DUNSTABLE ROAD		42 40 10	071 26 15	06 09

MA	HAMPSHIRE	CHESTERFIELD	CHESTERFIELD TOWN DUMP		
WILLICUT ROAD			42 25 00	072 50 28	06 07 09 11
MA	HAMPSHIRE	CUMMINGTON	CUMMINGTON TOWN DUMP		
WEST CUMMINGTON ROAD			42 29 05	072 56 24	07 09 11
MA	HAMPSHIRE	SOUTH HADLEY	SOUTH HADLEY DUMP		
INDUSTRIAL DRIVE			42 13 19	072 33 31	06 09 11
MA	HAMPSHIRE	WILLIAMSBURG	WILLIAMSBURG TOWN DUMP		
MOUNTAIN ROAD			42 22 53	072 41 19	06 07 09
MA	MIDDLESEX	BILLERICA	SHAFFER'S LANDFILL		
OFF POND STREET			42 35 30	071 15 00	06
MA	MIDDLESEX	CHELMSFORD	CHELMSFORD SANITARY LANDFILL		
OFF SWAIN ROAD			42 38 22	071 24 19	06 11
MA	MIDDLESEX	CONCORD	CONCORD SANITARY LANDFILL		
OFF WALDEN ST ROUTE 126			42 26 30	071 20 30	06
MA	MIDDLESEX	HOPKINTON	TOWN OF HOPKINTON SANITARY		LANDFILL
RTE 135 HOPKINTON ROAD EAST OF	WESTBORO TOWN LINE		42 15 12	071 35 10	06 09
MA	MIDDLESEX	NATICK	NATICK SANITARY LANDFILL		
WEST STREET OFF RT 27			42 16 15	071 21 46	06
MA	MIDDLESEX	SHIRLEY	TOWN OF SHIRLEY SANITARY		LANDFILL
LECMINSTER ROAD			42 32 20	071 41 15	06 09
MA	MIDDLESEX	SUDBURY	SAND HILL SANITARY LANDFILL		
OFF BOSTON POST ROAD ROUTE 20			42 22 09	071 25 34	06
MA	MIDDLESEX	WOBURN	WOBURN DUMP		
OFF MERRIMAC STREET			42 31 20	071 08 42	06 07 11
MA	NORFOLK	BRAINTREE	BRAINTREE SANITARY LANDFILL		
OFF UNION STREET			42 12 13	071 00 00	06
MA	NORFOLK	COHASSET	COHASSET REFUSE DISPOSAL		FACILITY
OFF CEDAR STREET			42 14 50	070 50 13	06
MA	NORFOLK	FOXBOROUGH	FOXBOROUGH SANITARY LANDFILL		
EAST BELCHER STREET			42 03 10	071 13 52	06
MA	NORFOLK	FRANKLIN	FRANKLIN MUNICIPAL SANITARY		LANDFILL
BEAVER STREET			42 04 57	071 25 19	06
MA	NORFOLK	MEDWAY	MEDWAY TOWN LANDFILL		
BROAD ST EXTENSION			42 08 50	071 24 00	06 09
MA	NORFOLK	MILLIS	MILLIS SANITARY LANDFILL		
OFF ISLAND ROAD			42 10 58	071 20 50	06
MA	NORFOLK	MILTON	MILTON SANITARY LANDFILL		
OFF RANDOLPH AVENUE			42 14 04	071 04 20	06
MA	NORFOLK	NEEDHAM	NEEDHAM SOLID WASTE DISPOSAL		AREA
OFF CENTRAL AVENUE			42 16 41	071 15 44	06 11
MA	NORFOLK	NORFOLK	NORFOLK SANITARY LANDFILL		
OFF OLD MEDWAXY BRANCH			42 07 32	071 20 15	06

MA	NORFOLK		QUINCY	QUINCY RUBBISH DISPOSAL			FACILITY
RICCIUTI DRIVE OFF WILLARD ST				42 14 30	071 03 05	06	
MA	PLYMOUTH		BRIDGEWATER	BRIDGEWATER MCI			
BEDFORD STREET				41 56 30	070 57 30	06 11	
MA	PLYMOUTH		HALIFAX	HALIFAX SANITARY LANDFILL			
OFF HEMLOCK STREET				41 59 45	070 51 42	06	
MA	PLYMOUTH		HULL	HULL SANITARY LANDFILL			
OFF LOGAN AVENUE				42 20 00	070 53 00	06 09	
MA	PLYMOUTH		PLYMOUTH	MANOMET SANITARY LANDFILL			
BEAVER DAM ROAD				41 53 34	070 34 51	06	
MA	WORCESTER		BOLTON	TOWN OF BOLTON SANITARY			LANDFILL
FORBUSH ROAD				42 26 18	071 39 00	06 09	
MA	WORCESTER		CHARLTON	TOWN OF CHARLTON SANITARY			LANDFILL
APPROX 0.9 MILE SOUTH ON	GUELPHWOOD RD OR FLINT RD			42 07 10	071 58 35	06 09 11	
MA	WORCESTER		CLINTON	TOWN OF CLINTON SANITARY			LANDFILL
NORTH OF RAILROAD TRACK OFF	SOUTH MEADOW ROAD			42 24 35	071 43 00	06 09	
MA	WORCESTER		EAST BROOKFIELD	TOWN OF EAST BROOKFIELD			SANITARY LANDFILL
SOUTHERLY END OF CONNIE MACK	ROAD			42 13 20	072 03 15	07 09	
MA	WORCESTER		GARDNER	GARDNER SANITARY LANDFILL			
WEST OF ST JOHNS CEMETERY OFF	RTE 68 WEST STREET			42 35 15	072 01 35	06 09	
MA	WORCESTER		LEICESTER	TOWN OF LEICESTER SANITARY			LANDFILL
APPROX 1 MILE SOUTH ON	MANVILLE STREET			42 15 35	071 53 55	06 09	
MA	WORCESTER		NORTH BROOKFIELD	TOWN OF NORTH BROOKFIELD			SANITARY LANDFILL
APPROX 2 MILES NORTH ON EAST	BROOKFIELD ROAD			42 14 45	072 04 25	06 09	
MA	WORCESTER		NORTHBRIDGE	TOWN OF NORTHBRIDGE SANITARY			LANDFILL
QUAKER ROAD				42 07 40	071 39 55	06 09	
MA	WORCESTER		WEBSTER	TOWN OF WEBSTER SANITARY			LANDFILL
APPROX 0.7 MILE NORTH ON	CUDWORTH ROAD			42 04 15	071 51 40	06 09	
MI	ALGER		BURT TWP	BURT TOWNSHIP DISPOSAL AREA			
LOCATED ON H58 3 MILES EAST OF	STATE HWY 77 ON S SIDE OF RD			13W	49N	10	06 07 09
MI	ALGER		ROCK RIVER	ROCK RIVER TOWNSHIP			
ONE MILE EAST AND ONE MILE	NORTH OF THE VILLAGE CHATHAM			21W	46N	26	06 07 09
MI	ALPENA		ALPENA	ALPENA CITY DUMP			
M-32 HIGHWAY,3.3 MI WEST OF	BAGLEY ST			07E	31N	26	03 06 10
MI	ALPENA		HERRON	WILSON TOWNSHIP DUMP-RAYBURN			PIT
.7 MILES NORTH OF TAYLOR-HAWKS	ROAD ON RAYBURN RD			06E	31N	35	06 09
MI	ALPENA		HUBBARD LAKE	OSSINEKE TOWNSHIP DUMP			
END OF NICHOLSON HILL ROAD,.5	MILES WEST OF KISSAU ROAD			06E	29N	14	06 07 09 11
MI	ANTRIM		CENTRAL LAKE	CENTRAL LAKE DUMP			
M 88 HIGHWAY NORTH OF CENTRAL	LAKE			08W	31N	15	03 06 07 09
MI	ARENAC		AU GRES TWP	AU GRES TOWNSHIP DUMP			
ONE HALF MILE NORTH OF US-23	ON SWENSEN RD			6E	19N	15	06 09

MI	ARENAC		AUGRES	SIMS WHITNEY TOWNSHIP DUMP						
THREE QUARTERS OF A MILE EAST	OF US 23 ON BESSINGER ROAD			7E	20N	35	04	06	09	11
MI	ARENAC		OMER	SKIDWAY DISPOSAL SERVICE						
3 MI S OF RIDGE RD ON BISHOP,	ONE MI EAST ON KNIGT			4E	20N	26	04	06		
MI	ARENAC		STANDISH	STANDISH LINCOLN DUMP						
2.5 MI E OF US 23 ON PALMER RD				5E	18N	07	06	09		
MI	BAY		BAY CITY	BAY CITY DUMP						
LAFAYETTE AVENUE TO MIDDLE	GROUNDS ISLE THEN SOUTH 1 MI			5E	14N	32	06	10		
MI	BAY		ESSEXVILLE	ESSEXVILLE CITY DUMP						
WOODSIDE EAST TO PINE, NORTH	.25 MI TO JARMAN ST 90 EAST			5E	14N	13	06			
MI	BERRIEN		THREE OAKS	SOUTHWEST BERRIEN COUNTY					LANDFILL	
FOREST LAWN RD-FROM US12 GO S	ON BASSWOOD TO FOREST LAWN GOW			20W	8S	17	10			
MI	CHARLEVOIX		BOYNE CITY	BOYNE CITY DUMP						
OLD HORTON BAY ROAD				06W	33N	15	06	07		
MI	CHARLEVOIX		BOYNE CITY	BOYNE CITY OLD NORTH DUMP						
COURT AT ESCAPE STREETS				06W	33N	27	06	09	11	
MI	CHARLEVOIX		BOYNE CITY	C H SMITH DISPOSAL SITE						
OLD HORTON BAY RD,NORTH OF	BOYNE CITY			06W	33N	23	06	09		
MI	CHARLEVOIX		BOYNE FALLS	BOYNE FALLS DUMP						
.3 MILES WEST OF US 131 ON	ADDIS ROAD			05W	32N	09	06			
MI	CHARLEVOIX		BOYNE FALLS	BOYNE MOUNTAIN RESORT DUMP						
BOYNE MOUNTAIN SKI RESORT				05W	32N	16	06	07	09	
MI	CHARLEVOIX		EAST JORDAN	CITY OF EAST JORDAN DUMP						
END OF NICHOLS ST				07W	32N	24	03	06	07	
MI	CHARLEVOIX		EAST JORDAN	EAST JORDAN IRON WORKS FILL					AREA	
DIVISION STREET				07W	32N	14	03	08		
MI	CHARLEVOIX		IRONTON	CHARLEVOIX GARBAGE SERVICE					LANDFILL	
.5 MILES WEST OF SEGUONATA	ROAD ON DUMP ROAD			07W	33N	19	06			
MI	CHEBOYGAN		CHEBOYGAN	ALOHA TOWNSHIP DUMP						
ALOHA DUMP ROAD .7 MILES NORTH	OF MANN SCHOOL ROAD			01W	36N	14	06	07	09	
MI	CHEBOYGAN		CHEBOYGAN	BENTON TWP DUMP ALVERNO SITE						
2.3 MILES EAST OF ALVERNO ON	ORCHARD BEACH ROAD			01E	37N	32	06	07	09	11
MI	CHEBOYGAN		CHEBOYGAN	BENTON TWP DUMP CORDWOOD ROAD						
CORDWOOD ROAD,1.2 MILES SOUTH	OF US 23			01E	38N	32	06	07	09	11
MI	CHEBOYGAN		CHEBOYGAN	CITY OF CHEBOYGAN DUMP						
EASTERN AVENUE,.8 MILES SOUTH	OF US 23			01W	37N	04	03	06	11	
MI	CHEBOYGAN		CHEBOYGAN	INVERNESS TWP DUMP						
INVERNESS DUMP RD				2W	37N	27	06			
MI	CHEBOYGAN		DORIVA BEACH	GRANT TOWNSHIP DUMP - DORIVA					BEACH	
DORIVA BEACH ROAD,1.5 MILES	SOUTH OF TWIN LAKES ROAD			01E	36N	14	06	07	09	11
MI	CHEBOYGAN		DOUGLAS LAKE AREA	MUNRO TWP. - BRANT RD.						
BRANT RD.				3W	37N	31	06	09		

MI	CHEBOYGAN	INDIAN RIVER	KOEHLER TWP DUMP						
ONAWAY RD.			2W	35N	21	06 09			
MI	CHEBOYGAN	INDIAN RIVER	TUSCARORA TWP. DUMP						
BRUNDY RD.			2N	35N	31	06 09			
MI	CHEBOYGAN	TOPINABEE	EAST BURT LAKE DISPOSAL SITE						
CRUMP RD			3W	36N	12	06 07 09			
MI	CHEBOYGAN	TOPINABEE	MULLET TWP NO. 1						
.3 M OFF BENNET RD ON MULLET	TWP DUMP RD TO END		2W	36N	19	06 07 09			
MI	CHEBOYGAN	TOWER	FOREST TOWNSHIP DUMP						
ON TOWER DUMP ROAD,2.3 MI S	AND .4 MILES WEST, OF M-68		01E	34N	20	06 07 09 11			
MI	CHEBOYGAN	WOLVERINE	WOLVERINE VILL. DUMP						
PEET RD.			3W	33N	11	06 07 09			
MI	CHIPPEWA	DETOUR VILLAGE	DETOUR VILLAGE DISPOSAL AREA						
1MI W ON N CARIBOU FROM INTER-	SECTION OF N CARIBOU RD/HWY134		04E	42N	28	06 07 09			
MI	CHIPPEWA	RABER TOWNSHIP	RABER TOWNSHIP DISPOSAL AREA						
ON MI HWY 48 3MI W,1MI N OF	GOETZVILLE ON S		02E	42N	02	06 07 09			
MI	CLARE	CLARE	SHERIDAN TWP DUMP						
2 MILES EAST OF OLD 27 THEN	0.5 MI N ON CORNWELL		R3W	17N	6	06 09			
MI	CLARE	FARWELL	GARFIELD TOWNSHIP DUMP						
TWO AND ONE HALF MILES NORTH	OF US 10 ON LAKE STATION AVE		6W	17N	3	06 09			
MI	CLARE	FARWELL	GRANT TOWNSHIP DUMP						
US27 TO SURREY RD 3 MILE WEST	ON SURREY THEN 1000 FT NORTH		4W	17N	18	09			
MI	CLARE	FARWELL	SURREY TOWNSHIP DUMP						
4000 FT NORTH OF OS10 ON OLD	STATE AVENUE		5W	17N	12	06 09			
MI	CLARE	HARRISON	CITY OF HARRISON DUMP						
CLARENCE ROAD EAST OF SPRUCE	SOUTH OF BUSINESS 27		4W	19N	29	06			
MI	CLARE	HARRISON	FRANKLIN TOWNSHIP DUMP						
ONE MILE WEST OF M18 ON	MERIDITH GRADE ROAD		3W	20N	14	06 09 11			
MI	CLARE	HARRISON	HAMILTON TOWNSHIP DUMP						
ONE AND ONE HALF MILE NORTH OF	M61 ON RODGERS AVENUE		3W	19N	30	06 09			
MI	CLARE	HARRISON	SUMMERFIELD TOWNSHIP DUMP						
FIVE AND ONE HALF MILES NORTH	OF M61 ON OLD STATE AVENUE		5W	20N	23	06 09 11			
MI	DICKINSON	BREEM TOWNSHIP	BREEM TOWNSHIP DUMP						
0.5 MI SOUTH OFF CO RD 569 ON	JOE ROBINETTE RD-EAST SIDE		27W	41N	09	06 07 09			
MI	EMMET	ALANSON	LITTLEFIELD TOWNSHIP DUMP						
MOORE ROAD .8 MILES FROM POWER	ROAD		04W	35N	17	04 06 07 09			
MI	EMMET	CARP LAKE	CARP LAKE DUMP						
FROM US 31 GO N ON WHEELING	ROAD .35 MILES TO THE DUMP		04W	38N	02	06 07 09			
MI	EMMET	ELLSWORTH	SPRINGVALE TOWNSHIP DUMP						
ELLSWORTH ROAD,1.2 MILES FROM	MITCHELL ROAD		04W	34N	02	06 07			
MI	EMMET	HARBOR SPRINGS	CITY OF HARBOR SPRINGS AND			WEST TRAVERSE TOWNSHIP DUMP			
HUGHSTON ROAD,1.7 W OF STATE	ROAD		06W	35N	02	06 07 09			

MI	EMMET	HARBOR SPRINGS	LITTLE TRAVERSE TOWNSHIP DUMP				
PLEASANTVIEW ROAD .65 MILES	NORTH OF HATHAWAY ROAD	05W	35N	10	06		
MI	EMMET	LEVERING	MCKINLEY TOWNSHIP DUMP				
1.8 MILES EAST OF US 31 ON	LEVERING ROAD	04W	37N	01	06	07	09
MI	EMMET	MACKINAW CITY	MACKINAW CITY DUMP				
GO .9 MILES WEST FROM M-108 ON	TRAILS END ROAD (NEXT TO KOA)	04W	39N	13	06	07	11
MI	EMMET	PETOSKEY	PETOSKEY LANDFILL				
HOWARD STREET,.4 MILE SOUTH OF	RIVER ROAD	05W	34N	08	03	06	07
MI	GLADWIN	ALGER	CLEMENT TOWNSHIP DUMP				
ONE HALF MILE EAST OF M30 ON	INDIAN LAKE RD	1E	16N	16	06	09	
MI	GLADWIN	BEAVERTON	BILLINGS TOWNSHIP DUMP				
ESTEY RD THREE AND ONE HALF	MILES EAST OF M30	1E	17N	13	06	09	
MI	GLADWIN	BEAVERTON	D & B DISPOSAL SERVICE				
4 MI W OF M30 ON HOWARD ROAD	THEN 1/4 MI ON HAWKI	1W	18N	28	06		
MI	GLADWIN	BEAVERTON	TOBACCO TOWNSHIP DUMP				
VAN DYKE RD FIVE AND ONE HALF	MILES EAST OF M18	1W	17N	13	04	06	
MI	GLADWIN	GLADWIN	BUCKEYE TOWNSHIP DUMP				
M30 TO WINEGARS RD THEN 3 MILE	WEST,ONE EIGHTH MILE NORTH	1W	18N	15	06		
MI	GLADWIN	GLADWIN	GLADWIN CITY DUMP				
SOUTH ANTLER STREET 2 BLOCKS	SOUTH OF MAIN STREET	2W	18N	1	06	10	
MI	GLADWIN	GLADWIN	GLADWIN TOWNSHIP DUMP				
THREE AND THREE QUARTER MILES	EAST OF M18 ON RIDGE ROAD	1W	19N	21	06		
MI	GLADWIN	MERIDITH	SHERMAN TOWNSHIP DUMP				
OFF MERIDITH GRADE ROAD ONE	HALF MILE EAST OF M18	2E	20N	18	06	09	11
MI	GLADWIN	RHODES	BENTLEY TWP DUMP				
SEVEN AND ONE HALF MILES EAST	OF M30 ON ESTEY ROAD	2E	17N	15	06	09	
MI	GOGEBIC	BESSEMER	CITY OF BESSEMER DUMP				
0.8 MI N OF US-2 ON UNNAMED CO	RD-WEST SIDE OF ROAD	46W	47N	03	06	07	09 11
MI	GOGEBIC	ERWIN TOWNSHIP	ERWIN TOWNSHIP				
1.8 MI W OF CO RD 513 ON BLACK	RIVER RD - SOUTH SIDE	46W	46N	05	06	07	09 11
MI	GOGEBIC	IRONWOOD	CITY OF IRONWOOD DUMP				
S OFF US-2 ON LK ST TO MCLEAD	AVE, 0.2 MI, SOUTH SIDE OF RD.	47W	47N	23	03	06	
MI	GOGEBIC	IRONWOOD TWP	AIRPORT SITE (IRONWOOD TWP)				
4 MI N OF US-2 ON CO RD 505, E	2 MI ON CO RD 204, S ON JARVEY	46W	48N	31	06	07	10
MI	GOGEBIC	IRONWOOD TWP	LITTLE GIRL'S POINT (IRONWOOD)				
14.3 MILES NORTH OF US-2 ON CO	RD 505 - EAST SIDE OF ROAD	48W	48N	2	06	07	09 11
MI	GOGEBIC	MARENISCO TWP	MARENISCO TWP DUMP				
USFS ROAD, 1.4 MI NORTH OF	GREAT LAKES ROAD	44W	47N	21	06	07	09 11
MI	GOGEBIC	RAMSAY	BESSMER TOWNSHIP DUMP				
2 MI SOUTH OF RAMSAY ON SOUTH	RIDER RD-EAST SIDE OF ROAD	46W	47N	25	06	07	09 11
MI	GOGEBIC	WAKEFIELD	CITY OF WAKEFIELD DUMP				
2 MILES NORTH ON M-28 FROM	CITY LIMIT-NORTH SIDE OF ROAD	45W	48N	35	06		

MI	HOUGHTON		EAGLE RIVER	EAGLE RIVER DUMP (HOUGHTON			TOWNSHIP)		
0.1 MI SOUTH OF EAGLE RIVER,	THEN 0.4 MILE ON DIRT TRAIL			31W	58N	30	06	07	09 11
MI	HOUGHTON		LAIRD TWP.	LAIRD TOWNSHIP DISPOSAL AREA					
3.5 MI E OF NISULA ON M-38, S	0.6 MI ON CO. RD TO DISP. AREA			35W	50N	6	06	07	09 11
MI	IOSCO		NATIONAL CITY	SHERMAN TOWNSHIP DUMP					
2 MILES SOUTH OF NATIONAL CITY	ON NATIONAL CITY ROAD			6E	21N	16	06		
MI	IOSCO		WHITTEMORE	WHITTEMORE BURLEIGH TOWNSHIP			DUMP		
ONE MILE EAST OF M65 AT PUTNAM	AND ALABASTER ROADS			5E	21N	22	06		
MI	IRON		BATES TWP	BATES TOWNSHIP DUMP					
1 MI S OF US-2 ON BATES-GASTRA	RD, ON EAST SIDE OF ROAD			34W	43N	29	06	07	09
MI	IRON		CRYSTAL FALLS	CITY OF CRYSTAL FALLS DUMP					
.56 MI N OF M-69 ON WAGNER ST,	.3 MI ON KELSO-GATE ON W SIDE			32W	43N	21	06	07	09
MI	IRON		HEMATITE TOWNSHIP	HEMATITE TWP DUMP					
0.15 MI E ON CORRAL, OFF US141	TO OLD US141, .3 MI S-W SIDE			33W	44N	04	06	07	09
MI	IRON		IRON RIVER TWP	IRON RIVER TWP DUMP					
1.4 MI N OF US-2 ON CO RD 675	ACROSS FROM TWP HALL-W SIDE RD			35W	43N	16	06	07	09
MI	KALKASKA		MANCELONA	ANTRIM-KALKASKA LANDFILL					
CEMETARY ROAD .5 MILES N OF	PLUM VALLEY ROAD			07W	28N	3	06		
MI	KEWEENAW		COPPER HARBOR	COPPER HARBOR (GRANT TOWNSHIP)					
0.65 MI SE OF COPPER HARBOR ON	LEFT SIDE OF LAKE MANGANESE RD			28W	58N	04	06	07	09 11
MI	KEWEENAW		EAGLE HARBOR	EAGLE HARBOR DUMP					
0.4 MI S EAGLE HARBOR, RT SIDE	OF EAGLE HARBOR CUT-OFF ROAD			30W	58N	07	06	07	09 11
MI	KEWEENAW		LAC LA BELLE	LAC LA BELLE(GRANT TOWNSHIP)					
1.9 MI S OF LAC LA BELLE-TRAIL	ON RIGHT SIDE, 0.4 MI TO DUMP			29W	57N	6	06	11	
MI	KEWEENAW		SHERMAN TWP	GAY DUMP (SHERMAN TOWNSHIP)					
APPROX 1/4 MI NORTH OF GAY	DUMP ON CO RD, RT SIDE OF RD.			30W	56N	30	06	07	09
MI	LENAWEE		ADRIAN	LENAWEE DISPOSAL SERVICE					
OGDEN HWY.4 MILE NORTH OF	DEERFIELD RD			4E	7S	6	03	04	
MI	LUCE		LAKEFIELD TWP	LAKEFIELD TOWNSHP DISPOSAL					
0.5 MI S OF THE INTERSECTION	OF H-98 AND H-35 (E SIDE)			11W	45N	29	06	07	09
MI	LUCE		NEWBERRY VILLAGE	NEWBERRY VILLAGE DISPOSAL SITE					
2.25MI E OF M-123 ON C-462	LOCATED ON SOUTH SIDE OF ROAD			09W	46N	29	06	07	09
MI	MACKINAC		CLARK TWP	CLARK TOWNSHIP DISPOSAL AREA					
STATE HIGHWAY I34 N .5 MI ON	BLIND LN RD W .5 MILE ON STATE			1W	42N	26	04	06	07 09
MI	MACOMB		UTICA	HAMLIN DEVELOPMENT CO					
HAMLIN RD EAST OF DEQUINPRE	2925 HAMLIN RD			12E	03N	19	06	08	
MI	MARQUETTE		POWELL TWP	POWELL TOWNSHIP DISPOSAL AREA					
0.75 MILE WEST OF THE TOWN OF	BIG BAY OFF OF CO RD 550			27W	51N	16	06	07	09
MI	MENOMINEE		CEDARVILLE TWP	CEDARVILLE TOWNSHIP DUMP					
WEST ON RD JUST NORTH OF CEDAR	RIVER ON M-35, 0.8 MI TO DUMP			25W	35N	13	06	07	
MI	MENOMINEE		DAGGETT	VILLAGE OF DAGGETT DUMP					
0.4 MI WEST OF US 41 ON CO RD	358, SOUTH 0.2 MI TO DUMP GATE			27W	35N	02	06	07	

MI	MENOMINEE		FAITHORN TOWNSHIP	FAITHORN TOWNSHIP DUMP				
1 MI SOUTH OF FAITHORN COUNTY	RD 577 ON WEST SIDE OF ROAD			28W	38N	22	06 07	
MI	MENOMINEE		HARRIS TOWNSHIP	HARRIS TOWNSHIP DUMP				
3.5 MI N OF US-2 ON CO RD 551,	E 0.6 MI ON CO RD-N SIDE OF RD			25W	39N	23	06 07	
MI	MENOMINEE		HOLMES TOWNSHIP	HOLMES TOWNSHIP DUMP				
1.7 MI NORTH FROM STAR CORNERS	ON CO RD 577-WEST SIDE OF ROAD			28W	36N	25	06 07	
MI	MENOMINEE		INGALLSTON TWP	INGALLSTON TOWNSHIP DUMP				
1.2 MI W FROM JCT OF JIM TOWN	RD AND CO RD 346 N SIDE OF RD			26W	34N	01	06 07	
MI	MENOMINEE		INGALLSTON TWP	MENOMINEE-INGALLSTON DUMP				
1.6 MI W ON CO RD 320 OFF M-35	S 0.2 MI ON CO RD 571-E SIDE			26W	32N	06	06 07	
MI	MENOMINEE		MEYER TOWNSHIP	MEYER TOWNSHIP DUMP				
NORTH OF US-41 AT HERMANSVILLE	GATE, 0.75 MILE ON TRAIL			27W	36N	02	06 07	
MI	MENOMINEE		NADEAU TOWNSHIP	NADEAU TOWNSHIP DUMP				
2.8 MI WEST OF NADEAU ON CO RD	374 - NORTH SIDE OF ROAD			27W	37N	23	06 07	
MI	MENOMINEE		SPALDING TWP	SPALDING TOWNSHIP DUMP				
0.25 MI SOUTH OF US-2 ON CO RD	563 - WEST SIDE OF ROAD			26W	38N	15	06 07	
MI	MENOMINEE		STEPHENSON	CITY OF STEPHENSON				
0.25 MI W OF US-41 ON RIVER RD	N ON CO RD-DUMP ON WEST SIDE			27W	35N	15	06 07	
MI	MENOMINEE		WALLACE, MELLEN TWP	MELLEN TOWNSHIP DUMP				
0.6 MILES NORTH OF WALLACE ON	US-41 ON WEST SIDE OF ROAD			27W	34N	15	06 07	
MI	MISSAUKEE		DINCA	AETNA TOWNSHIP DUMP				
9 MILE ROAD 0.9 MILE NORTH OF	WORKMAN			06W	22N	22	06 07 09	
MI	MISSAUKEE		LUCAS	RICHLAND TOWNSHIP DUMP				
0.2 MI WON CAVANAGH ROAD TO	GATE NORTH 400 YDS			8W	21N	17	09 11	
MI	MISSAUKEE		MCBAIN	MCBAIN DISPOSAL GARDENS				
DECKER STREET				07W	21N	19	07 09	
MI	MISSAUKEE		MERRITT	ENTERPRISE TOWNSHIP DUMP				
1/8 MI SW OF CORNER OF GILLOW	AND BOWMAN ROAD			R5W	T23N	4	06 07 11	
MI	MISSAUKEE		MOORESTOWN	NORWICH TOWNSHIP DUMP				
NELSON ROAD				24N	5W	7	06 07 09	
MI	MISSAUKEE		PIONEER	PIONEER TOWNSHIP DUMP				
MCGEE ROAD 0.7 MI N OF M66				7W	24N	20	11	
MI	MISSAUKEE		VOGEL CENTER	CLAM UNION TOWNSHIP DUMP				
8 MILE ROAD 0.9MI N OF VOGEL	CENTER			6W	21N	21	07 09	
MI	NEWAYGO		BROOKSIDE/REEMAN	SHERIDAN TOWNSHIP LANDFILL				
OSBORN ROAD				14N	12N	26	06 09	
MI	OCEANA		SHELBY	SHELBY TOWNSHIP LANDFILL				
FISH ROAD				R17W	714N	26	06	
MI	OGEMAN		HALE	LOGAN TOWNSHIP DUMP				
M55 TO CLARK RD THEN NORTH ONE	AND QUARTER MILES TO SITE GATE			4E	22N	16	06 09	
MI	OGEMAN		LUPTON	SHORTS SANITARY LANDFILL				
M33 TO SAGE LAKE, RD E 9 MILES	THEN 2 MI N ON TOWN HALL			4E	23N	14	06 08	

MI	OGEMAW			ROSE CITY	CUMMING TOWNSHIP DUMP				
ONE AND ONE HALF MILES EAST OF M33 ON SAGE LAKE ROAD					3E	23N	20	06	
MI	ONTONAGON			BERGLAND	BERGLAND TOWNSHIP DUMP				
2 MI N OF BERGLAND ON M-64 TO	JOHNSON RD	W ON SAID RD 1/4 MI			42W	49N	20	06 07 09	
MI	ONTONAGON			GREENLAND TOWNSHIP	MASS DUMP (GREENLAND TOWNSHIP)				
0.5 MILE NORTH OF MASS ON US-	45 ON EAST	SIDE OF ROAD			38W	51N	36	06 07 09	
MI	ONTONAGON			HAIGHT TWP	TRI TOWNSHIP DUMP				
3.5 MI S OF BRUCES CROSSING ON	US-45, E	0.5 MI ON HOLOMBO RD			39W	47N	10	06 07 09 11	
MI	ONTONAGON			ONTONAGON	VILLAGE OF ONTONAGON				
2.5 MILES SOUTH OF M-64 ON	EAST SIDE	OF NORWICH ROAD			40W	51N	14	01 03 06 07 09 11	
MI	ONTONAGON			ROCKLAND	ROCKLAND TOWNSHIP DUMP				
0.8 MI W OF ROCKLAND ON CO. RD	DISPOSAL	AREA ON RT SIDE OF RD			39W	50N	16	01 03 06 07 09 11	
MI	ONTONAGON			SILVER CITY	CARP LAKE TOWNSHIP DUMP				
2.4 MI SOUTH OF SILVER CITY ON	M-64 ON	EAST SIDE OF ROAD			42W	51N	25	06 07 09 11	
MI	ONTONAGON			TROUT CREEK	TROUT CREEK DUMP(INTERIOR TWP)				
1.6 MILES SOUTH OF TROUT CREEK	ON EAST	SIDE OF MILL POND ROAD			38W	47N	24	06 07 09	
MI	PRESQUE ISLE			ALPENA	PRESQUE ISLE TWP NO. 2 DUMP				
RAYBURN ROAD, 1.0 MILE EAST OF	US 23				08E	33N	21	06 07 09	
MI	PRESQUE ISLE			HAWKS	BISMARCK TOWNSHIP DUMP				
WARD BRANCH ROAD,1.0 MILES	NORTH OF	NOFZE ROAD			04E	34N	23	06 07 09 11	
MI	PRESQUE ISLE			MILLERSBURG	CASE TOWNSHIP DUMP				
BIG CUT ROAD 1.6 MILES EAST OF	MILLERSBURG				03E	34N	12	06 07 09 11	
MI	PRESQUE ISLE			NEAR GRAND LAKE	KRAKOW TOWNSHIP DUMP				
US 23 AT 638 HIGHWAY					07E	34N	22	03 06 07 09	
MI	PRESQUE ISLE			OCQUEOC	BEARINGER-NORTH ALLIS TOWNSHIP DUMP				
.75 MILES NORTH OF BLUFFS	HWY				02E	36N	28	06 07 09 11	
MI	PRESQUE ISLE			OCQUEOC	OCQUEOC TOWNSHIP DUMP				
CHEBOYGAN PLAINS ROAD,EAST OF	OCQUEOC	ROAD			03E	36N	33	06 07 09 11	
MI	PRESQUE ISLE			ONAWAY	ONAWAY DUMP				
COUNTY ROAD 634,0.5 MILES EAST	OF M33				02E	33N	21	06 07 09 11	
MI	PRESQUE ISLE			POSEN	POSEN DUMP				
NORTH GRAND LAKE HIGHWAY,0.7	MILES FROM	M-65(WEST OF M-65)			06E	33N	09	06 07 09	
MI	PRESQUE ISLE			PRESQUE ISLE	PRESQUE ISLE #1 DUMP				
EAST GRAND LAKE ROAD (0.6 MI.	EAST)				08E	33N	04	06 07 09	
MI	PRESQUE ISLE			ROGERS CITY	ROGERS CITY DUMP				
CHURCH ROAD,1.0 MI. W OF US 23					05E	35N	20	03 06 07 09	
MI	VANBUREN			KENDALL	GEORGE WESTCOTT DUMP SITE				
27TH STREET -1/2 MILE SOUTH OF	THE VILLAGE	OF KENDALL ON 27TH			13W	1S	27	06 09 11	
MN	BECKER			PONDSFORD	PONDSFORD-PINEPOINT TOWNSHIP			DUMP	
ONE QUARTER MILE NE OF	PONDSFORD				46 59 00	095 22 00		03 04 06 07 09 11	
MN	BECKER			TOAD LAKE TWP	TOAD LAKE TRI-TOWNSHIP			LANDFILL	
FIVE MILES W OF SNELLMAN MN ON	HWY NO 34				46 53 00	095 31 00		03 04 06 09 11	

MN	BECKER		WOLF LAKE	WOLF LAKE TOWNSHIP DUMP	
ONE MILE N OF VILLAGE OF WOLF	LAKE MN			46 49 00 095 21 00	03 04 06 09
MN	BELTRAMI		BEMIDJI	KUMMER SANITARY LANDFILL	
.5MILES N OF BEMIDJI ALONG CO.	ROAD 22			47 31 00 094 55 00	04
MN	BELTRAMI		PINEWOOD	ROOSEVELT TOWNSHIP DUMP	
1 MILE EAST OF DEBS MN. ON	UNNUMBERED	TWP RD		47 44 00 095 06 00	03 04 06 09 11
MN	BELTRAMI		NOT APPLICABLE	RED LAKE INDIAN RESERVATION	DUMP
3 MILES SOUTH OF RED LAKE	ALONG HWY 89			47 51 00 095 02 00	06 07 09 11
MN	BIG STONE		CLINTON	CLINTON DUMP	
.2 MI NORTH OF CSAH 11 AND .3	MI WEST OF	US 75		R46W T123N 16	03 06 07 09 11
MN	BIG STONE		CORRELL	CORRELL DUMP	
.5 MI SOUTH OF JCT STATE HIWAY	7 AND CSAH	25		45 14 00 096 10 00	03 06 07 09 11
MN	CHIPPEWA		CLARA CITY	CLARA CITY DUMP	
.7 MI EAST OF CSAH 2 AND .2 MI	NE OF TOWN			45 25 00 095 22 00	06 07 09 11
MN	CHIPPEWA		MILAN	MILAN DUMP	
.2 MI SOUTHWEST JCT US 59 AND	STATE HIWAY	40		45 06 00 095 54 00	06 07 09 11
MN	COOK		TOFTE	TOFTE DUMP	
NORTH OF CO. RD 33 AND WEST OF	HWY. 2			47 36 00 090 51 00	03 06
MN	COOK		NOT APPLICABLE	GRAND PORTAGE RESERVATION DUMP	
NORTH OF GRAND PORTAGE ON	NORTH SIDE	OF U.S. HWY. 61		47 59 00 089 41 00	06 11
MN	COTTONWOOD		WESTBROOK	WESTBROOK DUMP	
.5 MI WEST OF CSAH 7 ON STATE	HIWAY 30			44 03 00 095 23 00	03 06 07 09 11
MN	FILLMORE COUNTY		WHALAN	PROMISCUOUS DUMP NORTH OF	WHALAN
ON EAST SIDE OF CO RD NORTH OF	WHALAN			43 45 00 091 55 00	11
MN	HOUSTON COUNTY		BROWNSVILLE	BROWNSVILLE DUMP	
NORTHWEST EDGE OF TOWN ON	NORTH SIDE	OF CO RD 18		43 42 00 091 18 00	03 11
MN	HUBBARD		AKELEY	AKELEY CITY DUMP	
1.3 MILES NW OF AKELEY ALONG	CO RD 25			47 02 00 094 44 00	06 07 09 11
MN	ITASCA		BALSAM TWP	SUNRISE LAKE DUMP	
SOUTH OF THE INTERSECTION OF	CR 326 AND	HWY 49		47 29 00 093 32 00	06 11
MN	ITASCA		BIGFORK	BIGFORK DUMP	
WEST OF CITY OF BIGFORK ON THE	SOUTH SIDE	OF CO. RD. 225		47 44 30 093 42 00	03 06 07 09 11
MN	ITASCA		BIGFORK	LONG LAKE DUMP	
ON NORTH SIDE OF CSAH 7				47 35 00 093 24 00	03 06 11
MN	ITASCA		CALUMET	CALUMET DUMP	
SOUTH OF CSAH 12 NEAR A GRAVEL	PIT			47 16 00 093 15 00	06 07 09 11
MN	ITASCA		DEER LAKE	DEER LAKE RESORT DUMP	
ON THE EAST SIDE OF ST. FOREST	ROLLER COASTER	RD		47 51 00 093 20 00	06 11
MN	ITASCA		DEER RIVER	DEER RIVER DUMP	
NORTH OF C.R. 129, NORTH OF	HWY 46			47 25 00 093 57 00	06 07 09 11
MN	ITASCA		DORA LAKE	KINGHURST DUMP	
NORTH OF HWY 29 ON THE EDGE OF	CHIPPEWA	NATIONAL FOREST		47 43 00 094 10 00	06 11

MN	ITASCA		EFFIE	EFFIE DUMP	
NORTH OF HWY 1 ON THE EDGE OF	THE EFFIE CITY LIMITS			47 51 00	093 38 00	06 07 09 11
MN	ITASCA		GOODLAND	GOODLAND DUMP	
4 MILES NORTH OF GOODLAND ON	THE EAST SIDE OF STATE HWY 65			47 14 00	093 10 00	06 07 09 11
MN	ITASCA		KEEWATIN	KEEWATIN DUMP	
ON THE SOUTH SIDE OF U.S. HWY. 169				47 24 00	093 04 30	06 07 09 11
MN	ITASCA		MARBLE	MARBLE DUMP	
SOUTH OF U.S. HWY 169, WEST OF MUD LAKE				47 19 00	093 18 00	06 07 09 11
MN	ITASCA		NASHWAUK	NASHWAUK CITY DUMP	
SOUTH OF HWY.169, SE OF THE	CITY OF NASHWAUK			47 22 00	093 10 00	03 06 07 09 11
MN	ITASCA		NASHWAUK	NASHWAUK TOWNSHIP DUMP	
NORTH SIDE OF AN UNNUMBERED	COUNTY ROAD NW OF NASHWAUK			47 24 30	093 14 50	06 11
MN	ITASCA		NASS	CARPENTER DUMP	
SOUTH OF STATE HWY.65 WEST OF	THE TOWN OF NASS			47 07 00	093 08 00	06 07 09 11
MN	ITASCA		PENGILLY	PENGILLY DUMP	
SOUTH OF U.S. HWY. 169 BEYOND	THE BASEBALL FIELDS			47 20 00	093 14 00	06 07 09 11
MN	ITASCA		SWAN RIVER	SAGO-SWAN RIVER DUMP	
NORTH OF COUNTY ROAD 433 IN A	GRAVEL PIT AREA			47 05 00	093 14 00	06 07 09 11
MN	ITASCA		WAWINA	WAWINA DUMP	
ON THE WEST SIDE OF CSAH 25				47 04 30	093 06 00	03 06 07 09
MN	ITASCA		NOT APPLICABLE	SUOMI DUMP	
ON THE SOUTH SIDE OF HWY 48,	1 MILE WEST OF HWY 38			47 31 00	093 39 00	06 11
MN	ITASCA		NOT APPLICABLE	INGER DUMP	
NORTH OF INGER ON THE EAST	SIDE OF HWY 35			47 34 00	093 59 00	06 07 09 11
MN	ITASCA		NOT APPLICABLE	BUCK LAKE DUMP	
SOUTH FO BUCK LAKE ON THE WEST	SIDE OF STATE HWY 65			47 31 00	093 11 00	06 07 09 11
MN	JACKSON		HERON LAKE	HERON LAKE	
ADJACENT TO SEWAGE TREATMENT	LAGOONS			43 47 00	095 18 00	03 07 09 11
MN	KANDIYOHI		HOLLAND TWP	PRINSBURG	
1.5 MI SOUTH OF TOWN EAST OF	CEMETERY			44 55 00	095 11 00	06 07 09
MN	KITTSON		KARLSTAD	CITY OF KARLSTAD SANITARY	LANDFILL
1.7 MILES WEST OF THE CITY OF	KARLSTAD ALONG HWY#11			48 35 00	096 34 00	03 06 11
MN	KOOCICHING		NORTHOME	NORTHOME DUMP	
SOUTH OF NORTHCHE,WEST SIDE OF	HWY 46			47 51 00	094 16 00	03 06 07 09 11
MN	LAC QUI PARLE		PERRY TWP	BELLINGHAM	
.5 MI SE OF JCT US 75 AND CSAH 30				45 07 00	096 17 00	06 07 09 11
MN	LAKE OF THE WOODS		NOT APPLICABLE	NORTHWEST ANGLE INLET LANDFILL	
.7 MILES SW OF ANGLE INLET				49 21 00	095 05 00	06 09 11
MN	LYON		BALATON	BALATON INCINERATOR AND DUMP	
.4 MI EAST OF JCT CSAHS 5 AND	27 ON CO RD 63			44 14 00	095 53 00	03 07 09
MN	MAHNOMEN		NAYTAHWAUSH	NAYTAHWAUSH DUMP	
.5 MILES NW OF THE CITY				47 16 00	095 39 00	03 04 06 07 08 09 11

MN	MEEKER	WATKINS	WATKINS VILLAGE DUMP		
.5 MI WEST OF TOWN ON TWP RD	AND .5 MI NO OF STATE HIWAY 55	44 14 00	094 26 00	03 07 09 11	
MN	MILLE LACS	ISLE HARBOR TWP	PROMISCUOUS DUMP IN ISLE	HARBOR TOWNSHIP	
ONE MILE SOUTH OF WAHKON, WEST	OF C.S.A.H. 17	46 06 00	093 31 00	11	
MN	MORRISON	LITTLE FALLS TWP	PROMISCUOUS DUMP THREE MILES	EAST OF LITTLE FALLS	
THREE MILES EAST OF LITTLE	FALLS NORTH OF HWY. 27	45 58 00	094 16 00	03 11	
MN	MORRISON	RANDALL	RANDALL CITY DUMP		
ON THE NORTHEAST EDGE OF TOWN,	ONE HALF MILE NORTH OF HWY.115	46 06 00	094 29 00	03 06	
MN	MOWER COUNTY	ADAMS	ADAMS SANITARY LANDFILL		
1.0 MILE EAST OF ADAMS, SOUTH	OF STATE HIGHWAY 56	43 34 00	092 41 00	03 06	
MN	NICOLLET COUNTY	NICOLLET	NICOLLET DUMP		
2 MI NORTHEAST OF NICOLLET,	BETWEEN MIDDLE AND LITTLE LAKE	R28W	T110N	36	06 11
MN	NICOLLET COUNTY	NICOLLET TOWNSHIP	PROMISCUOUS DUMP		
SOUTH OF COUNTY RD, 0.1 MI	WEST OF CO HWY 66	44 12 00	094 09 00	06 11	
MN	NOBLES	LISMORE TWP	KENNETH MODIFIED LANDFILL		
3 MI EAST OF KENETH ON CSAH 16	NOBLES COUNTY	43 45 00	096 10 00	06	
MN	OTTER TAIL	HENNING	HENNING DUMP		
2 MILES SE OF HENNING MN ALONG	AN UNNUMBERED TOWNSHIP ROAD	46 18 00	095 25 00	06 07 09	
MN	OTTER TAIL	OTTER TAIL	OTTER TAIL TOWNSHIP DUMP		
2.5MILES SW OF THE CITY OF	OTTER TRAIL ON HWY NO. 55	46 24 00	095 34 00	04 06 07 09 11	
MN	OTTER TAIL	PARKERS PRAIRIE	PARKERS PRAIRIE DUMP		
.5MILES W.OF PARKERS PRAIRIE	ON HWY 46	46 08 00	095 18 00	03 04 06 07 09	
MN	PINE	KERRICK	KERRICK DUMP GROUNDS		
ONE MILE NORTH OF KERRICK,	JUST WEST OF HWY. 23.	46 22 00	092 34 00	06 09	
MN	PINE	MARKVILLE	ARNA TOWNSHIP DUMP		
EAST OF MARKVILLE, JUST SOUTH	OF COUNTY ROAD 25	46 05 00	092 19 00	03	
MN	PIPESTONE	EDGERTON	EDGERTON		
.5 MI WEST OF TOWN ON STATE	HIWAY 268	43 52 00	096 09 00	03 06 07 09	
MN	REDWOOD	LAMBERTON TWP	LAMBERTON CITY DUMP		
1 MI EAST OF LAMBERTON .5 MI	SO OF US 14	44 14 00	095 14 00	03 06 07 09 11	
MN	RENVILLE	RENVILLE	RENVILLE CITY DUMP		
.5 MI WEST OF CSAH 6 AND .3 MI	NORTH OF US 212	44 47 00	095 14 00	03 06 07 09 11	
MN	RENVILLE	SACRED HEART TWP	SACRED HEART		
1.5 MI SOUTH OF US 212 ON CSAH 12		44 46 00	095 17 45	03 06 07 09 11	
MN	RENVILLE	TROY TWP	DANUBE		
1 MI NORTH OF US 212 ON CSAH 1		44 47 00	097 05 30	06 07 09 11	
MN	SAINT LOUIS	ANGORA	ANGORA TOWNSHIP DUMP		
1 MILE WEST OF SHERMAN CORNER	ON SOUTH SIDE OF CSAH 22	47 47 00	092 40 40	06	
MN	SAINT LOUIS	COOK	COOK CITY DUMP		
1 MILE NORTH OF COOK ON WEST	SIDE OF CSAH 24	47 54 00	092 40 00	03 06	
MN	SAINT LOUIS	COOK	FIELD TOWNSHIP DUMP		
5MILES WEST OF COOK ON NORTH	SIDE OF CO. RD. 500	47 51 00	092 49 00	03 06	

MN	SAINT LOUIS		MCKINLEY	MCKINLEY SANITARY LANDFILL		
SOUTH OF MCKINLEY ON EAST SIDE OF CSAH 20				47 30 30	092 24 00	06
MN	SAINT LOUIS		NOT APPLICABLE	CRANE LAKE DUMP		
3 MILES SOUTH OF CRANE LAKE ON EAST SIDE OF CSAH 24				48 14 00	092 28 00	06 11
MN	SAINT LOUIS		NOT APPLICABLE	NETT LAKE DUMP		
EAST OF TOWN OF NETT LAKE,	SOUTH OF CO. RD. 793			48 06 00	093 04 00	06 11
MN	SAINT LOUIS		NOT APPLICABLE	ELEPHANT-BLACKDUCK LAKE DUMP		
SOUTH OF ELEPHANT LAKE ON EAST SIDE OF NAT.FOREST ROAD				48 10 00	092 45 00	06 11
MN	STEARNS		SARTELL	SARTELL CITY DUMP		
NORTH OF SARTELL JUST WEST OF	C.S.A.H. 1			45 38 00	094 17 00	09 11
MN	ST. LOUIS		DULUTH	DULUTH SLF		
NORTH OF THE CITY OF DULUTH,	WEST OF HWY 4			46 52 00	092 10 00	03 04 10
MN	ST. LOUIS		HIBBING	HIBBING SLF		
NORTH OF HWY 169 AND SW OF THE CITY OF HIBBING				47 24 00	092 59 00	03
MN	ST. LOUIS		HIBBING	KITZVILLE-HIBBING DUMP		
EAST OF HIBBING ON THE WEST OF AN UNNAMED CO. RD.				47 26 00	092 51 00	03 06
MN	ST.LOUIS		TOWER	COUNTY ROAD 77 DUMP		
ADJACENT TO GRAVEL PIT ON	SOUTHSIDE OF CO. RD. 77			47 51 00	092 24 00	06
MN	ST.LOUIS		NOT APPLICABLE	PORTAGE DUMP		
3MI.SW OF BUYCK ON THE NORTH	SIDE OF HWY.23			48 06 00	092 35 00	03 06 11
MN	SWIFT		APPLETON TWP	APPLETON CITY DUMP		
1.5 MI NE OF TOWN ON US 59				45 13 00	095 59 00	01 03 06 07 09 11
MN	SWIFT		BENSON	BENSON SANITARY LANDFILL		
.5 MI WEST OF CSAH 25 ON STATE HIWAY #9				45 20 00	096 35 00	06
MN	SWIFT		MOYER TWP	HOLLOWAY		
1 MI WEST OF US 59 ON CO RD 60				45 15 00	096 54 00	06 07 09 11
MN	WASECA COUNTY		JANESVILLE	JANESVILLE DUMP		
ON WEST SIDE OF CO. RD. 53	.5 MILE NORTH OF JANESVILLE			44 08 00	093 43 00	03 07 09
MN	WILKIN		KENT	KENT CITY DUMP		
1 MILE SW OF THE CITY OF KENT	ALONG THE RED RIVER BANK			46 26 00	096 42 00	01 03 06 07 09 11
MN	WRIGHT		MAPLE LAKE TWP.	SILVER CREEK TOWNSHIP DUMP		
EAST OF CO. RD. 8, SOUTH OF	CO. RD. 39.			45 18 00	093 59 00	03 06 07 09 11
MN	YELLOW MEDICINE		CANBY	CANBY CITY DUMP		
1 MI WEST OF US 75 JUST SOUTH	OF AIRPORT			44 40 00	096 15 30	06 07 09
MN	YELLOW MEDICINE		CLARKFIELD	CLARKFIELD DUMP		
SE CORNER OF TOWN SO OF RR	RIGHT OF WAY			44 47 00	095 45 00	03 06 07 09 11
MN	YELLOW MEDICINE		STONY RUN TWP	LENZEN SANITARY LANDFILL		
JCT OF US HIWAY 212 AND CSAH 5				44 52 00	095 37 00	06 11
MS	AMITE		CROSBY	CROSBY DUMP		
AIRPORT ROAD				2E	4N	22	01 06 07 09 10 11
MS	AMITE		LIBERTY	LIBERTY DUMP		
HIGHWAY 48				4E	2N	8	01 03 06 07 09 11

MS	ATTAIA	ETHEL	ETHEL GARBAGE DUMP							
BURCHFIELD ROAD			9E	15N	19	06	07	09	11	
MS	BENTON	ASHLAND	ASHLAND DUMP							
3 MI N OF TOWN OFF HWY 370			R1E	T2S	35	06	07	09	11	
MS	BENTON	HICKORY FLAT	HICKORY FLAT DUMP							
OLD HWY 78 EAST			R2E	T5S	31	06	07	09	11	
MS	BENTON	NOT APPLICABLE	SNOW LAKE DUMP							
HWY 4 EAST			R1E	T3S	18	06	07	09	11	
MS	CALHOUN	BIG CREEK	BIG CREEK DUMP							
BIG CREEK RD			9E	23N	19	01	06	07	09	11
MS	CALHOUN	BRUCE	BRUCE DUMP							
5 MI NE OF TOWN OFF HWY 32			1W	12S	23	06	07	09		
MS	CALHOUN	PITTSBORO	PITTSBORO DUMP							
DOWNTOWN PITTSBORO			9E	24N	19	06	07	09		
MS	CALHOUN	VARDAMAN	VARDAMAN DUMP							
2 MI N OF DERMA OFF HWY 8			1E	14S	27	06	07	09		
MS	CALHOUN	NOT APPLICABLE	NORTH CALHOUN COUNTY DUMP							
4 MI N OF TOWN OFF HWY 9			2W	12S	13	06	07	09		
MS	CALHOUN COUNTY	CALHOUN CITY	CALHOUN CITY DUMP							
3 MI N OF TOWN OFF OF HWY 9			1W	14S	6	06	07	09	11	
MS	CARROLL	CARROLLTON	CARROLLTON - NORTH CARROLLTON DUMP							
2 MI E OF TOWN OFF HWY 35			04E	19N	17	06	07	09	11	
MS	CARROLL	VAIDEN	VAIDEN DUMP							
TUCKERSVILLE ROAD			05E	17N	23	06	07	09	11	
MS	CARROLL	NOT APPLICABLE	HUMPHREYS HWY DUMP							
INTERSECTION OF HUMPHREYS HWY. AND BLACK HAWK RD.			02E	18N	21	06	07	09	11	
MS	CLARKE	ENTERPRISE	ENTERPRISE DISPOSAL SITE							
RT 2			15E	4N	16	06	07	09	11	
MS	CLARKE	PACHUTA	PACHUTA DISPOSAL SITE							
HIGHWAY 18			14E	3N	31	06	07	09	11	
MS	CLARKE	QUITMAN	QUITMAN DISPOSAL SITE							
HIGHWAY 513			15E	3N	22	06	07	09	11	
MS	CLARKE	SHUBUTA	SHUBUTA GARBAGE DISPOSAL SITE							
HWY 45 SOUTH			15E	1N	25	06	07	09	11	
MS	CLARKE	NOT APPLICABLE	CHANCELLOR DISPOSAL SITE							
HIGHWAY 511E RT 4 BOX 15B			16E	2N	14	06	07	09	11	
MS	CLARKE	NOT APPLICABLE	HARMONY DUMP #1							
HIGHWAY 18			15E	2N	29	06	07	09	11	
MS	CLARKE	NOT APPLICABLE	HARMONY DUMP #2							
HIGHWAY 18 2 MI W OF TOWN			14E	2N	24	06	07	09	11	
MS	CLARKE	NOT APPLICABLE	INDIAN MOUND DISPOSAL SITE							
HIGHWAY 511E			17E	2N	28	06	07	09	11	

MS CLARKE HWY 514 EAST		NOT APPLICABLE	MIDDLETON GARBAGE DISPOSAL SITE 17E	4N	6	06	07	09	11
MS CLARKE HIGHWAY 18 EAST		NOT APPLICABLE	TUSCAHAUMA DISPOSAL SITE 16E	3N	30	06	07	09	11
MS CLARKE HWY 18		NOT APPLICABLE	SYKES DISPOSAL SITE 17E	3N	7	06	07	09	11
MS COPIAH EAST OF BEAUREGARD STORE		WESSON	BEAT 2 DUMP 8E	9N	25	06	07	09	11
MS COVINGTON MCDONALD RD		COLLINS	COLLINS 16W	8N	25	06	07	09	
MS COVINGTON HIGHWAY 37		HOT COFFEE	TAYLORSVILLE GARBAGE DISPOSAL SITE 14W	10N	11	06	07	09	11
MS COVINGTON HWY 35 EAST		MT OLIVE	BEAT 5 15W	9N	5	06	07	09	
MS COVINGTON HWY 35 WEST		MT OLIVE	MT OLIVE 17W	9N	13	06	07	09	
MS COVINGTON HWY 590 SEMINARY		SEMINARY	BEAT 2 14W	7N	16	06	07	09	
MS COVINGTON RT 2 COLLINS		SEMINARY	SEMINARY DUMP 15W	7N	13	06	07	09	
MS FORREST RT 9		HATTIESBURG	BEAT 2 14W	5N	16	07	09	11	
MS FORREST CITY HALL FORREST ST		HATTIESBURG	HATTIESBURG DUMP 13W	5N	14	06			
MS FORREST RT 6		HATTIESBURG	MCLAWRIN 12W	2N	16	06	07	09	
MS FORREST RT5		HATTISBURG	BEAT 3 T5N	R12W	16	06	07	09	
MS GEORGE 2 MI NORTH OF RED LIGHT OFF	HWY 57	NOT APPLICABLE	BENNDALE DUMP SITE 8W	2S	16	06	07	09	11
MS GEORGE 1MI NORTH ON BEAVER DAM ROAD		NOT APPLICABLE	CITY OF LUCEDALE DUMP 6W	1S	21	06	07	09	11
MS GEORGE 2 MI OFF HWY 26W ON RIVER ROAD		NOT APPLICABLE	RIVER ROAD DUMP 7W	2S	16	06	07	09	11
MS GEORGE 2MI EAST OF ROCKY CREEK SCHOOL		NOT APPLICABLE	ROCKY CREEK DUMP 5W	1S	16	06	07	09	11
MS GEORGE 10 MI SOUTH OF LUCEDALE OFF	HWY 635 AT BROOKS GARAGE	NOT APPLICABLE	16TH SECTION BARTONVILLE DUMP 6W	3S	16	06	07	09	11
MS GEORGE 2 MI EAST OF HWY 635 OFF	BARTON-AGRICOLA ROAD	NOT APPLICABLE	BARTONVILLE DUMP SITE 6W	3S	23	06	07	09	11
MS GREENE HWY 63 2MI E OF LEAKESVILLE		LEAKESVILLE	LEAKESVILLE DUMP ,LEAKESVILLE 6W	T2N	17	06	07	09	

MS GREENE ROUTE 1		MCLAIN	MCLAIN R-8W	T-2N	16	06 07 09				
MS GREENE ROUTE 4		RICHTON	SANDHILL 7W	5N	16	06 07 09				
MS GREENE RURAL ROUTE		STATELINE	STATELINE R-5W	T-5N	22	06 07 09				
MS HANCOCK FENTON-DEDEAUX ROAD NE OF	FIRETOWER ROAD CROSSING	KILN	FENTON-ROCKYHILL DUMP BEAT #5 R14W	T7S	2	06 07 09 11				
MS HANCOCK LEE TOWN-ANNA RD RT3 PICAYUNE		NECAISE	ANNA DUMP BEAT #2 R15W	T5S	16	06 07 09 11				
MS HANCOCK HWY 53 JUST EAST HWY603	RR PERKINGSTON	NECAISE	NECAISE CROSSING DUMP BEAT #3 R14W	T5S	16	06 07 09 11				
MS HANCOCK HWY 604		PEARLINGTON	PEARLINGTON DUMP BEAT #1 R16W	T9S	16	06 07 09 11				
MS HANCOCK C.MARTIN ROAD - STANDARD		STANDARD-KILN	C. MARTIN ROAD DUMP BEAT #3 R14W	T6S	16	06 07 09 11				
MS HINDS CANNADA CROSSING ROAD		NOT APPLICABLE	CANNADA DISPOSAL SITE 5E	15N	25	03 06 07 09 11				
MS HINDS CHICHESTER RD		NOT APPLICABLE	EDWARDS DISPOSAL SITE 4W	6N	32	06 07 09 11				
MS HOLMES NORTH EAST SECTION OF TOWN		CRUGER	CRUGER PUBLIC GARBAGE SITE 1E	17N	19	06 07 09 11				
MS HOLMES HIGHWAY 51 SOUTH		GOODMAN	GOODMAN PUBLIC GARBAGE DUMP 3 E	12 N	19	06 07 09 11				
MS HOLMES HWY 12		TCHULA	TCHULA PUBLIC GARBAGE DUMP 2 E	16 N	12	06 07 09 11				
MS HOLMES HIGHWAY 51		WEST	WEST PUBLIC GARBAGE DUMP 5 E	16 N	21	06 07 09 11				
MS HOLMES HWY 14 EAST		NOT APPLICABLE	EBENEZER PUBLIC GARBAGE DUMP 2E	12N	16	06 07 09 11				
MS HOLMES HIGHWAY 49 SOUTH		NOT APPLICABLE	MILESTON PUBLIC GARBAGE DUMP 1 W	15 N	27	06 07 09 11				
MS ITAWABA 1.5 MILES WEST HWY 371 ON	RATLIFF-CENTERVILLE RD	MANTACHIE	J. D. TURNER DUMP R8E	T8S	17	06 09 11				
MS JASPER HWY 15		BAY SPRINGS	BAY SPRINGS GARBAGE DISPOSAL SITE 10E	2N	19	06 07 09 11				
MS JEFFERSON DAVIS CARSON RT 1		CARSON	CARSON DUMP 18W	7N	34	06 07 09				
MS JEFFERSON DAVIS BEAT #4		PRENTISS	BEAT#4 DUMP 18W	9N	16	06 07 09 11				
MS JEFFERSON DAVIS RFD		PRENTISS	PROGRESSDUMP 19W	7N	16	06 07 09				

MS	JEFFERSONDAVIS		PRENTISS	DAVIS DUMP				
RT#1				17W	7N	7	06 07 09 11	
MS	KEMPER		DEKALB	DEKALB DISPOSAL SITE				
1 MI NORTH OF DEKALB HWY 39N				16E	11N	21	06 09	
MS	KEMPER		SCOOBA	SCOOBA DISPOSAL SITE				
OLD SCOOBA ROAD 1 MILE WEST OF E. M. J. C.				18E	11N	6	06 07 09 11	
MS	KEMPER		NOT APPLICABLE	DISTRICT 3 DISPOSAL SITE				
S. OF DAMASCUS OFF HWY 495 S.	1 MI S. OF MT. PLEASANT CHURCH			15E	9N	7	06 09 11	
MS	KEMPER		NOT APPLICABLE	FIRETOWER ROAD DISPOSAL SITE				
HWY 39 S. FIRST PAVED RD ON	LFT S. OF DEKALB 1 MI ON RT			16E	10N	2	06 07 09 11	
MS	KEMPER		NOT APPLICABLE	CHAPEL HILL DISPOSAL SITE				
.25 MI OFF TOWNSEND RD 2 MI W	OFF HWY 45 SOUTH			17E	10N	24	06 09 11	
MS	LAFAYETTE		OXFORD	MOBILE CITY TRAILER PARK DUMP				
ROUTE 2 BOX 27 HIGHWAY 6 W				R4W	T8S	25	06 09	
MS	LAFAYETTE		TAYLOR	SOUTH ANCHOR DUMP				
4 MILES SOUTH OF 7 & 9 INTER-	SECTION ON BLACKTOP ROAD			2W	10S	15	06 07 09 11	
MS	LAFAYETTE		TAYLOR	TAYLOR DUMP				
2.5 MI NE OF TAYLOR ON GRAVEL	ROAD,RIGHT FORK			4W	9S	13	06 07 09 11	
MS	LAWRENCE		NOT APPLICABLE	NEW HEBROW DISTRICT 4 GARBAGE DISPOSAL SITE				
NEW HERRON-MILL ROAD				12E	9N	34	07 09	
MS	LAWRENCE		NOT APPLICABLE	OAKVALE BEAT 5 GARBAGE DISPOSAL SITE				
OFF HIGHWAY 43 NE OF OAKVALE				12E	6N	36	07 09 11	
MS	LAWRENCE		NOT APPLICABLE	SILVER CREEK GARBAGE DISPOSAL SITE				
NORTH WEST OF ALLEN ACRES	SUB-DIVISION			12E	8N	28	07 09	
MS	LAWRENCE		NOT APPLICABLE	WANILLA BEAT 2 GARBAGE DISPOSAL SITE				
27 HIGHWAY NORTH				11E	8N	18	07 09 11	
MS	LEFLORE		SIDON	SIDON PROMISCUOUS DUMP				
1.5 MI SOUTHWEST OF SIDON OFF	HIGHWAY 49S			1 E	18 N	35	06 07 09 11	
MS	LEFLORE		NOT APPLICABLE	SISLOFF JUNCTION PROMISCUOUS DUMP				
2 MI EAST OF MINTER CITY				1E	22N	19	06 07 09 11	
MS	MADISON		FLORA	FLORA DUMP				
MT. LEOPARD RD OFF OLD	POCAHONTAS RD			1W	8N	22	06 07 09 11	
MS	MADISON		NOT APPLICABLE	BEAT 4 DUMP				
OFF HWY 16E AT FARMHAVEN	COMMUNITY			5E	10N	27	06 07 09 11	
MS	MADISON		NOT APPLICABLE	BEAT 2 DUMP KEARNEY PARK				
KEARNEY PARK				1W	9N	29	06 07 09 11	
MS	MARION		COLUMBIA	BUNKER HILL				
HIWAY 35 NORTH				18W	5N	34	09	
MS	MARION		COLUMBIA	IMPROVE				
HIWAY 44 NORTH				17W	4N	9	09	
MS	MARION		COLUMBIA	KENO				
HIWAY 98 EAST				17W	4N	32	09	

MS	MARION PURVIS ROAD		COLUMBIA	LAMPTON 18W	3N	23	09	
MS	MARION OLD HIWAY R RIVER SOUTH		FOXWORTH	BROWN 19W	3N	23	09	
MS	MARSHALL E J. VINSON RD.		BYHALIA	BYHALIA DUMP 5.W	2.S	34	06 07 09 11	
MS	MARSHALL HWY 309 NORTH - BARTON RD		BYHALIA	GEM DUMP 5W	2S	26	06 07 09 11	
MS	MARSHALL HWY 78 E		HOLLY SPRINGS	HOLLY SPRINGS DUMP R2W	T4S	8	06 07 09 11	
MS	MARSHALL HWY 7 SOUTH		NOT APPLICABLE	WALL DOXEY STATE PARK R3W	T5S	12	06 07 09 11	
MS	MONTGOMERY END OF MARION AVE.PAST	CEMETARY	DUCK HILL	DUCK HILL DUMP 05E	20N	36	06 07 09 11	
MS	MONTGOMERY SIBLETON - LODI RD		KILMICHAEL	SIBLETON LANDFILL 07E	19N	2	06 07 09 11	
MS	MONTGOMERY BLUFF SPRINGS RD		WINONA	WINONA LANDFILL 05E	19N	26	06 07 09 11	
MS	MONTGOMERY TORN S OFF HWY 404 1 MILE W OF ALVA, 100 YARDS OFF HWY		NOT APPLICABLE	ALVA DUMP 07E	21N	35	06 07 09 11	
MS	MONTGOMERY 2 MI S OF LODI		NOT APPLICABLE	LODI DUMP 07E	19N	12	06 07 09 11	
MS	MONTGOMERY N. OFF HWY 407 ON POORHOUSE RD .5 MILE ON RT		NOT APPLICABLE	POORHOUSE RD DUMP 06E	19N	32	06 07 09 11	
MS	NESHOBA 5 MI HWY 491 N 5TH RD ON RT		NOT APPLICABLE	BOGUE CHITTO DISPOSAL SITE 19E	11N	12	06 07 09 11	
MS	NESHOBA HWY 21 S. 2ND RD TO RT PASSED	A & B GRO 1 MI ON RT	NOT APPLICABLE	DIXON DISPOSAL SITE 10E	9N	21	06 07 09 11	
MS	NESHOBA OLD STOCKYARD RD LFT AT MAY'S	VET CLINIC 1/4 MI ON ROADSIDES	NOT APPLICABLE	EAST PHILADELPHIA DISPOSAL 12E	11N	29	SITE 06 07 09 11	
MS	PANOLA 4 MI E OF COMO. TURN S, OFF	HWY 310 AT LIBERTY HIH CH.	COMO	COMO DUMP 6W	7S	10	06 09 11	
MS	PANOLA 1 MILE EAST OF COURTLAND ON	JOHNSON CREEK.	COURTLAND	POPE-COURTLAND 7W	10S	3	01 06 07 09 11	
MS	PANOLA 4 MILES EAST OF ASKEW, MS.		CRENSHAW	CRENSHAW DUMP 9W	6S	10	06 09	
MS	PANOLA 4 MILES NORTH OF TENN GAS	PUMPING STATION, ON HIWAY 6	CURTIS STATION	BLUFF DUMP 8W	8S	33	06 09 11	
MS	PANOLA 4 MILES SOUTH OF SARDIS		SARDIS	SARDIS LANDFILL 7W	8S	10	06 09	
MS	PANOLA NORTH OF HIWAY 6,NEAR HOTOPHIA WATER ASSN,STORAGE TOWER		NOT APPLICABLE	PANOLA COUNTY,EAST 5W	8S	9	06 09 11	

MS	PEARL RIVER		NOT APPLICABLE	CARRIERE EAST				
CARRIERE ROAD 4 MI EAST				16 W	5S	10	06 07 09 11	
MS	PEARL RIVER		NOT APPLICABLE	CARRIERE EAST CROWN				
7 MILES EAST CARRIERE	OFF CARRIERE RD			17W	5S	11	06 07 09 11	
MS	PEARL RIVER		NOT APPLICABLE	HENLEYFIELD				
2 MILES E OF OLD HENLEYFIELD	SCHOOL			18	4S	22	06 07 09 11	
MS	PEARL RIVER		NOT APPLICABLE	NORTH CO LINE				
LUMBERTON WEST 3 MILES				15W	1S	31	06 07 09	
MS	PEARL RIVER		NOT APPLICABLE	MILLARD				
2 MI E OF MILLARD				16W	4S	10	06 07 09 11	
MS	PEARL RIVER		NOT APPLICABLE	BEAT 4				
1 MI SE OF TOWN OFF HWY 43				17W	6S	35	07 09	
MS	PEARL RIVER		NOT APPLICABLE	BARTH				
3 MILES EAST OFF HWY 53	22 MILES SE POPLARVILLE			14 W	4 S	10	06 07 09 11	
MS	PEARL RIVER		NOT APPLICABLE	BEAT 3				
6 MILES EAST HWY 53 BARTH ROAD	23 MILES SE POPLARVILLE			14 W	4 S	18	06 07 09 11	
MS	PEARL RIVER		NOT APPLICABLE	COUNTY LINE				
26 HWY EAST 14 MILES	POPLARVILLE			14W	2S	24	06 07 09 11	
MS	PEARL RIVER		NOT APPLICABLE	EAST HWY 26				
HWY 26 EAST 6 MILES EAST	POPLARVILLE			15 W	2 S	26	06 07 09 11	
MS	PEARL RIVER		NOT APPLICABLE	FORD CREEK SOUTH				
FORDS CREEK SOUTH				16W	1S	31	06 07 09	
MS	PEARL RIVER		NOT APPLICABLE	HILDSDALE				
LUMBERTON 8 MI SOUTH				15W	1S	30	06 07 09 11	
MS	PEARL RIVER		NOT APPLICABLE	SPRINGHILL				
SPRINGHILL ROAD 11 MILES NORTH	POPLARVILLE			15W	1S	5	06 07 09 11	
MS	PEARL RIVER		NOT APPLICABLE	16TH SEC CROSSROADS NORTH				
CROSSROADS NORTH 6 MILES	43 HIGHWAY			17W	2S	17	06 07 09	
MS	PEARL RIVER		NOT APPLICABLE	PROGRESS				
PROGRESS ROAD 8 MI EAST OF HWY 59				14 W	3 S	6	06 07 09 11	
MS	PEARL RIVER		NOT APPLICABLE	WHITESAND				
HY 26 10 MILES OF POPLARVILLE				16W	3S	12	06 07 09 11	
MS	PIKE		OSYKA	OSYKA DUMP				
2 MI W OF OSYKA OFF HWY 584				R-7-E	T-1-N	28	06 07 09 11	
MS	PIKE		NOT APPLICABLE	BALL DUMP				
LEVI TEMPLE RD				R-8-E	T-1N	10	06 07 09 11	
MS	QUITMAN		LAMBERT	LAMBERT DUMP				
1 MILE SOUTHWEST OF LAMBERT				10W	27N	21	01 09	
MS	QUITMAN		MARKS	MARKS DUMP				
ROGER ROAD				1W	28N	35	01 09	
MS	QUITMAN		MARKS	MARKS DUMP NORTH				
BEAL STREET ROAD				10W	9S	16	01 09	

MS QUITMAN BEAR LAKE ROAD		NOT APPLICABLE	QUITMAN CO DUMP 10W	9S	16	01 09	
MS RANKIN HWY 471 NORTH		NOT APPLICABLE	FANNIN DUMP BEAT 2 4E	7N	7	06 07 09 11	
MS RANKIN RURAL ROUTE 4		NOT APPLICABLE	EBENEZER ROAD DUMP BEAT 3 2E	4N	5	06 07 09 11	
MS RANKIN OFF HWY 43N 3 MILES NORTH OF	PELEHATCHIE	NOT APPLICABLE	PELEHATCHIE DUMP BEAT 4 5E	6N	16	06 07 09 11	
MS SIMPSON OFF HWY 469N		NOT APPLICABLE	HARRISVILLE DUMP BEAT 5 2E	2N	20	06 07 09 11	
MS SIMPSON USHTOWN RD 1/2 MILE WEST OF	PINOLA	NOT APPLICABLE	BUSHTOWN DUMP BEAT 4 3E	1N	35	06 07 09 11	
MS SMITH 2 MI W OF TOWN OFF HWY 28		MIZE	MIZE GARBAGE DISPOSAL SITE 7E	1N	34	06 07 09 11	
MS SMITH HWY 35		RALEIGH	RALEIGH GARBAGE DISPOSAL SITE 15W	2N	17	06 07 09 11	
MS STONE SE CORNER OF PERKINSTON JUNIOR	COLLEGE CAMPUS	NOT APPLICABLE	PERKINSTON DUMP 12W	3S	24	06 07 09 11	
MS STONE NORTH EAST WIGGINS		NOT APPLICABLE	CITY OF WIGGINS DUMP 11W	2S	20	06 07 09	
MS STONE 10 MILES WEST OF WIGGINS ON	PROJECT RD	NOT APPLICABLE	PROJECT ROAD DUMP BEAT 2 12W	2S	16	06 07 09 11	
MS STONE 5 MILES SOUTH OF WIGGINS OFF	HWY 49	NOT APPLICABLE	RED CREEK DUMP 11W	3S	18	03 06 07 09 11	
MS STONE 4 MILES EAST OF HWY 495 IN	SUNFLOWER COMMUNITY	NOT APPLICABLE	SUNFLOWER DUMP 11W	3S	36	06 07 09 11	
MS STONE 12 MI EAST OF WIGGINS ON HWY	26	NOT APPLICABLE	WHITE CROSSING DUMP 10W	2S	30	06 07 09 11	
MS SUNFLOWER CHARLES WILLIAMS FARM		INVERNESS	INVERNESS SOLID WASTE DUMP R4W	18-N	19	06 07 09 11	
MS TALLAHATCHIE MI PAST CASCILLA TOWARD	ROSEBLOOM	CASCILLA	CASCILLA PITCH IN TRENCH 3E	23N	16	06 09 11	
MS TALLAHATCHIE MI SOUTH ON HWY 35 - MI EAST	ON CARVER HILL RD	CHARLESTON	CARVER HILL DISPOSAL SITE 2E	24N	10	06 09 11	
MS TALLAHATCHIE DOWNTOWN CHARLESTON		CHARLESTON	CHARLESTON DISPOSAL SITE 2E	25N	26	06 07 09 11	
MS TALLAHATCHIE 5 MI NORTH OF SUMNER		SUMNER	TERRY ROEBUCK DISPOSAL SITE 2W	25N	24	06 07 09 11	
MS UNION 2 MI. SOUTH OF HWY 78 ON	SPRINGDALE LAKE ROAD	MYRTLE	CITY OF MYRTLE DUMP R2E	T6S	18	06 07 09 11	
MS WARREN HWY 465		NOT APPLICABLE	EAGLE LAKE DUMP 2E	18N	36	01 03 06 07 09 11	

MS	WARREN			NOT APPLICABLE	JEFF DAVIS DUMP			
1 MI W OF JEFF DAVIS					3E	14N	16	01 06 09 11
MS	WASHINGTON			LELAND	DELTA EXP FORREST DUMP			
W OF LELAND 2 MI N OF MS	FORREST				R7W	T19N	35	03 06 07 09 11
MS	WASHINGTON			NOT APPLICABLE	GLEN ALLEN DUMP			
SOUTH OF GLEN ALLEN					8W	14N	1	06 07 09 11
MS	WAYNE			BUCKATUNNA	BUCKATUNNA			
45 SOUTH					5W	7N	9	06 07 09 11
MS	WAYNE			WAYNESBORO	BEAT 5 DUMP			
CAMP 8 RD					6W	7N	16	06 07 09 11
MS	WAYNE			WHISTLER	WHISTLER			
BEAT 4					8W	T9N	33	06 07 09 11
MS	YALOBUSHA			OAKLAND	OAKLAND DISPOSAL SITE			
DOWNTOWN OAKLAND					7 W	25 N	6	06 07 09 11
MS	YALOBUSHA			TILLATOBA	TILLATOBA DISPOSAL SITE			
3 MILES SOUTH OF TILLATOBA ON	HIGHWAY 51				4 E	24 N	16	06 07 09 11
MS	YALOBUSHA			WATER VALLEY	PUBLIC-PRIVATE DUMP SITE			
OTOUCALOFA CREEK BRIDGE LOCATD	3 MILES S/E ON SOUTH STREET				R-5W	11-S	9	03 06 11
MS	YALOBUSHA			WATER VALLEY	WATER VALLEY BRUSH DISPOSAL			SITE
ON STEPHENS ST 1/8 MI SO OF	MARTIN ST JUNCTION				4 W	11S	4	06 07 09 11
MS	YAZOO			NOT APPLICABLE	LINWOOD DUMP	BEAT 2		
OFF HWY 16 EAST ON LINWOOD RD	4 MILES EAST OF BENTON				1E	11N	16	06 07 09 11
MO	MARIES			DIXON	M AND M SANITATION SANITARY			LANDFILL
1ST COUNTY RD SO OF RT HH OFF	HWY 133				11 W.	38 N.	14	03 06
MO	SCOTT			BENTON	SCOTT COUNTY LANDFILL			
3.0 MI SOUTH ON HWY 61 OF	BENTON, MO				13 E.	28 N.	28	06 09
MT	BEAVERHEAD			NOT APPLICABLE	WISE RIVER REFUSE DISPOSAL			SITE
2.5 MILES EAST OF WISE RIVER	ON HIGHWAY 43				10W	1S	6	06 11
MT	BLAINE			CHINOOK	CITY OF CHINOOK LANDFILL			
1.2 MILES SOUTH OF CHINOOK ON	HIGHWAY 240				19E	33N	35	01 06
MT	CHOUTEAU			GERALDINE	TOWN OF GERALDINE REFUSE			DISPOSAL SITE
EAST OF GERALDINE ON HIGHWAY	80				11E	21N	1	06 09 11
MT	CUSTER			MILES CITY	CUSTER DISPOSAL COMPANY			
NORTH OF AIRPORT ON SHEFFIELD	ROAD				46E	08N	25	10
MT	DANIELS			SCOBEY	CITY OF SCOBEY REFUSE DISPOSAL SITE			
.5 MILES SOUTH OF SCOBEY					48E	35N	14	06 09 11
MT	GARFIELD			JORDAN	TOWN OF JORDAN REFUSE DISPOSAL SITE			
1 MILE NW OF JORDAN					38E	18N	7	06 09
MT	GOLDEN VALLEY			LAVINA	TOWN OF LAVINA REFUSE DISPOSAL SITE			
1 MILE SOUTH OF LAVINA ON	HIGHWAY 3				22E	6N	11	06 09
MT	LEWIS AND CLARK			NOT APPLICABLE	CRAIG REFUSE DISPOSAL SITE			
1.5 MILES NW OF CRAIG ON SEVEN	MILE ROAD				3W	15N	4	06 09

MT	LEWIS AND CLARK	NOT APPLICABLE	MARYSVILLE REFUSE DISPOSAL					SITE	
1 MILE NORTHEAST OF MARYSVILLE			6W	12N	36	06	11		
MT	MADISON	SHERIDAN	SHERIDAN REFUSE DISPOSAL SITE						
3 MILES SE OF SHERIDAN			05W	05S	12	06	09	11	
MT	PHILLIPS	SACO	SACO REFUSE DISPOSAL SITE						
1 MILE SOUTH OF SACO			34E	31N	18	06	09	11	
MT	RICHLAND	SAVAGE	SAVAGE REFUSE DISPOSAL SITE						
1 MILE NORTH OF SAVAGE			58E	20W	28	06	09	11	
MT	RICHLAND	NOT APPLICABLE	LAMBERT REFUSE DISPOSAL SITE						
.25 MILES EAST OF LAMBERT			55E	22N	12	06	09	11	
MT	TETON	DUTTON	TOWN OF DUTTON REFUSE DISPOSAL SITE						
5 MILES SOUTH OF DUTTON ON I15			1W	24N	36	06	09		
MT	TOOLE	SUNBURST	SUNBURST REFUSE DISPOSAL SITE						
1 MILE EAST OF SUNBURST			02W	36N	17	06	09	11	
MT	VALLEY	NASHUA	TOWN OF NASHUA REFUSE DISPOSAL SITE						
1 MILE WEST OF NASHUA ON HWY 2			42E	27N	36	06	09	11	
MT	VALLEY	OPHEIM	TOWN OF OPHEIM REFUSE DISPOSAL SITE						
1 MILE NE OF OPHEIM			41E	36N	19	06	09		
NE	CASS	WEEPING WATER	RICHARD BAUER LANDFILL						
WEST END OF P ST			11E	10N	2	03	06	07	
NE	GAGE	BEATRICE	BEATRICE LANDFILL						
1 MILE NORTH AND THREE QUATERS EAST OF BEATRICE			6E	4N	27	08	11		
NE	HAMILTON	AURORA	AURORA LANDFILL						
ONE MILE EAST OF AURORA			6W	10N	3	01	03	06	07
NE	JEFFERSON	FAIRBURY	FAIRBURY LANDFILL						
FROM FAIRBURY 1 MILE WEST ONE NORTH AND ONE HALF WEST			2E	2N	8	11			
NE	KEITH	LAKE MCCONAGHY	GAME AND PARKS SITE						
THREE QUARTERS OF A MILE WEST ON BURMA ROAD OFF OF HWY 61			36	14	10	03			
NE	WEBSTER	RED CLOUD	RED CLOUD LANDFILL						
2 MILES SOUTH ON WEST SIDE OF HIWAY 281			11W	1N	14	03	07		
NV	CHURCHILL	FALLON	FALLON CITY COUNTY LAND FILL POPULATION 8000						
10 N OF FALLON			R-28E	T20N	23S	09			
NV	ELKO	CARLIN	CARLIN LAND FILL POP 1300						
1 MI N OF TOWN			R 52 E	T 33 N	27	09	11		
NV	ELKO	CURRIE	CURRIE LAND FILL POP LESS THAN 50						
2 MI S OF TOWN			R 64 E	T 28 N	S36	09	11		
NV	ELKO	JACKPOT	JACKPOT LAND FILL POP 900						
1 MI N OF TOWN			R 65E	T-47N	S-6	09	11		
NV	ELKO	JARBIDGE	JARBIDGE LAND FILL POP LESS THAN 50						
1 MI N OF TOWN			R 58 E	T 46 N	S-4	09	11		
NV	ELKO	LAMOILLE	LAMOILLE LAND FILL POP 200						
1 MI SW OF TOWN			R-56	T-24	S24	09	11		

NV ELKO 1 MI N OF TOWN	MONTELLO	MONTELLO LAND FILL POP 200 R-69 T-39 S17 09 11
NV ELKO 1 MI NW OF CITY	MOUNTAIN CITY	MOUNTAIN CITY LAND FILL POP 150 R53 46N S25 09 11
NV ELKO 2 MI S OF RYNDON	RYNDON	RYNDON LAND FILL POP 150 R 57 E T 36 N S33 09 11
NV ELKO 1 MI N OF TOWN	NOT APPLICABLE	JACK CREEK POP LESS THAN 50 R 52 E T 42 N S35 09 11
NV ELKO 10 MI SE OF ELKO	NOT APPLICABLE	SPRING CREEK POP 300 R 56 E T 33 N S14 09 11
NV ESMERALDA 1/2 MI W OF TOWN	COALDALE JUNCTION	COALDALE JUNCTION LAND FILL POPULATION LESS THAN 50 R37E T2N S17 09 11
NV ESMERALDA 1 MI SW OF TOWN	SILVER PEAK	SILVER PEAK LAND FILL POP 250 R-39 E T2-S S27 09 11
NV ESMERALDA 11 MI N OF DYER	NOT APPLICABLE	FISH LAKE #1 LAND FILL POP LESS THAN 50 35E 1S 29 11
NV ESMERALDA 1 MI W OF DYER	NOT APPLICABLE	FISH LAKE #2 LAND FILL POPULATION LESS THAN 50 R-35E T2S S29 11
NV ESMERALDA 3 MI S OF DYER	NOT APPLICABLE	FISH LAKE #3 LAND FILL POPULATION LESS THAN 50 R35E T3S 36 09
NV EUREKA 3 MI S OF TOWN	BEOWOWE	BEOWOWE LAND FILL POP 150 R-49E T31 N S7 09 11
NV EUREKA 1/2 MI E OF TOWN	CRESENT VALLEY	CRESENT VALLEY LAND FILL POP LESS THAN 50 R 49 E T 31 N S19 09 11
NV EUREKA 2 MI N OF TOWN	EUREKA	EUREKA LAND FILL POP 450 R-53E T 19 N S 1 09 11
NV EUREKA 13 NW OF EUREKA	NOT APPLICABLE	DIAMOND VALLEY LAND FILL POP 110 R-53E T21-N 20 09 11
NV HUMBOLDT 1 MI N OF TOWN	DENIO	DENIO LAND FILL POP 50 R 30-E T 47 N S10 09
NV HUMBOLDT 1 MI S OF TOWN	GOLCONDA	GOLCONDA LAND FILL POP 175 R 40 E T35-N S-4 09
NV HUMBOLDT 3 MI W OF TOWN	OROVADA	OROVADA LAND FILL POP 225 37 E 43 N 29 09
NV HUMBOLDT 7 MI SW OF TOWN	PARADISE HILLS	PARADISE HILLS POP 50 R-38 E T40N S35 09
NV HUMBOLDT 1 MI W OF TOWN	PARADISE VALLEY	PARADISE VALLEY LAND FILL POP 125 R.39E T.42N S27 09
NV HUMBOLDT 1 MI W OF TOWN	VALMY	VALMY LAND FILL POP 50 R 43 E T 33 N S 4 09
NV HUMBOLDT 5 MI NW OF WINNEMUCCA	WINNEMUCCA	WINNEMUCCA CITY LAND FILL POP 7500 R37E T36N S1 11

NV	LANDER	AUSTIN	AUSTIN LAND FILL POP 500	
5 MI NW OF AUSTIN			R 43E T 19 N 14	09 11
NV	LINCOLN	ALAMO	ALAMO LAND FILL POP 1000	
1 MI W OF TOWN			R 60 E T 6 S S-7	09 11
NV	LINCOLN	ALAMO	ASH SPRINGS LAND FILL POP 75	
7 MI N OF ALAMO			61 E 6 S 5	09 11
NV	LINCOLN	CALIENTE	CALIENTE LAND FILL POP 1000	
1 MI N OF TOWN			R-67E T 3 S S27	09 11
NV	LINCOLN	PANACA	PANACA LAND FILL POP 600	
1 MI S OF TOWN			R-68 E T-2-S S22	09 11
NV	LINCOLN	PIOCHE	PIOCHE LAND FILL POP 600	
1 MI E OF TOWN			R-67 E T1N S13	09 11
NV	LYON	SMITH	SMITH LAND FILL POP 175	
2 MI N OF TOWN			R 24 E T 11 N S 5	09 11
NV	LYON	SMITH	SMITH S.E.POP 200	
4 MI SE OF SMITH			R 24E T-11N S-5	09 11
NV	LYON	WELLINGTON	WELLINGTON LAND FILL POP 200	
1 MI SE OF TOWN			R24E T10N 3	09 11
NV	LYON	YERINGTON	SCHURZ LAND FILL POP 300	
3 MI E OF YERINGTON			R 26 E T14E S36	09 11
NV	LYON	YERINGTON	YERINGTON LAND FILL POP 2000	
1 MI SE OF TOWN			R25E T13-N S25	11
NV	LYON	NOT APPLICABLE	CAMPBELL RD LAND FILL POP 300	
6 MI N OF YERINGTON			R26E T14N 36	09 11
NV	NYE	BEATTY	BEATTY LAND FILL POP 690	
2 MI W OF TOWN			R-46E T 12 S S13	09 11
NV	NYE	IONE	IONE LANDFILL POP LESS THAN 50	
1 MI S OF TOWN			R-39E T13N S32	09
NV	NYE	LATHRUP WELLS	LATHRUP WELLS LAND FILL POP 340	
5 MI S OF TOWN			R 50E T 15 S S19	09 11
NV	NYE	MANHATTAN	MANHATTAN LAND FILL POP 100	
1 MI W OF TOWN			R-43E T8N S20	09 11
NV	NYE	PAHRUMP	PAHRUMP LAND FILL POP 2900	
3 MI N OF TOWN			R-7-E T20S S 2	09 11
NV	NYE	ROUND MOUNTAIN	ROUND MOUNTIAN LAND FILL POP 490	
1 MI N OF ROUND MTN			R44E T10N S17	09 11
NV	NYE	ROUNDMOUNTAIN	CARVERS LAND FILL POP 240	
8 MI NW OF ROUND MTN			43 E 11 N 30	07 09 11
NV	NYE	TONOPAH	TONOPAH AIRPORT LANDFILL POP 200	
5 MI E OF TOWN			R42E T2N S12	09 11
NV	NYE	TONOPAH	TONOPAH LAND FILL POP 2450	
1 MI S OF TOWN			R43E T3N S32	09 11

NV	NYE		NOT APPLICABLE	CURRANT LAND FILL POP 100	
1 MI S OF TOWN			R-58 E T10N $17	09 11	
NV	PERSHING		IMLAY	IMLAY LAND FILL POP 300	
1 MI W OF TOWN			34E 32N 5	09 11	
NV	PERSHING		LOVELOCK	LOVELOCK LAND FILL POP 1500	
2 MI W OF LOVELOCK			R 31 T 27 N S29	07 09 11	
NV	PERSHING		NOT APPLICABLE	LOVELOCK LOWER VALLEY LANDFILL POP 700	
2 MI N OF DERBY FIELD			30E 26N 36	04 09 11	
NV	WHITE PINE		BAKER	BAKER LANDFILL POP 200	
2 MI S OF TOWN			R 70 E T 13 N 22	09 11	
NV	WHITE PINE		LUND	LUND LANDFILL POP 500	
1/2 MI S OF TOWN			R 62 E T 11 N 4	09 11	
NV	WHITE PINE		NOT APPLICABLE	LAGES STATION LANDFILL POP LESS THAN 50	
1/2 MI S OF TOWN			R 65 E T 25 N 10	09 11	
NV	WHITE PINE		NOT APPLICABLE	PRESTON LANDFILL POP 200	
1/2 MI W OF TOWN			R 61 E T 12 N 11	09 11	
NV	WHITE PINE		NOT APPLICABLE	SCHELLBOURNE LANDFILL POP 100	
1 MI E OF TOWN			R 64 E T22N 10	09 11	
NH	CARROLD		JACKSON	JACKSON DUMP	
1.7 MI. N. OF NH RTE 16B OFF	WILDCAT RIVER RD.		44 11 40 071 11 40	06 07 09 11	
NH	CARROLL		EFFINGHAM CTR.	EFFINGHAM DUMP	
ON SNOW RD. 0.3 MI.E. OF	EFFINGHAM GRANGE		43 44 30 071 00 10	06 07	
NH	CARROLL		MADISON	MADISON DUMP	
ON MADISON BLDR. RD. 0.3 MI W	OF NH RTE 113		43 55 40 071 09 20	06	
NH	CARROLL		OSSIPEE	OSSIPEE DUMP	
0.8 MI SW OF MTN. VIEW RR STA.	ON BACK RD. TO WATER VILL.		43 44 00 071 09 10	06 07 09	
NH	CHESHIRE		GILSUM	GILSUM LANDFILL	
OFF SURRV RD. 1.3 MI. W. OF NH RTE. 10			43 02 35 072 17 40	03 06 09 11	
NH	CHESHIRE		HARRISVILLE	HARRISVILLE DUMP	
ON WALKER RD. 0.3 MI. W. OF	DUBLIN-HARRISVILLE RD		42 56 15 072 05 40	03 06 09 11	
NH	CHESHIRE		MARLOW	MARLOW DUMP	
ON NH RTE. 123 1.6 MI W. OF	JUNC. WITH NH RTE. 10		43 12 50 072 13 30	06 11	
NH	CHESHIRE		STODDARD	STODDARD DUMP	
0.9 MI. W. OF STODDARD-ANTRIM	TOWN LINE ON NH RTE. 9		43 04 00 072 03 45	06 09	
NH	CHESHIRE		WESTMORELAND	WESTMORELAND DUMP	
ON LONDON RD. 0.4 MI. NO. OF	NH RTE 12		42 59 00 072 23 00	06 09	
NH	COOS		DALTON	TOWN OF DALTON DUMP	
DALTON-WHITEFIELD RD 1.0 MI	EAST OF RT135		44 25 50 071 39 55	03 06 07	
NH	COOS		ERROL	TOWN OF ERROL DUMP	
RT 26 1.2 MI WEST OF	INTERSECTION WITH RT16		44 47 25 071 09 30	06	
NH	COOS		JEFFERSON	TOWN OF JEFFERSON DUMP	
RT116 0.5MI SOUTH OF	INTERSECTION WITH RT2		44 25 10 071 29 15	06 07	

NH	COOS	PITTSBURG	TOWN OF PITTSBURG DUMP		
BACK LAKE ROAD 1.9 MI NORTH	FROM RT 3 IN PITTSBURG TOWN	45 04 25	071 22 00	06 07	
NH	COOS	RANDOLPH	TOWN OF RANDOLPH DUMP		
VALLEY RD 0.5 MI WEST OF	INTERSECTION WITH RT2	44 21 30	071 22 15	03 06 07	
NH	COOS	SHELBURNE	TOWN OF SHELBURNE DUMP		
OFF RT2 2.0 MI EAST OF	SHELBURNE VILLAGE	44 23 30	071 02 45	06	
NH	COOS	STARK	TOWN OF STARK DUMP		
DIRT RD N OF AMMONUSUC RIVER	1.8 MI EAST OF PERCY	44 37 30	071 21 45	03 06 07	
NH	COOS	NOT APPLICABLE	WENTWORTH'S LOCATION DUMP		
2.1 MI NORTH OF WENTWORTH'S	LOCATION-ERROL TOWN LINE RT 16	44 50 45	071 03 30	03 06 07 09 11	
NH	GRAFTON	GROTON	GROTON DUMP		
ON N. GROTON RD. 3.0 MI. NO.	OF GROTON PUBLIC LIBRARY	43 44 30	071 51 00	06 07 09	
NH	GRAFTON	ORFORD	ORFORD DUMP		
ON ORFORD-ORFORDVILLE RD.	0.5 MI. FROM NH RTE. 25A	43 54 10	072 07 30	06 07 09	
NH	GRAFTON	PIERMONT	TOWN OF PIERMONT DUMP		
ON \DUMP RD \ 0.3 MI W. OF	TOWN CEMETARY ON NH RTE. 10	43 58 00	072 04 30	06 07 09 11	
NH	GRAFTON	RUMNEY	RUMNEY DUMP		
ON NO. RIVER RD. 3.0 MI W. OF	RUMNEY VILLAGE	43 48 40	071 46 30	06 07	
NH	GRAFTON	WARREN	WARREN DUMP		
ON PINE HILL RD. 0.9 MI. W. OF	NH RTES. 25 AND 118	43 56 30	071 54 00	06 07	
NH	GRAFTON	WENTWORTH	WENTWORTH DUMP		
ON TURNER RD. 0.1 MI. E. OF	NH RTE. 25	43 51 00	071 54 30	06 07 09 11	
NH	SULLIVAN	ACWORTH	ACWORTH DUMP		
ON RD. TO BERYL MT. 1.1 MI. SO	.OF NH RTE. 123A	43 10 50	072 17 00	06 07 09 11	
NH	SULLIVAN	CROYDON	CROYDON DUMP		
OFF NH RTE. 10 0.2 MI. N. OF	CROYDON VILLAGE SCHOOL	43 27 40	072 09 20	06 07	
NH	SULLIVAN	GOSHEN	GOSHEN DUMP		
ON RAND PO. RD. 3.3 MI. E. OF	GOSHEN VILLAGE	43 19 10	072 06 00	06 07 09 11	
NH	SULLIVAN	GRANTHAM	GRANTHAM DUMP		
ON SPRINGFIELD RD. 2.1 MI. E.	OF NH RTE. 10	43 29 30	072 06 00	06 09	
NH	SULLIVAN	LEMPSTER	LEMPSTER DUMP		
0.5 MI. NO. OF NH RTE 10 ON	BACK RD. FROM MARLOW TO VIL.	43 11 40	072 12 30	03 06 07 09 11	
NH	SULLIVAN	WASHINGTON	WASHINGTON DUMP		
ON NH RTE. 31 2.6 MI. N. OF	WASHINGTON-WINDSOR TOWN LINE	43 09 20	072 04 30	03 06 07 09 11	
NJ	BERGEN	NORTH ARLINGTONBORO	P&M SANITATION		
BELLEVILLE PIKE		40 46 37	074 07 08	06 11	
NJ	BURLINGTON	PEMBERTON TWP	PEMBERTON TWP SLF		
WHITES BOGS-PASADENA ROAD		39 55 55	074 28 35	04 06	
NJ	BURLINGTON	SOUTHAMPTON TWP	BIG HILL SLF		
BIG HILL ROAD		39 53 33	074 41 40	04 08	
NJ	GLOUCESTER	HARRISON TWP	HENRY HARRIS LANDFILL		
BRIDGETON PIKE		39 42 18	075 12 17	04 06 08	

NJ GLOUCESTER JESSUP MILL ROAD	MANTUA TWP	KRAMER SANITARY LANDFILL 39 46 50	075 12 00	04 06 08
NY CORTLAND TOWN LINE RD	SOLON	CORTLAND COUNTY LF 42 37 40	075 04 07	06
NY ESSEX MCKENZIE POND RD	SARANAC LAKE	SARANAC LAKE VILLAGE LANDFILL 44 18 30	074 06 30	03 06
NY FRANKLIN LAKE OZONIA RD. WEST SIDE ONE MI SOUTH OF STATE RTE 72	TOWN OF WAVERLY	TOWN OF WAVERLY SANITARY LANDFILL 44 38 47	074 34 27	03 06 07 09 11
NY GENESEE HARLOFF RD 1000 FEET WEST OF KELSEY ROAD	BATAVIA	TOWN OF BATAVIA SANITARY LANDFILL 43 01 10	078 15 20	03
NY KINGS OFF SHORE PARKWAY	BROOKLYN	FOUNTAIN AVENUE LANDFILL 40 38 50	073 52 10	03 04 06
NY NIAGARA AT THE END OF RICHFIELD STREET	LOCKPORT	NIAGARA COUNTY REFUSE DISPOSAL DISTRICT SANITARY LANDFILL 43 09 26	078 43 18	04
NY ONEIDA LEE CENTER-TABERG RD	LEE CENTER	NORTHERN ONEIDA COUNTY SLF (NOCO) 43 18 27	075 34 17	03 04
NY ONEIDA TANNERY RD	ROME	CITY OF ROME LANDFILL 43 14 23	075 32 19	03 06
NY ONONDAGA SMORAL RD	KELLYS CORNERS	ONONDAGA LANDFILL SYSTEMS 43 01 27	076 15 00	03 06
NY QUEENS OFF ALMEDA AVENUE	ROCKAWAY	EDGEMERE LANDFILL 40 36 20	073 46 50	01 03 04 06
NY RICHMOND OFF ARTHUR KILL ROAD	STATEN ISLAND	BROOKFIELD LANDFILL 40 33 55	074 09 45	03 04 06
NY RICHMOND MULDOON AVENUE	STATEN ISLAND	FRESH KILLS LANDFILL 40 34 35	074 11 50	03 04 06
NY ROCKLAND ROUTE 303	CLARKSTOWN	CLARKSTOWN LANDFILL 41 05 20	073 57 20	03 06
NY ROCKLAND TORNE BROOK ROAD	RAMAPO	TORNE VALLEY LANDFILL 41 08 28	074 09 38	04 06
NY SARATOGA WEIBEL AVE, 2000 FT NORTH OF RTE 29, WESTERN SIDE	SARATOGA SPRINGS	SARATOGA SPRINGS LANDFILL 43 05 27	073 44 50	03 06
NY SCHENECTADY BARHYDT ROAD, NORTH SIDE, APPROX 3 MI WEST OF SCOTIA	SCOTIA	TOWN OF GLENVILLE SANITARY LANDFILL 42 51 27	074 00 25	03 06
NY ST. LAWRENCE REYNOLDS RD	POTSDAM	TOWN OF POTSDAM LANDFILL 44 44 07	074 58 36	03 04 06
NY ST. LAWRENCE HERMON-PYRITES RD	PYRITES	TOWN OF CANTON LF 44 31 05	075 12 55	03 06
NY SUFFOLK BLYDENBURGH ROAD	ISLIP	HAUPPAUGE LANDFILL (UNLINED AREA) 40 49 05	073 11 00	06 08
NY SUFFOLK GLEAM STREET	WEST BABYLON	BABYLON LANDFILL 40 44 05	073 23 05	03 06 08 10

NY	SULLIVAN		NARROWBURG	CORTESE LANDFILL	
ROUTE 97				41 35 30	074 04 00	02 04 06
NC	ANSON		RED HILL	RED HILL COMMUNITY	
5.0 M NW OF ANSONVILLE ON	SR 1619			35 08 00	080 10 00	06 09 11
NC	AVERY		NOT APPLICABLE	AVERY COUNTY LANDFILL	
1.0 MI. EAST OF SR 1190 ON	SR 1101			35 57 00	081 59 00	06 09 11
NC	BURKE		MORGANTON	BURKE COUNTY LANDFILL	MORGANTON
0.5 MI. N OF US 70-64 WEST ON	KIRSEY DRIVE			35 40 30	081 39 00	06 09 11
NC	BURKE		RHODHISS	BURKE COUNTY LANDFILL RHODHISS	SITE
2 MI EAST OF US 321 ON SR 1611				35 47 00	081 27 00	06 09 11
NC	CAMDEN		NOT APPLICABLE	CAMDEN COUNTY LANDFILL	
0.1 MI. NORTH OF NC 343 ON	SR 1107			36 17 00	076 02 00	06 07 09 11
NC	CURRITUCK		NOT APPLICABLE	CURRITUCK COUNTY LANDFILL	
US 158 AT INTERSECTION WITH	SR 1246			36 24 00	076 01 00	06 09 11
NC	HYDE		NOT APPLICABLE	UNAUTHORIZED DUMP	
1.0 MI. E OF ENGLEHARD ON	US 264			35 31 00	075 59 00	06 09 11
NC	HYDE		NOT APPLICABLE	UNAUTHORIZED DUMP	
1.5 MI. N OF US 264 ON SR 1300				35 36 00	076 32 00	06 09 11
NC	HYDE		NOT APPLICABLE	UNAUTHORIZED DUMP	
0.5 MI N OF OYSTER CREEK	LANDING ON SR 1127			35 24 00	076 18 00	06 09 11
NC	LENOIR		LAGRANGE	LAGRANGE LANDFILL	
EAST KING STREET				35 19 00	077 46 30	06 09
ND	BURKE		COLUMBUS	CITY OF COLUMBUS OPEN DUMP	
3 MILES SOUTH AND 1 MILE WEST				R93W	T162N	19	06 11
ND	EMMONS		HAZELTON	CITY OF HAZELTON OPEN DUMP	
1 MILE WEST OF CITY				77W	135N	36	06
ND	EMMONS		LINTON	THE CITY OF LINTON OPEN DUMP	
1.0 MILE SOUTH AND 1.0 MILE	WEST OF CITY			77W	132N	12	06
ND	EMMONS		STRASBURG	CITY OF STRASBURG OPEN DUMP	
.5 MILE WEST AND .5 MILE SOUTH				76W	131N	35	06
ND	MCINTOSH		ASHLEY	CITY OF ASHLEY SANITARY	LANDFILL
1.0 MILE NORTH OF THE CITY OF	ASHLEY			69W	130N	19	06
ND	RICHLAND		MANTADOR	CITY OF MANTADOR OPEN DUMP	
1.5 MILES WEST OF CITY				50W	131N	18	01 06
OH	ADAMS		TIFFIN TWP	ADAMS COUNTY LANDFILL	
1 MI SOUTH ON PUMPKIN RIDGE RD	FROM WEST UNION			38 46 20	083 32 55	03 06 11
OH	ATHENS		CARTHAGE TWP	COZART LANDFILL	
4 MI NORTHEAST ON TWP RD 135	FROM STE RTE 50			39 13 50	081 51 21	03 06
OH	ATHENS		YORK TWP	691 LANDFILL	
3 MI SOUTH ON STATE ROUTE 691	FROM US RTE 33 INTERSECTION			39 24 10	082 12 10	03 06
OH	BELMONT		RICHLAND TWP	BUCKEYE RECLAMATION COMPANY	
0.5 MI SOUTH ON STE RTE 214	FROM INTERSTATE 70			40 02 50	080 52 10	03

OH	BROWN		PLEASANT TWP	OHIO WASTE SERVICE INC	LANDFILL
1 MI WEST ON SUNSHINE RD FROM	US RTE 68			38 53 51	083 54 38	03 06 09
OH	COLUMBIANA		HANOVER TWP	LAKE SANITARY LANDFILL	
1 MI SOUTH ON HOFFE RD FROM	STE RTE 172 INTERSECTION			40 47 00	080 52 15	06
OH	CUYAHOGA		GLENWILLOW	GLENWILLOW WORKS	
PETTIBONE RD IMMEDIATELY EAST	OF COCHRAN RD			41 21 12	081 28 08	06
OH	CUYAHOGA		WESTLAKE	WESTLAKE LANDFILL	
0.1 MI SOUTHEAST ON BASSETT RD	FROM CROCKER RD INTERSECTION			41 28 34	081 56 14	06
OH	DELAWARE		GLENDA TWP	SOLID WASTE MANAGEMENT SYSTEMS INC	
0.38 MI SOUTH ON WORTHINGTON	GALENA RD FROM FREEMAN RD			40 10 07	082 55 57	03
OH	ERIE		KELLEYS ISLAND	KELLEYS ISLAND VILLAGE	
0.4 MI NORTH ON BROOKERMAN RD	FROM CAMERON RD			41 36 26	082 43 13	06 07
OH	FAYETTE		UNION TWP	FAYETTE COUNTY LANDFILL #3	
0.1 MI EAST ON ROBINSON RD	FROM OLD CHILLICOTHE RD			39 31 36	083 24 32	03
OH	GUERNSEY		JACKSON TWP	FULTZ LANDFILL	
1 MI NORTH ON CO RD 52 FROM	BYESVILLE			39 58 56	081 32 17	03 06
OH	GUERNSEY		WESTLAND TWP	ACE DISPOSAL CO LANDFILL (IWD)	
1 MI EAST ON STE RTE 40 FROM	NEW CONCORD			40 00 07	081 43 24	03 06 11
OH	HAMILTON		HARRISON TWP	VILLAGE OF HARRISON LANDFILL	
0.9 MI SOUTHEAST ON CAMPBELL	RD FROM STATE ST INTERSECTION			39 14 28	084 48 17	01
OH	JEFFERSON		CROSS CREEK TWP	STEUBENVILLE CITY LANDFILL	
2 MI SOUTHEAST ON FERNWOOD RD	FROM US RTE 22			40 21 10	080 41 43	03 10
OH	LAKE		EASTLAKE	CITY OF EASTLAKE LANDFILL	
1 MI WEST ON REEVES RD FROM	LOST NATION RD INTERSECTION			41 39 25	081 24 57	01
OH	MARION		BIG ISLAND TWP	MARION CITY LANDFILL	
STE RTE 95 AT TWP RD 97				40 35 20	083 11 19	01
OH	MEDINA		MONTVILLE TWP	MEDINA COUNTY LANDFILL	MONTVILLE
0.3 MI SOUTHEAST ON STE RTE 57	FROM STE RTE 162			41 05 58	081 49 44	06
OH	MEIGS		SALISBURY TWP	MEIGS COUNTY SANITARY LANDFILL	
1 MI NORTH ON STE RTE 143 FROM	STE RTE 7			39 02 48	082 04 24	03 06
OH	MORGAN		MORGAN TWP	MORGAN COUNTY LANDFILL	
1 MI EAST ON STE RTE 60 FROM	MCCONNELSVILLE			39 39 25	081 50 00	03
OH	MUSKINGUM		BRUSH CREEK TWP	RIVERSIDE SANITARY LANDFILL	
1 MI NORTHWEST ON CO RD 6 FROM	STE RTE 555			39 53 00	081 59 20	03 06
OH	MUSKINGUM		WASHINGTON TWP	MUSKINGUM SANITATION SERVICE	
1 MI WEST ON ADAMSVILLE RD	FROM STE RTE 93			39 58 15	081 58 07	03
OH	PAULDING		LATTY TWP	WILLIAMS LANDFILL	
2 MI SOUTH ON CO RD 123 FROM	STE RTE 613 INTERSECTION			41 04 15	084 32 23	01 06 07
OH	PIKE		JACKSON TWP	PIKE SANITATION COMPANY	
2 MI SOUTH ON STE RTE 220 FROM	US RTE 23			39 06 05	082 58 07	03 06
OH	PORTAGE		ATWATER TWP	WEIBUSH LANDFILL	
0.5 MI SOUTH ON STE RTE 225	FROM STE RTE 224			41 01 06	081 06 20	06

OH	ROSS		BUCKSKIN TWP	THE TRIANGLE COMPAY					
2 MI NORTHEAST ON SALEM RD	FROM STE RTE 41			39 19 00	083 19 00	03 06			
OH	ROSS		CHILLICOTHE	CITY OF CHILLICOTHE LANDFILL					
0.5 MI WEST ON NARROWS RD FROM	MARIETTA RD			39 21 15	082 57 50	03 06			
OH	SCIOTO		VERNON TWP	SCIOTO SANITATION INC LANDFILL					
NORTH OF LYRA RD AT LICK RUN				38 43 15	082 47 40	03 06			
OH	STARK		BEACH CITY	BEACH CITY LANDFILL					
1 MI NORTH ON JUSTUS AVE FROM	STE RTE 212			40 39 25	081 34 34	01			
OH	TUSCARAWAS		GOSHEN TWP	SLATERS LANDFILL					
1.5 MI EAST ON STE RTE 39 FROM	NEW PHILADELPHIA			40 29 55	081 23 10	03 06			
OH	WYANDOT		CRAWFORD TWP	WYANDOT COUNTY LANDFILL					
1.2 MI EAST ON CO RD 4E FROM	US RTE 23			40 54 31	083 19 34	06			
OK	CANADIAN		NOT APPLICABLE	CANADIAN COUNTY SOLID WASTE			DISPOSAL AUTHORITY		
5 MI SOUTH OF EL RENO, OK. 0.5	MILES WEST OF HWY 81			7W	11N	10	06		
OK	CARTER		ARDMORE	ARDMORE MUNICIPAL SANITARY			LANDFILL		
4 MILES EAST HWY 70 ONE HALF	MILE NORTH			2E	4S	24	03 09		
OK	CARTER		ARDMORE	ARDMORE MUNICIPAL SANITARY			LANDFILL		
NORTHEAST SECTION OF CITY	ONE MILE NORTH HIGHWAY 70			2E	4S	20	03 06 09 11		
OK	CHEROKEE		TAHLEQUAH	TAHLEQUAH DUMP					
ONE HALF MILE E AND TWO MILES	N OF TAHLEQUAH			22E	17N	22	06 07 09 11		
OK	CIMARRON		NOT APPLICABLE	BOISE CITY DUMP					
3 MILES SOUTH OF BOISE CITY				5E	2N	3	01 03 06 09 11		
OK	CIMARRON		NOT APPLICABLE	BOISE CITY PUBLIC WORKS			AUTHORITY		
3 MILES SOUTH OF BOISE CITY				5E	2N	3	06 07 09 11		
OK	CREEK		SAPULPA	CITY OF SAPULPA LANDFILL					
NORTHEAST OF CITY				11E	18N	24	03 06 09		
OK	CREEK		NOT APPLICABLE	JOHN MOORE					
HILTON ROAD EAST OF HIGHWAY 66				11E	18N	24	01 03 06 09 11		
OK	CREEK		NOT APPLICABLE	J M BLAGG					
6512 S 69 W AVENUE				12E	18N	6	03 09 11		
OK	CREEK		NOT APPLICABLE	ROSENCUTTER BROS CONSTRUCTION					
8400 S 33 W AVENUE				12E	18N	21	01 03		
OK	CREEK		NOT APPLICABLE	TULSA SAPULPA UNION RAILWAY CO					
SW OF 65 W AVE AND HIGHWAY 66				12E	18N	6	03 06 09		
OK	JACKSON		NOT APPLICABLE	ALTUS MUNICIPAL LANDFILL					
62 HIGHWAY WEST OF ALTUS				21W	2N	15	01 03 06		
OK	KAY		NEWKIRK	CITY OF NEWKIRK					
SOUTH OF CITY				2E	28N	26	06 09		
OK	KAY		PONCA CITY	SOBERBROTHERS CONSTRUCTION			DUMP		
ROUTE 2 BOX 35				2E	26N	23	01 06 09 11		
OK	LATIMER		NOT APPLICABLE	WILBURTON OPEN DUMP					
4 MILES NORTH OF CITY				19E	5N	7	03 06 07 09 11		

OK	LOGAN	GUTHRIE	CITY OF GUTHRIE LANDFILL			
ONE MILE WEST AND ONE MILE	NORTH OF GUTHRIE		3W	16N	1	03 06 09
OK	MCCLAIN	NORMAN	NORMAN ASPHALT LANDFILL			
CHATAUGA STREET SOUTH OF STATE HIGHWAY 9			2W	8N	18	01 03 06
OK	MCCLAIN	PURCELL	PURCELL OPEN DUMP			
NORTH BANK WALNUT CREEK			2W	6N	13	01 06 07 09 11
OK	MUSKOGEE	NOT APPLICABLE	MUSKOGEE LANDFILL			
SOUTH 54TH STREET			18E	14N	6	03 06 09 11
OK	OKLAHOMA	DEL CITY	DELCITY SANITARY LANDFILL			
3 MILES EAST OF OKLAHOMA CITY	ON 10TH STREET		2W	12N	32	01 03 04 06 07 09 11
OK	OKLAHOMA	OKLAHOMA CITY	CUSTOM EQUIPMENT COMPANY			SANITARY LANDFILL
72ND SOUTH BRYANT			3W	11N	25	03 06
OK	OSAGE	NOT APPLICABLE	SHELL CREEK LANDFILL			
177 WEST AVENUE			10E	20N	36	03 06 09 10
OK	OTTAWA	MIAMI	MIAMI MUNICIPAL LANDFILL			
H STREET SE SOUTH OF CITY			23E	28N	31	01 03
OK	OTTAWA	NOT APPLICABLE	M AND M LANDFILL			
ROUTE 1			23E	29N	14	03 06 09 11
OK	POTTAWATOMIE	SHAWNEE	SHAWNEE MUNICIPAL SANITARY			LANDFILL
SOUTH SIDE OF CITY			4E	10N	30	01 06 09
OK	TILLMAN	DAVIDSON	DAVIDSON MUNICIPAL LANDFILL			
1.5 MILES SOUTH OF DAVIDSON ON HIGHWAY 183			18W	4S	10	06 09 11
OK	TILLMAN	NOT APPLICABLE	FREDERICK MUNICIPAL LANDFILL			
5 MILES NORTH FREDERICK WEST	OF HIGHWAY 183		17W	1 SOUTH	31	03 06 07 09 11
OK	TULSA	COLLINSVILLE	COLLINSVILLE			
NORTH OF CITY			12E	22N	20	03 06 09 11
OK	TULSA	TULSA	SPARTON LANDFILL			
NORTH YALE			13E	20N	22	06 07 09 11
OK	WAGONER	BROKEN ARROW	CITY OF BROKEN ARROW LANDFILL			
3 MILES EAST OF TULSA COUNTY	LINE ON 51 STREET		15E	19N	32	03 06
OK	WAGONER	NOT APPLICABLE	D & N SANITARY LANDFILL			
EAST 41ST STREET			15E	19N	29	03 06 09 11
OK	WASHINGTON	BARTLESVILLE	BARTLESVILLE LANDFILL			
N OF TOWN			13E	26N	6	01 03 06 09
OR	BENTON	MONROE	MONROE DEMOLITION SITE			
1/2 MI EAST OF MONROE OFF HWY	U.S. 99W		44 18 50	123 17 20		04
OR	CLATSOP	ASTORIA	ASTORIA LANDFILL			
WILLIAMSPORT			46 10 35	123 48 55		06
OR	CLATSOP	CANNON BEACH	CANNON BEACH LANDFILL			
HIGHWAY 101			45 54 29	123 56 36		06 07
OR	CLATSOP	ELSIE	ELSIE LANDFILL			
SUNSET HIGHWAY 26			45 52 20	123 36 10		06 07

OR	CLATSOP LEWIS AND CLARK RD	SEASIDE	SEASIDE LANDFILL 46 00 37	123 52 48	06 07
OR	CLATSOP SW 9TH AND RIDGE ROAD	WARRENTON	WARRENTON LANDFILL 46 09 45	123 56 45	04
OR	COLUMBIA HONEYMAN ROAD	SCAPPOOSE	SANTOSH LANDFILL 45 37 35	122 50 48	03 04
OR	COOS WOODWARD CREEK	POWERS	POWERS DISPOSAL SITE 42 54 05	124 04 10	07
OR	HOOD RIVER MID-VALLEY ROAD	PARKDALE	HOOD RIVER LANDFILL 45 35 00	121 33 45	03
OR	JACKSON FISH LAKE RD	BUTTE FALLS	BUTTE FALLS LANDFILL 43 32 10	122 33 35	06 07
OR	LAKE OREGON HIGHWAY 140	ADEL	ADEL DISPOSAL SITE 42 10 00	119 45 00	07
OR	LAKE COUNTY ROAD NO. 5-14C	CHRISTMAS VALLEY	CHRISTMAS VALLEY DISPOSAL SITE 17E 26S 28		07
OR	LAKE FORT ROCK HIGHWAY	FORT ROCK	FORT ROCK DISPOSAL SITE 14E 26S 5		07
OR	LAKE COUNTY ROAD NO. 4-20	PAISLEY	PAISLEY DISPOSAL SITE 42 42 20	120 32 30	07
OR	LAKE PLUSH CUTOFF ROAD	PLUSH	PLUSH DISPOSAL SITE 42 24 40	119 54 20	07
OR	LAKE OREGON HIGHWAY 31	SILVER LAKE	SILVER LAKE DISPOSAL SITE 43 07 40	121 01 30	07
OR	LAKE OREGON HIGHWAY 31	SUMMER LAKE	SUMMER LAKE DISPOSAL SITE 42 58 15	120 46 45	07
OR	LANE OFF I-5	COTTAGE GROVE	COTTAGE GROVE LANDFILL 43 47 50	123 01 30	10
OR	LANE CLOVERDALE RD	CRESWELL	CRESWELL LANDFILL 43 55 00	122 59 30	04
OR	LINCOLN COUNTY ROAD 1088-1	LINCOLN CITY	NORTH LINCOLN DISPOSAL SITE 44 55 55	123 58 15	06
OR	LINCOLN HIGHWAY 101	NEWPORT	AGATE BEACH DISPOSAL SITE 44 41 50	124 03 23	03 06
OR	LINCOLN WACONDA BEACH RD	WALDPORT	WALDPORT DISPOSAL SITE 44 23 45	124 04 05	03 06
OR	MALHEUR STATE HIGHWAY 450	ADRIAN	ADRIAN LANDFILL 43 43 43	117 04 43	06 09 11
OR	MALHEUR HIGHWAY 26	BROGAN	BROGAN-JAMIESON 44 12 20	117 28 40	06 09 11
OR	MALHEUR CROWLY ROAD	HARPER	HARPER LANDFILL 43 51 00	117 36 20	06 07 09 11

OR MALHEUR HIGHWAY 20	JUNTURA	JUNTURA LANDFILL 43 45 00	118 04 40	06 07 09 11
OR MALHEUR 9TH AVE W	WILLOW CREEK	WILLOW CREEK LANDFILL 44 06 45	117 24 15	06 09 11
OR MARION HOMESTEAD ROAD	SALEM	BROWN'S ISLAND LANDFILL 44 55 15	123 05 00	04 08
OR POLK RIVER BEND ROAD	SALEM	FOWLER'S DEMOLITION SITE 44 59 00	123 02 55	04
OR UMATILLA SPARKS ROAD	PILOT ROCK	PILOT ROCK NORTH CANYON 45 32 30	118 47 55	03 09
OR WHEELER COUNTY ROAD	FOSSIL	FOSSIL LANDFILL 45 00 00	120 12 25	07
PA ALLEGHENY ROUTE 30	FINDLAY TWP	MAZZARO LANDFILL 40 28 23	080 17 20	08
PA BERKS LINCOLN ROAD EXETER TWP	BIRDSBORO	FR&S SANITARY LANDFILL 40 16 30	075 48 50	03 08 09
PA BERKS ROUTES 724 & 176 CUMRU TWP	BIRDSBORO	WESTERN BERKS DISPOSAL FACILTY 40 18 06	075 54 30	08
PA BERKS WHEATFIELD RD SPRING TWP	SINKING SPRING	BERKS LANDFILL CORP 40 17 39	076 02 02	03 08
PA BRADFORD ONE MILE OFF L.R. 08124	NEW ALBANY	BELL'S SANITARY LANDFILL 41 38 08	076 23 19	06
PA CLEARFIELD 2 MILES SOUTH OF OSCEOLA MILLS ON ROUTE 53	OCSEOLA MILLS	KEPHART LANDFILL 40 50 40	078 17 39	11
PA DAUPHIN EISENHOWER BLVD	HARRISBURG	SWATARA DEMOLITION LANDFILL 40 13 51	076 48 06	06
PA DELAWARE PAPERMILL ROAD	SPRINGFIELD TWP.	SPRINGFIELD TOWNSHIP BULK WAST E LANDFILL 39 55 10	075 21 30	03
PA FRANKLIN R D #1	CHAMBERSBURG	R & A BENDER LANDFILL 39 58 09	076 33 22	06
PA FRANKLIN RT 3	MERCERSBURG	MONTGOMERY TOWNSHIP LANDFILL 39 43 20	077 54 30	06 07 09
PA JEFFERSON TOWNSHIP ROAD 448 WEST OF ANIT A PA MCCALMONT TOWNSHIP	ANITA	WAZELLE BROTHERS LANDFILL 40 59 54	078 58 59	06
PA LANCASTER ROUTE 322	HONEYBROOK	LANCHESTER CORPORATION SANITAR Y LANDFILL 40 06 40	075 57 09	06 09
PA LANCASTER MT PLEASANT ROAD,	PARADISE	BART TOWNSHIP LANDFILL 39 54 10	076 04 53	06 07 09
PA LEHIGH RD#1 S. WHITEHALL TWP	ALLENTOWN	NOVAK SANITARY LANDFILL 40 37 52	075 33 42	08
PA MCKEAN HIGH STREET	LEWIS RUN BOROUGH	LEWIS RUN BOROUGH LANDFILL 41 52 10	078 39 02	06 07 09 11

PA	NORTHUMBERLAND		MT CARMEL	MOUNT CARMEL LANDFILL	
1.5 MI WEST OF MT CARMEL BORO	ON PDH RT 49017 THEN 800 FT NW			40 47 25 076 26 10	01 06 08 09 11
PA	NORTHUMBERLAND		SHAMOKIN	SHAMOKIN-COAL TWP SANITARY	LANDFILL
.5 MI NE OF SHAMOKIN BOYD IN	FORMER SUSQUEHANNA COAL PIT			40 48 00 076 31 45	06 07 08 09
PA	PERRY		NEW BLOOMFIELD	PERRY COUNTY LANDFILL	
R D 1				40 12 05 077 10 04	06 11
PA	SOMERSET		CONEMAUGH TOWNSHIP	SOUTHERN ALLEGHENIES DISPOSAL	SERVICE LANDFILL
.75 MILES NORTHEAST OFF LR	55100 AT RTE 219 OVERPASS			40 14 04 078 53 58	03
PA	TIOGA		ARNOT	BLOSS TWP. DISPOSAL SITE	
1.2 MILES OFF L.R. 58038				41 40 26 077 07 56	06
PA	TIOGA		WELLSBORO	WELLSBORO LANDFILL	
MEADE STREET				41 43 53 077 18 16	06 11
PA	VENANGO		SENECA	SUPERIOR REFUSE LANDFILL	
EAST STATE ROAD RD#1				41 22 20 079 40 00	03 06
PA	WARREN		WARREN	WARREN GENERATING STATION	
PENNSYLVANIA AVENUE WEST-ROUTE #6				41 50 16 079 11 35	04 11
PA	WESTMORELAND		PENN TWP	LCR LANDFILL	
L.R. 64238				40 23 30 079 40 10	03 06 07
PA	YORK		YORK	MODERN TRASH REMOVAL LANDFILL	
RD 9 LEGISLATIVE ROUTE 66004				39 57 34 076 35 29	08
RI	BRISTOL		BRISTOL	TOWN OF BRISTOL SANITARY	LANDFILL
MINTURN ROAD				41 40 45 071 15 30	03 04
RI	PROVIDENCE		CRANSTON	SANITARY LANDFILL INC.	
PONTIAC AVE.				41 44 00 071 27 45	04
RI	PROVIDENCE		CUMBERLAND	J. M. MILLS INC.	
MENDON ROAD				41 55 00 071 25 00	01
RI	PROVIDENCE		NORTH PROVIDENCE	TOWN OF NORTH PROVIDENCE	SANITARY LANDFILL
SMITHFIELD ROAD				41 52 00 071 28 45	03
RI	WASHINGTON		NEW SHOREHAM	TOWN OF NEW SHOREHAM	SANITARY LANDFILL
WEST BEACH ROAD	SANITARY	LANDFILL		41 12 30 071 34 30	01 07 11
RI	WASHINGTON		NORTH KINGSTOWN	TOWN OF NORTH KINGSTOWN	SANITARY LANDFILL
HAMILTON ALLENTON ROAD				41 33 00 071 27 30.	03
SC	CHARLESTON		HOLLYWOOD	W L SIRES PROPERTY	
SC HWY 162				32 44 05 080 14 30	03 06 09 11
SC	YORK		ROCK HILL	FERGUSON PROPERTY	
HWY 5 NORTH				34 56 30 081 04 15	09 11
SD	DAY		GREENVILLE	THE GREENVILLE SOLID	WASTE FACILITY
1.0 MI N ON COUNTY RD H				55W 123N 13	04 06
SD	DAY		ROSLYN	THE ROSLYN SOLID	WASTE FACILITY
0.5 MI E ON COUNTY RD D	0.2 MI S ON COUNTY RD H			56 W 123 N 06	04 06
SD	HAAKON		PHILIP	THE PHILIPS SOLID	WASTE FACILITY
1 MI S OF PHILIP ON ACCESS RD				20E 01N 23	01

SD	MC COOK		BRIDGEWATER	THE BRIDGEWATER SOLID			WASTE FACILITY
2.5 MI S ON COUNTY RD E				56W	102N	35	06
SD	MC COOK		SPENCER	THE SPENCER SOLID			WASTE FACILITY
1 MI S ON HIGHWAY H				56W	104N	08	04 06
TN	RUTHERFORD		LAVERGNE	JOHN WILKERSON DUMP			
OLD JEFFERSON PIKE AT US 41-A	AND SAM RIDLEY PARKWAY			36 00 00	086 32 30		06 07 09 11
TN	SULLIVAN		BRISTOL	TOM KNOLL DUMP			
US 11-W 3 MILES WEST OF I-81				36 34 52	082 19 18		06 07 09 11
TX	BELL		BELTON	BELTON LANDFILL			
SE OF BELTON 0.5 MILE SE OF	IH 35 1 MILE NE OF FM 436			31 02 45	097 26 48		01 04
TX	BRAZORIA		NOT APPLICABLE	TX DEPT OF CORRECTIONS RAMSEY			UNIT 2 ROSHARON TX
RAMSEY PRISON FARM UNIT 2 ADJ	TO OYSTER CREEK AT OTEY			29 17 00	095 33 15		04
TX	CAMERON		NOT APPLICABLE	BROWNSVILLE LANDFILL			
3 MILES NE OF BROWNSVILLE 1.3	MI NE OF INT OF SH4 AND FM511			25 56 09	097 23 24		01
TX	HARRIS		HOUSTON	WESTERN REFUSE OF TEXAS INC.			
12712 CHURCH ST.				29 46 37	095 12 35		01 03 04 08
TX	TARRANT		FORT WORTH	FORT WORTH SOUTHEAST LANDFILL			
0.25 MILE S OF US 287 W OF	DICK PRICE ROAD			32 38 51	097 14 21		01
UT	WASHINGTON		HURRICANE	HURRICANE DUMP			
1.5 MILES NORTH OF TOWN				13 W	41 S	25	06 07 09 11
UT	WASHINGTON		ST GEORGE	ST GEORGE CITY LANDFILL			
2 MILES NORTHEAST OF ST GEORGE				12 W	42 S	17	07 09 11
VT	BENNINGTON		RUPERT	RUPERT TOWN DUMP			
2.5 MILES WEST OF WEST RUPERT	VILLAGE			43 14 45	073 15 50		03 06 09
VT	CALEDONIA		HARDWICK	HARDWICK DISPOSAL FACILITY			RICHARD TOWNS OWNER
TOWN HIGHWAY 45				44 28 50	072 19 36		03 04
VT	CALEDONIA		PEACHAM	PEACHAM TOWN DUMP			
EAST PEACHAM RD				44 20 15	072 09 31		03 09
VT	ORANGE		TUNBRIDGE	TUNBRIDGE TOWN DUMP			
RUSSELL RD				43 51 20	072 30 47		06
VT	RUTLAND		DANBY	CASELLA DISPOSAL FACILITY			
US RT 7 DANBY				43 22 50	073 00 09		03 04
VT	RUTLAND		FAIR HAVEN	FAIR HAVEN TOWN DUMP			
.3 MI FROM WEST ST AND 0.6 MI	FROM WEST ST. AND RTE 4			43 35 42	073 16 30		03 06 09
VA	NOT APPLICABLE		NORFOLK	CAMPOSTELLA ROAD LANDFILL			
CAMPOSTELLA ROAD				36 49 27	076 15 23		01 03 06 07 09
VA	NOT APPLICABLE		NORFOLK	LAMBERTS POINT LANDFILL			
44TH STREET BORDERING	ELIZABETH RIVER			36 53 01	076 19 15		01 03 06 07 09
WA	BENTON		PROSSER	A2W LANDFILL			
5 MI N OF RTE 12 ON COUNTYLINE RD	AND 1 MI. E. ON SHELLER RD.			46 19 25	119 51 30		06 07 09
WA	CHELAN		NOT APPLICABLE	DRYDEN LANDFILL			
1 MI W OF DRYDEN ON SOUTH SIDE OF	HWY RTE 97			47 32 45	120 34 25		04 06 11

WA	DOUGLAS	WATERVILLE	OLD WATERVILLE DUMP		
2 MI W OF WATERVILLE THEN 1 MI N. OF HWY.		RTE. 2 IN PINE CANY	47 40 05	120 07 00	06 07 09 11
WA	DOUGLAS	NOT APPLICABLE	OLD ORONDO DUMP		
7 MI N OF ORONDO IN DRAW ON	WEST SIDE OF HWY RTE 151		47 43 03	120 12 10	06 07 09 11
WA	FERRY	REPUBLIC	TORBOY SANITARY LANDFILL		
5 MILES NORTH OF REPUBLIC			33 E	37 N 30	06 09 11
WA	FERRY	NOT APPLICABLE	BOYDS SITE		
300 YARDS WEST OF STATE ROAD	395 AT BOYDS		37 E	37 N 17	06 07 09 11
WA	FERRY	NOT APPLICABLE	CURLEW DUMP		
3 MILES EAST OF CURLEW ON THE	BOULDER CREEK ROAD		34 E	39 N 07	06 09 11
WA	FERRY	NOT APPLICABLE	DANVILLE SITE		
TWO MILES EAST OF DANVILLE ON	THE EAST DANVILLE ROAD		34 E	40 N 09	06 09 11
WA	GRAYS HARBOR	ABERDEEN	ABERDEEN SANITATION DISPOSAL SITE		
4201 OLYMPIC HWY			46 58 33	123 44 59	03
WA	KING	SKYKOMISH	SKYKOMISH LANDFILL		
ONE MILE EAST OF SKYKOMISH ON	OLD CASCADE HIGHWAY		47 42 47	121 20 25	03 06 09 11
WA	KLICKITAT	NOT APPLICABLE	WISHRAM DUMP		
1 MI EAST OF WISHRAM ABOVE BN	RR TRACKS ALONG COLUMBIA RIVER		45 39 45	120 56 52	01 03 06 07 09 11
WA	LINCOLN	WILBUR	NORTHWEST LINCOLN COUNTY SANITARY LANDFILL		
600 FEET SOUTHWEST OF GOVAN			32 E	26 N 20	06
WA	OKANOGAN	NESPELEM	NESPELEM DUMP		
1 MI WEST OF RTE 155 AND NORTH	OF NESPELEM RIVER RD		48 08 20	119 00 15	06 07 09 11
WA	OKANOGAN	OMAK	OMAK LAKE DUMP		
7 MI SOUTH OF RTE 155 ON UPPER	OMAK LAKE RD NEAR OMAK LAKE		48 19 10	119 27 00	06 07 09 11
WA	OKANOGAN	NOT APPLICABLE	SOAP LAKE DUMP		
1 MI EAST OF RTE 97 ON SOAP -	LAKE ROAD 8 MI NO OF BREWSTER		48 10 10	119 39 00	06 07 09 11
WA	OKANOGAN	NOT APPLICABLE	DISAUTEL DUMP		
1 MI NORTH OF RTE 155 ON OMAK	MOUNTAIN ROAD		48 22 40	119 14 55	06 07 09 11
WA	OKANOGAN	NOT APPLICABLE	ELLISFORD LANDFILL		
3 MI NORTH OF ELLISFORD ON OLD	HWY RTE 97		48 50 10	119 24 00	03 06 11
WA	PACIFIC	NASELLE	NASELLE		
0.8 MI. EAST OF NASELLE ON HWY	830		46 23 03	123 48 56	06 07 09
WA	PACIFIC	TOKELAND	NORTH COVE		
1.5 MI. WEST OF TOKELAND	TURNOFF ON HWY 105		46 43 45	124 03 03	01 03 06 07 09
WA	PEND ORIELLE	NEWPORT	DIAMOND LAKE SITE		
10 MILES SOUTHWEST OF NEWPORT	ON HIGHWAY 2		45 E	30 N 6	06 07 09
WA	PEND ORIELLE	NOT APPLICABLE	SACHEEN LAKE DUMP		
8 MILES NORTH OF INTERSECTION	OF STATE HIWAY 195 AND 311		43 E	31 N 24	06 09 11
WA	SNOHOMISH	ARLINGTON	OSO LANDFILL		
31705 LAKE CAVENAUGH ROAD			48 16 46	121 56 20	03 06 07 08 09 11
WA	SNOHOMISH	LAKE STEVENS	LAKE STEVENS LANDFILL		
ONE MILE EAST OF LAKE STEVENS			47 59 54	122 03 14	03 04 06 08 09 10

WA	STEVENS		MARCUS	MARCUS SITE		
IN THE TOWN OF MARCUS				38 E	37 N	33	06 09
WA	STEVENS		NORTHPORT	NORTHPORT LANDFILL		
34 MILES NORTH OF INTERSECTION OF HIWAY 25 AND HIWAY 395				40 E	39 N	05	06 07 09 11
WA	STEVENS		NOT APPLICABLE	FORD III		
1 MILE SOUTH OF FORD ON HWY231 HALF MILE EAST OF ROAD 1407				40 E	28 N	37	06 07 09 11
WA	STEVENS		NOT APPLICABLE	HUNTERS SITE		
3 MILES SOUTH OF CITY OF	HUNTERS ON HIWAY 25			37 E	30 N	19	06 07 09 11
WA	WAHKIAKUM		CATHLAMET	CATHLAMET		
1.0 MI. EAST OF CATHLAMET ON	OCEAN BEACH HWY			46 11 30	123 21 42		03 06 07 09
WA	WAHKIAKUM		ROSBURG	GRAYS RIVER		
0.75 MI. S.E. OF ROSBURG				46 19 58	123 37 35		01 03 06 07 09 11
WA	YAKIMA		GRANGER	NEWHOUSE DUMP 1 (ALFRED)		
2 MI S OF EMERALD ON SO.	EMERALD RD AT YAKIMA RIVER			46 14 40	120 05 10		01 03 06 07 09 11
WA	YAKIMA		GRANGER	NEWHOUSE DUMP 2 (MELVIN)		
2 MI WEST OF EMERALD ON THE	EMERALD-GRANGER RD. AT YAKIMA			46 18 30	120 07 25		01 03 06 07 09 11
WV	BERKELEY		NOT APPLICABLE	MARTINSBURG-BERKELEY COUNTY LANDFILL		
2 MILES EAST OF MARTINSBURG ON	GRAPEVINE ROAD			39 25 57	077 56 03		03
WV	BRAXTON		NOT APPLICABLE	BRAXTON COUNTY LANDFILL		
2.5 MILES SOUTHEAST JUNCTION	OF US 119 AND WV 4 ON CO 17/2			38 38 05	080 41 15		03 06
WV	BROOKE		NOT APPLICABLE	VALERO LANDFILL		
2.6 MILES OFF WV 2 ON CO 6				40 22 06	080 35 00		06
WV	CABELL		HUNTINGTON	HUNTINGTON CITY LANDFILL		
DEITZ HOLLOW				38 25 23	082 24 22		03 06
WV	CLAY		NOT APPLICABLE	CLAY COUNTY DUMP		
1 MILE NE OF CLAY ON CO 26				38 28 05	081 05 37		03 06 07 09 11
WV	GREENBRIER		NOT APPLICABLE	GREENBRIER WESTERN LANDFILL		
.75 MILES NORTH OF WV20 ON CO. 44/2				38 03 07	080 43 30		03
WV	HARRISON		CLARKSBURG	CLARKSBURG LANDFILL		
1 MILE OF US 50 ON GREGORYS RUN				39 17 47	080 21 44		03 06
WV	HARRISON		NOT APPLICABLE	S AND S LANDFILL		
6 MILES SOUTH OF CLARKSBURG ON US 19				39 13 23	080 24 29		06
WV	JACKSON		NOT APPLICABLE	JACKSON COUNTY LANDFILL		
2.5 MILES NORTH OF US 33 ON CO 5/7				38 50 29	081 43 50		03 06
WV	JEFFERSON		NOT APPLICABLE	JEFFERSON COUNTY LANDFILL		
.25 MILES NORTH OF CO 15 ON CO 15/1				39 20 15	077 54 35		03 06
WV	KANAWHA		CHARLESTON	CHARLESTON LANDFILL		
MISSION HOLLOW ABNEY PARK				38 19 00	081 37 00		03
WV	KANAWHA		NOT APPLICABLE	DONS DISPOSAL LANDFILL		
ON CRAIG BRANCH OF KANAWHA TWO MILE CREEK				38 25 35	081 38 00		03
WV	KANAWHA		NOT APPLICABLE	FLEMING LANDFILL		
561 MUNDY HOLLOW ROAD				38 27 20	081 40 40		03 06

WV KANAWHA 2 MILES EAST OF CROSSLANES		NOT APPLICABLE	KANAWHA COUNTY LANDFILL 38 25 00 081 45 35	03 06
WV MARION .8 MILES SOUTH OF FARMINGTON	ON WV 218	NOT APPLICABLE	MARION COUNTY LANDFILL 39 32 39 080 15 39	03
WV MCDOWELL HUNTINGSHIRT BRANCH 10 MILES	WEST OF WELCH	NOT APPLICABLE	MCDOWELL COUNTY LANDFILL 37 27 45 081 40 41	03
WV MINGO 3.6 MILES NORTH OF WILLIAMSON	ON US52	NOT APPLICABLE	MINGO COUNTY LANDFILL 37 41 36 082 13 02	03
WV MONONGALIA .5 MILE EAST OF CO 857 ON 62/1		MORGANTOWN	MORGANTOWN LANDFILL 39 38 23 079 55 15	03 06
WV MORGAN ON CO 9/14 NEAR WIGGINS RUN		NOT APPLICABLE	MORGAN COUNTY LANDFILL 39 34 32 078 21 32	03
WV NICHOLAS 1 MILE FROM RICHWOOD ON LUMBER	MILL ROAD	NOT APPLICABLE	RICHWOOD DUMP 38 13 22 080 34 25	01 03 06
WV OHIO OFF US 40 NEAR EAST END OF	VALLEY GROVE	VALLEY GROVE	MEREDITH LANDFILL 40 06 07 080 33 21	03 06
WV OHIO 1 MILE N OF US40 OFF MOUNT	WOOD ROAD	WHEELING	WHEELING LANDFILL 40 05 17 080 42 42	03
WV PUTNAM 2.7 MILES SOUTH OF US 60 ON CO 50		NOT APPLICABLE	SOWARDS LANDFILL 38 24 10 082 01 35	03 06
WV RALEIGH END OF CO 8/1		NOT APPLICABLE	RALEIGH COUNTY LANDFILL 37 49 50 081 08 45	03
WV WETZEL .5 MILES OFF WV 180 ON 28/1		NOT APPLICABLE	ELLER LANDFILL 39 40 03 081 51 57	03
WI DOUGLAS WISCONSIN POINT		SUPERIOR	CITY OF SUPERIOR SANITARY 46 40 44 091 57 36	LANDFILL-WISCONSIN POINT 03
WI MARATHON NORTHWESTERN AVE		TOWN OF WESTON	HOLTZ-KRAUSE,INC LANDFILL 44 56 00 089 36 30	03
WI OUTAGAMIE 1604 CROOKS AVE		KAUKAUNA	KAUKAUNA LANDFILL INC. 44 15 30 088 16 00	03 08
WI RACINE 824 MILWAUKEE AVE		BURLINGTON	CITY OF BURLINGTON SANITARY 42 41 30 088 16 35	LANDFILL 08
WI ROCK WALTERS ROAD		BELOIT	THE TOWNSHIP OF BELOIT 42 34 08 089 02 43	SANITARY LANDFILL 01
WI WAUKESHA 19980 WEST CAPITOL DRIVE		BROOKFIELD	MASTER DISPOSAL LANDFILL INC. 43 05 51 088 09 11	01
WY UINTA 2 MI N OF INTERSECTION OF I-80	AND HWY 412	NOT APPLICABLE	BRIDGER VALLEY SOLID WASTE R115 W T16 N 10	DISPOSAL DISTRICT LANDFILL 06
WY WASHAKIE 1 MI NW OF INTERSECTION OF HWY	433 AND 16	WORLAND	WASHAKIE COUNTY SOLID WASTE 93W 47N 23	DISPOSAL DISTRICT LANDFILL 06
AS MANUATECE FAGAMALO STREET		TAU MANUA	FAGAMALO LANDFILL 14 14 40 169 30 30	03

AS MANUATELE BETWEEN FITIUTA AND AIRPORT	FITIUTA MANUA	ANAULI LANDFILL 14 16 35 169 29 25 03	
AS MANUATELE FATUAGA STREET BETWEEN THE AIRPORT AND TOAGA	OFU MANUA	FATUAGA LANDFILL 14 00 00 169 30 00 01	
AS MAOPUTASI BETWEEN HIGHWAY NO. 1 AND PAGO PAGO HARBOR	ANASOSOPO	ANASOSOPO LANDFILL 14 17 25 170 39 47 01 08 11	
AS TUALATAI FUTIGA ROAD	FUTIGA	FUTIGA LANDFILL 14 22 00 170 46 00 11	
AS TUALAUTA OTTOVILLE ROAD	TAFUNA	TAFUNA SLUDGE DISPOSAL SITE 14 20 00 170 44 00 04 11	
GU GUAM MARINE DRIVE WAR DOG CEMETERY	DEDEDO	DEDEDO SOLID WASTE TRANSFER STATION 13 31 15 144 51 04 06 07 09	
GU GUAM ROUTE 4 BORROW PIT	NOT APPLICABLE	MALOJLOJ SOLID WASTE TRANSFER STATION 13 18 45 144 45 55 06 07 09	
GU GUAM SAN CARLOS STREET	NOT APPLICABLE	ORDOT LANDFILL 13 27 10 144 44 55 03 06 07 09 11	
CM MARIANA ISLANDS DISTRICT TWO MILES NORTH OF SONGSONG VILLAGE	ROTA	ROTA OPEN DUMP 14 09 30 145 09 30 06 09	
CM MARIANA ISLANDS DISTRICT PUERTO RICO	SAIPAN	PUERTO RICO OPEN DUMP 15 13 30 145 44 00 03 06 07 09	
CM MARIANA ISLANDS DISTRICT ONE MILE NORTH OF SAN JOSE VILLAGE	TINIAN	TINIAN OPEN DUMP 14 59 00 145 37 00 06 09	
PR AGUAS BUENAS STATE ROAD PR-173 KM 6 HM 0 SUMIDERO WARD	AGUAS BUENAS	AGUAS BUENAS MUNICIPAL LANDFILL 18 12 32 066 08 50 01 03 06	
PR AIBONITO STATE ROAD PR-14 KM 53 HM 4 EL ROBLE WARD	AIBONITO	AIBONITO MUNICIPAL LANDFILL 18 08 46 066 15 04 03 06 07 09 11	
PR ANASCO STATE ROAD PR - 402 KM 2 HM 6 MARIAS WARD	ANASCO	ANASCO MUNICIPAL LANDFILL 18 18 55 067 08 38 03	
PR ARECIBO STATE ROAD PR - 682 KM 10 HM 7 FACTOR WARD	ARECIBO	ARECIBO MUNICIPAL LANDFILL 18 27 30 066 37 30 01 06 11	
PR BARCELONETA STATE ROAD PR - 665 KM 3 HM 2 TOZAS WARD	BARCELONETA	BARCELONETA MUNICIPAL LANDFILL 18 24 30 066 33 04 06 07 09 11	
PR BARRANQUITAS STATE ROAD PR-719 KM 1 HM 3 HELECHAL WARD	BARRANQUITAS	BARRANQUITAS MUNICIPAL LANDFILL 18 11 00 066 18 25 03 06 07 09 11	
PR BAYAMON STATE ROAD PR - 167 KM 12 HM 8 BUENA VISTA WARD	BAYAMON	BAYAMON FORMER SANITARY LANDFILL 18 19 34 066 11 54 03	
PR CAGUAS STATE ROAD PR 172 KM 1 HM 0 TURABO WARD	CAGUAS	CAGUAS MUNICIPAL LANDFILL 18 12 40 066 03 57 01 03 06 09 11	
PR CAMUY STATE ROAD PR 119 KM 7 HM 9 PIEDRA GORDA WARD	CAMUY	CAMUY FORMER OPEN DUMP 18 25 14 066 53 03 06 11	
PR CAROLINA STATE ROAD PR 874 KM 7 HM 3 HOYO MULA WARD	CAROLINA	CAROLINA MUNICIPAL LANDFILL 18 24 39 065 56 23 03 06 09 11	

PR CAYEY STATE ROAD PR-184 KM 5 HM 0	CAYEY BEATRIZ WARD	CAYEY MUNICIPAL LANDFILL 18 09 00 066 06 12 03 06 11
PR CIALES STATE ROAD PR KM 1 HM 1	CIALES HATO VIEJO WARD	CIALES OPEN BURNING DUMP 18 21 12 066 29 17 06 07 09 11
PR CIDRA STATE ROAD PR - 734 KM 2 HM 7	CIDRA ARENAS WARD	CIDRA MUNICIPAL LANDFILL 18 08 30 066 08 50 03 06 11
PR FLORIDA STATE ROAD PR - 642 KM 10 HM 7	FLORIDA FLORIDA ADENTRO WARD	FLORIDA MUNICIPAL LANDFILL 18 59 44 066 34 45 06 11
PR GUANICA STATE ROAD PR - 331 KM 2 H 1	GUANICA FUIG WARD	GUANICA MUNICIPAL OPEN BURNING DUMP 17 59 44 066 55 45 06 07 09 11
PR GUAYAMA STATE ROAD PR - 713 KM 5 HM 8	GUAYAMA JOBOS WARD	GUAYAMA FORMER OPEN DUMP 17 59 04 066 10 49 01 03 11
PR GUAYAMA STATE ROAD PR - 711 KM 2 HM 0	GUAYAMA POZO HONDO WARD	GUAYAMA MUNICIPAL LANDFILL 17 59 10 066 08 20 03 06 09 11
PR GUAYNABO STATE ROAD PR - 1 KM 21 HM 7	GUAYNABO LA MUDA WARD	GUAYNABO MUNICIPAL LANDFILL 18 19 05 066 06 05 06 09 11
PR GURABO STATE ROAD PR - 189 KM 4 HM 8	GURABO RINCON WARD	GURABO MUNICIPAL OPEN BURNING DUMP 18 15 09 065 59 51 06 07 09 11
PR HATILLO STATE ROAD PR - 487 KM 1 HM 8	HATILLO BUENA VISTA WARD	HATILLO MUNICIPAL OPEN DUMP 18 24 43 066 48 06 06 07 09 11
PR ISABELA STATE ROAD PR 112 KM 9 HM 0	ISABELA ARENALES ALTO WARD	ISABELA MUNICIPAL FORMER OPEN BURNING DUMP 18 25 30 067 02 05 06 11
PR JAYUYA STATE ROAD PR - 527 KM 3 HM 3	JAYUYA SALIENTE WARD	JAYUYA MUNICIPAL LANDFILL 18 11 41 066 33 59 06 11
PR JUANA DIAZ STATE ROAD PR 510	JUANA DIAZ	JUANA DIAZ MUNICIPAL OPEN BURNING DUMP 18 02 30 066 31 00 01 03 06 07 09 11
PR LARES STATE ROAD PR 453 KM 1 HM 2	LARES CALLEJONES WARD	LARES MUNICIPAL OPEN DUMP 18 18 24 066 52 00 06 07 09 11
PR MANATI STATE ROAD PR 149 KM 4 HM 2	MANATI SABANA SECA WARD	MANATI MUNICIPAL OPEN BURNING DUMP 18 24 34 066 29 34 06 07 09 11
PR MAUNABO STATE ROAD PR 759 KM 2 HM 5	MAUNABO PALO SECO WARD	MAUNABO MUNICIPAL LANDFILL 18 00 54 066 55 25 01 06 11
PR NAGUABO STATE ROAD PR 31 KM 2 HM 0	NAGUABO	NAGUABO MUNICIPAL LANDFILL 18 13 12 065 43 24 03 06
PR QUEBRADILLAS STATE ROAD PR 480 KM 2 HM 2	QUEBRADILLAS CACAO WARD	QUEBRADILLAS MUNICIPAL OPEN BURNING DUMP 18 27 02 066 57 22 06 07 09 11
PR RIO GRANDE STATE ROAD PR 186 KM 2 HM 0	RIO GRANDE JIMENEZ WARD	RIO GRANDE FORMER OPEN DUMP 18 21 12 065 49 47 01 03 06 09 11
PR SAN JUAN STATE ROAD P R - 2 KM 1 HM 4	SAN JUAN	SAN JUAN MUNICIPAL LANDFILL 18 26 06 066 04 44 01 03 06 09
PR SAN LORENZO STATE ROAD P R - 931 KM 2 HM 2	SAN LORENZO QUEBRADA WARD	SAN LORENZO FORMER OPEN BURNING DUMP 18 13 12 065 58 17 09

PR	SAN SEBASTIAN STATE ROAD PR-119 KM 36 HM 6	CALABAZAS WARD	SAN SEBASTIAN	SAN SEBASTIAN OPEN BURNING 18 19 16	DUMP 066 59 12 06 07 09 11
PR	SANTA ISABEL STATE ROAD PR 1 KM 2 HM 1		SANTA ISABEL	SANTA ISABEL MUNICIPAL OPEN 17 58 32	BURNING DUMP 066 25 12 01 03 06 07 09 11
PR	UTUADO STATE ROAD 523 KM 1 HM 5		UTUADO	UTUADO MUNICIPAL OPEN DUMP 18 15 36	066 42 36 03 06 11
VI	ST CROIX KINGSHILL		NOT APPLICABLE	HOVIC LANDFILL 17 42 20	064 44 40 06
VI	ST JOHN CANEEL BAY CRUZ BAY APTS		NOT APPLICABLE	CANEEL BAY CRUZ BAY APTS. 18 20 40	064 00 52 03
VI	ST JOHN ESTATE SUSANNABERG		NOT APPLICABLE	ST JOHN LANDFILL 18 20 27	064 46 30 07 11
VI	ST THOMAS DONOE		NOT APPLICABLE	DONOE MUNICIPAL SEWAGE 18 20 43	TREATMENT PLANT 064 53 53 03 04 06 11
VI	ST THOMAS NADIR		NOT APPLICABLE	NADIR MUNICIPAL SEWAGE 18 19 11	TREATMENT PLANT 064 52 52 03 11
VI	ST THOMAS NEW TUTU		NOT APPLICABLE	NEW TUTU MUNICIPAL SEWAGE 18 19 11	TREATMENT PLANT 064 52 52 03 04
VI	ST THOMAS OLD TUTU		NOT APPLICABLE	OLD TUTU MUNICIPAL SEWAGE 18 20 17	TREATMENT PLANT 064 53 06 03 04
VI	ST THOMAS ESTATE BOVONI		NOT APPLICABLE	ST THOMAS LANDFILL 18 18 52	064 53 07 03 06 07 09 11
VI	WATER ISLAND FLAMINGO BAY		NOT APPLICABLE	WATER ISLAND LANDFILL 18 18 46	064 57 30 01 06 07 09 11

BILLING CODE 6560-29-C

Appendix I—State Contacts For Open Dump Inventory

Alabama

Alfred S. Chipley, Director, Division of Solid and Hazardous Waste, State Department of Public Health, State Office Building, Montgomery, Alabama 36104, (205) 832–6728

Alaska

Dick Williams, Alaska Department of Environmental Conservation, Pouch O, Juneau, Alaska 99811, (907) 465–2672

Arizona

James Angell, Arizona Department of Health Services, 1740 West Adams Street, Phoenix, Arizona 85007, (602) 255–1130

Arkansas

Paul Means, Manager, Enforcement Branch, Arkansas Department of Pollution Control & Ecology, P.O. Box 9583, Little Rock, Arkansas 72215, (501) 371–1701

California

John Boss, Chief, Open Dump Inventory Branch, Solid Waste Management Board, 1020 Ninth Street, Sacramento, California 95814, (916) 322–1769

Colorado

Barbara Bogema, Radiation & Hazardous Waste Control Div., Colorado Department of Health, 4210 E. 11th Avenue, Denver, Colorado 80220, (303) 320–8333

Connecticut

Thomas Pregman, Principal Environmental Analyst, Solid Waste Management, Conn. Dept. of Environmental Protection, 165 Capitol Avenue, Hartford, Connecticut 06115, (203) 566–3672

Delaware

Kenneth Weiss, Supervisor, Solid Waste Management Branch, Department of Natural Resources and Environmental Control, Division of Environmental Control, P.O. Box 1401, Edward Tatnall Building, Dover, Delaware 19901, (302) 678–4764

Florida

John Reece, Florida Department of Environmental Regulations, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32301, (904) 438–0300

Georgia

Moses N. McCall III, Chief, Land Protection Branch, Environmental Protection Division, 270 Washington Street, SW., Atlanta, Georgia 30334, (404) 656–2833

Hawaii

Melvin K. Koizumi, Deputy Director for Enviromental Health, Hawaii State Department of Health, P.O. Box 3378, Honolulu, Hawaii 96801, (808) 548–4139

Idaho

Jerome Jankowski, Idaho Department of Health and Welfare, Division of Environment, Statehouse, Boise, Idaho 83720, (208) 384–4108

Illinois

Mike Nechvatal, Division of Land/Noise Pollution Control, 2200 Churchill Road, Springfield, Illinois 62706, (217) 782–6760

Indiana

George Oliver, Solid Waste Management Section, Indiana State Board of Health, 1330 West Michigan Street, Indianapolis, Indiana 46206, (317) 633–0176

Iowa

Charles C. Miller, Director, Air and Land Quality Division, Department of Environmental Quality, Henry A. Wallace Building, 900 East Grand Street, 3rd Floor, Des Moines, Iowa 50319 (515) 281–8853

Kansas

Charles H. Linn, Chief, Solid Waste Management Section, Department of Health and Environment, Forbes Field, Building 321, Topeka, Kansas 66620, (913) 862–9390 Ext. 297

Kentucky

Carolyn Patrick Haight, Division of Hazardous Materials and Waste Management, Department for Natural Resources and Environmental Protection, Pine Hill Plaza, Frankfort, Kentucky 40610, (502) 564–6716

Louisiana

Gerald Healy, Acting Administrator, Solid Waste Management Division, Office of Environmental Affairs, Louisiana Department of Natural Resources, P.O. Box 44066, Baton Rouge, Louisiana 70805, (504) 342–1227

Maine

Ron Howes, Division of Solid Waste Management Control, Bureau of Land Quality, Department of Environmental Protection, State House, Augusta, Maine 04333, (207) 289–2111

Maryland

Arthur N. Caple, Acting Chief, Municipal Waste Division, Waste Management Administration, Office of Environmental Programs, Department of Health and Mental Hygiene, 201 Preston Street, Baltimore, Maryland 21201, (301) 383–3123

Massachusetts

Mr. Ken Morton, Division of Air and Hazardous Materials, Department of Environmental Quality Engineering, 600 Washington Street, Room 320, Boston, Massachusetts 02111 (617) 727–2658

Michigan

Tim Wright, Environmental Protection Bureau, Michigan Department of Natural Resources, P.O. Box 30028, Lansing, Michigan 48909, (517) 373–1818

Minnesota

Tom Clark, Division of Solid Waste, Minnesota Pollution Control Agency, 1935 West County Road B–2, Roseville, Minnesota 55113, (612) 297–2710

Mississippi

Johnny Biggert, Division of Solid Waste Management, Mississippi State Board of Health, Post Office Box 1700, Jackson, Mississippi 39205, (601) 982–6317

Missouri

Robert M. Robinson, Director, Solid Waste Management Program, Department of Natural Resources, State Office Building, P.O. Box 1368, 1915 South Ridge, Jefferson City, Missouri 65102, (314) 751–3241

Montana

John Geach, Montana Solid Waste Management Bureau, Cogswell Building, Room A201, Helena, Montana 59620, (406) 449–2821

Nebraska

Jay Ringenberg, Chief, Permit and Enforcement Division, Department of Environmental Control, P.O. Box 94877, Lincoln, Nebraska 68509, (402) 471–2186

Nevada

H. LaVerne Rosse, P.E., Program Director, Waste Management, Division of Environmental Protection, 201 S. Fall Street, Capitol Complex, Room 120, Carson City, Nevada 89710, (702) 885–4670

New Hampshire

Paul Sanborn, Bureau of Solid Waste, Department of Health and Welfare, State Laboratory Building, Hazen Drive, Concord, New Hampshire 03301, (603) 271–4610

New Jersey

Lino F. Pereira, Director, Solid Waste Administration, New Jersey Department of Environmental Protection, P.O. Box 1390, Trenton, New Jersey 08625, (609) 292–9120

New York

Norman H. Nosenchuck, P.E., Director, Division of Solid Waste Management, New York State Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233, (518) 457–6603

North Carolina

O. W. Strickland, Head, Solid and Hazardous Waste Management Branch, Department of Human Resources, Division of Health Services, P.O. Box 2091, Raleigh, North Carolina 27602, (919) 733–2178

North Dakota

Jay Crawford, Director, Division of Environmental Waste Management and Research, North Dakota State Department of Health, 1200 Missouri Avenue, Bismarck, North Dakota 58505, (701) 224–2366

Ohio

Tim Krichbaum, Ohio EPA, Office of Land Pollution Control, P.O. Box 1049, Columbus, Ohio 43216, (614) 466–8934

Oklahoma

Richard Thompson, Director, Solid Waste Division, Oklahoma Department of Health, P.O. Box 53551, 1000 Northeast 10th Street, Oklahoma City, Oklahoma 73152, (405) 271–7053

Oregon

Mark Hope, Oregon Department of Environmental Quality, Solid Waste Division, P.O. Box 1760, Portland, Oregon 97207, (503) 299–5060

Pennsylvania

William F. Pounds, Chief, Surveillance and Monitoring Section, Division of Operations, Bureau of Solid Waste Management, P.O. Box 2063, Harrisburg, Pennsylvania 17120, (717) 787–9870

Rhode Island

Frank Stevenson, Solid Waste Management Program, Department of Environmental Management, 204 Cannon Building, 75 Davis Street, Providence, Rhode Island 02908, (401) 277–2802

South Carolina

Earl Williams, Jr., P.E., Director, Division of Compliance and Evaluation, Bureau of Solid and Haz. Waste Management, Department of Health Environmental Control, J. Marion Sims Building, 2600 Bull Street, Columbia, South Carolina 29201

South Dakota

Joel Smith, Director, Air Quality and Solid Waste Program, 217 Joe Foss Building, Pierre, South Dakota 57501, (605) 733–3329

Tennessee

Bobby Morrison, Bureau of Environmental Services, Tennessee Department of Public Health, Capitol Hill Building, Suite 320, Nashville, Tennessee 37219, (615) 741–3424

Texas

Wiley Osborne, Chief, Plans and Programs Branch, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756, (512) 458–7271

Jay Snow, Chief, Solid Waste Section, Texas Department of Water Resources, P.O. Box 13887, Capitol Station, Austin, Texas 78711, (512) 475–2041

Utah

Dr. Dale Parker, Director, Bureau of Solid Waste Management, P.O. Box 2500, Salt Lake City, Utah 89110, (801) 533–4145

Vermont

Al Fillip, Air and Solid Waste Programs, Agency of Environmental Conservation, State Office Building, Montpelier, Vermont 05600, (802) 828–3395

Virginia

Kenton Chestnut, Virginia Department of Health, 109 Governor Street, Richmond, Virginia 23260, (804) 786–5271

Washington

Brad Everson, Washington State Department of Ecology, Solid Waste Division, PY–11, Olympia, Washington 98504, (206) 753–2800

West Virginia

Dale Parson, Director, Solid Waste Division, West Virginia State Department of Health, 1800 Washington Street, East, Charleston, West Virginia 25305, (304) 348–2987

Wisconsin

Mark Giesfeldt, Bureau of Waste Management, Wisconsin Department of Natural Resources, Box 7921, Madison, Wisconsin 53707, (608) 267–7572

Wyoming

Charles A. Porter, Supervisor, Solid Waste Management Program, Equality State Bank Building, 401 West 19th Street, Cheyenne, Wyoming 82002, (307) 777–7752

American Samoa

Pati Faiai, Executive Secretary, Environmental Quality Commission, Office of the Governor, Pago Pago, American Samoa 96799, Overseas Operator: 633–4116

Commonwealth of the Northern Marianna Islands

Carl Goldstein, Environmental Engineer, Division of Environmental Quality Commonwealth of the Northern Marianna Islands, P.O. Box 1115, Saipan, Marianna Islands, Overseas Operator: 6984

District of Columbia

Kenneth Laden, D.C. Department of Environmental Services, 5000 Overlook Ave., S.W., Room 410, Washington, D.C. 20032, (202) 767–8181

Guam

Dan Crytser, Solid Waste Program Director, Guam Environmental Protection Agency, P.O. Box 2999, Agana, Guam 96910, Overseas Operator: 646–8863

Puerto Rico

Jaime L. Ortiz, Director, Solid, Toxic and Hazardous Waste Program, Environmental Quality Board, Box 11785, Santurce, Puerto Rico 00910, (809) 725–8992

Virgin Islands

Morris Nicholson, Solid Waste Planner, Solid Waste Planning Office, Department of Public Works, Government of the Virgin Islands, Charlotte Amalie, St. Thomas, Virgin Islands 00801, (809) 774–7880

BILLING CODE 6560-29-M

APPENDIX II

FORM EPA-2 (12-13-79)

Form Approved: O.M.B. No. 158-S79017

EPA

U.S. ENVIRONMENTAL PROTECTION AGENCY

OPEN DUMP INVENTORY REPORT

Section I – GENERAL INFORMATION

1. **Date of determination** *Enter month, day, and year* — Month | Day | Year

2a. **Is this an update of a previous form?** *Mark (X) one* — 1 ☐ Yes 2 ☐ No

2b. **Is this form being submitted to remove the facility from the open dump inventory?** — 1 ☐ Yes 2 ☐ No

3. **Facility Identification Number** — State | Cnty/City | Place | Assigned Site No. | Assigned Facility No.

4. **EPA Surface Impoundment Assessment No.** *If applicable* — State | Cnty/City | Place | Category | Site | Impoundment

5. **State Facility Identification Number** *If applicable*

6. **Name of facility**

7. **Facility location** — Street, road, or other location description

City, town, or place | State | ZIP code

County name

8. **Coordinates of facility location** — Latitude: Degrees | Minutes | Seconds; Longitude: Degrees | Minutes | Seconds

9. **Other legal description** *If applicable* — Range | Township | Section

10. **Land owner** — Name

Mailing address

City, town, or place | State | ZIP code

11. **Operator** — Name

Mailing address

City, town, or place | State | ZIP code

EPA Form T8700-14 (3-80)

Section I – GENERAL INFORMATION – Continued

12. Type of facility. Mark (X) one.

1 ☐ Landfill
2 ☐ Surface impoundment
3 ☐ Land spreading
4 ☐ Other – *Explain*

13. Primary types of waste [illegible]

1 ☐ Municipal solid waste
2 ☐ Domestic sewage sludge
3 ☐ Industrial solid waste
4 ☐ Agricultural solid waste
5 ☐ Mining solid waste
6 ☐ Other – *Explain*

Section II – NONCOMPLIANCE WITH FEDERAL CRITERIA

Indicate noncompliance with one or more of the following categories. Mark (X) each category for which a determination of noncompliance was made.

01 ☐ Floodplains
02 ☐ Endangered species
03 ☐ Surface water
04 ☐ Ground water
05 ☐ Application to food-chain cropland
06 ☐ Disease
07 ☐ Air
08 ☐ Gases
09 ☐ Fires
10 ☐ Bird/aircraft hazard
11 ☐ Access

(08–11: Safety)

Section III – RESPONSIBLE STATE OFFICIAL

Name			Telephone	
Agency			Area code	Number
Mailing address *(Number and street)*	City	State	ZIP code	

Comments

EPA Form T8700-14 (3-80) REVERSE FORM EPA-2 (12-13-79)
BILLING CODE 6560-29-C

Appendix III—State Actions and Approaches to the Inventory

The following summaries are based on information provided to EPA by the States:

Alabama

A total of 20 landfills were inventoried in FY 80. These 20 sites were selected as having been listed in the Eckardt Report or having a known leachate problem. Of the 20 sites inventoried, six were classified as open dumps. The groundwater criterion was only addressed on two of the 20 sites. The groundwater criterion on the 18 remaining sites will be included in FY 81.

Alaska

The Alaska Department of Environmental Conservation is conducting the open dump inventory through its three regional offices. Due extreme weather conditions and the vast size of the State, most of the site visits can be done only in the summer months. Priority sites have been established as those facilities in population centers with greater than 1,000 people and those situated on the Alaskan road system. The Alaska Department of Environmental Conservation has found the inventory process beneficial in promoting and shaping their solid waste disposal program.

Arizona

Arizona's open dump inventory activities were coordinated by a Bureau of Waste Control staff team consisting of a coordinator, a landfill inspector and planning, administration, and technical support. This team accomplished data collection, assessment, field investigations and analysis, and recommended appropriate actions to be taken. For FY 80, the State focused on land disposal facilities receiving municipal waste.

A preliminary assessment of all land disposal facilities receiving municipal wastes was conducted to determine the areas that posed the greatest potential health risk. In general, the approach used to conduct the inventory was organized on a county-priority basis. Factors which ranked counties were: greatest number of problem sites, population size, and sites involved in legal action.

A series of public workshops was presented at various locations around the State for the purpose of orienting landfill owners/operators to the inventory. Following inspections, if a facility was classified as an open dump, a classification form was completed and the facility was notified by letter of their status. The State intends to enter into negotiations with these noncompliant parties in an effort to close or upgrade the facility through a compliance schedule mechanism.

It is anticipated that all open dump facilities receiving municipal waste will be operating under a compliance schedule by early FY 82.

In FY 81 reinspections for all facilities will be accomplished. The remaining disposal facilities receiving municipal wastes and industrial landfills will be inventoried.

Arkansas

The Arkansas Department of Pollution Control & Ecology (ADPC&E) focused on sites with a history of operational problems. Sites with numerous citizens' complaints and/or ADPC&E enforcement actions were chosen to be inventoried. Twenty-seven of these sites were evaluated and classified as open dumps.

California

California has developed an extensive program for the conduct of the open dump inventory based on two staff units: one specializing in data gathering and record searches, and an engineering unit conducting field inspections. Operators are notified at least 14 days before the field visits are made. Within 21 days of the field visit, the operator is notified of any deficiencies. The operator has up to three months to correct the deficiencies. If the operator claims that the facility has come into compliance, a re-inspection of the site is made. If the operator has not corrected the deficiencies and not come into compliance, the facility's name is referred to the Board, in open session, for inclusion on the list of open dumps which are forwarded to EPA.

Colorado

The Colorado inventory is conducted at two levels. The State agency conducts its inventory in accordance with a set of priorities based on the potential hazard a facility has on public health and the environment. Local Health Officers maintain a closer watch on all disposal sites in their jurisdictions. When a local official thinks it is warranted, he requests the State to inspect a site with the intention of action being taken. When the State receives a local request, they may alter their priority to include the local site in the State inventory procedure.

A special Colorado problem which influences their inventory is caused by the extreme cold of the Rocky Mountain climate. Inclement weather prevents ready access to inspectors because of closing of both the local roadway and the highways leading to the area. Some facilities require a one-way trip of over 300 miles.

A second aspect of winter conditions is the inability to cover the working face on a daily basis. Severe season-long freezing to depths of several feet make the storage of cover material impossible. Inventory of these sites provides some allowance for these conditions.

Spring thaws add to the difficulty of inventory judgement. Inspection of a facility during the typical dry conditions will not detect the surface or underground water pollution which exists during that short period of spring thaw when the water table is high. Shallow soils increase the briefness of this period.

In fiscal year 1980, the State conducted 47 detailed site inspections of which 19 were listed as open dumps and 28 were found in compliance to those Federal criteria for which inspected. Five sites were closed during the year, including some of which are in the listing.

Connecticut

The inventory started in July following State Attorney General and EPA approval of an implementation plan on file with the DEP in Hartford. Due process as per State Administrative Procedures Act will be followed on any enforcement action. All mixed waste community disposal site operators were notified of the program prior to initiation and all parties—owner, operator, town administration, and health officials are invited to attend each field review. Monthly staff meetings of all responsible State agencies make final decisions on findings, violators are notified, enforcement schedules are drafted and open dumps reported.

Enforcement actions through orders, agreements, notices, permits hearings or legal actions will be taken at the time decisions are made on each site. Most sites listed are already on one such compliance schedule for upgrading or closure. Priority on inventory has been set for mixed and bulky waste sites with available data, long life and worst cases given priority. Prioritization recommendations in EPA's classification manual are also considered.

Florida

During fiscal year 1980 46 solid waste disposal facilities and two surface impoundments were investigated with respect to the open dump inventory. Of those facilities investigated, 18 were

classified as Open Dumps with a total of 46 violations of State criteria which are equivalent to Federal standards. Twenty facilities were only partially evaluated due to the absence of groundwater monitoring wells. Of these facilities, 12 were classified as open dumps for reasons other than groundwater violations. Only one facility was classified as an open dump due to groundwater contamination. Impending laboratory analysis and/or field resampling will be accomplished to make a determination. Two industrial surface impoundments were also subjected to preliminary field investigation. Both facilities show high potential to be classified as open dumps.

Sixteen of the facilities classified as open dumps are under enforcement proceedings. Two are not on a formal compliance schedule but they are taking voluntary corrective measures.

Georgia

Georgia used the Eckardt report to establish the 41 priority sites evaluated in fiscal year 1980. Some were on-site industrial facilities. A total of seven open dumps were found. All facilities were not evaluated for the groundwater and gas; however, these criteria will be completed at some of these facilities in fiscal year 1981.

Georiga will evaluate approximately 75 facilities in fiscal year 1981, including some on-site industrial facilities. The groundwater and gas criteria will be evaluated at some of these facilities.

Hawaii

Hawaii has developed its open dump inventory through the use of a multi-agency Technical Advisory Committee. The Committee, which is composed of the United States Corps of Engineers, Fish and Wildlife Service, Federal Aviation Administration, and Geological Survey and the Hawaii Departments of Health and Land and Natural Resources, has completed its assessment of 29 sites for nine of the 11 criteria. Disease and explosive gases are still being evaluated and should be completed by February 1981. One site, the Schofield Barracks facility, was officially classified as an open dump in October 1980.

Hawaii's Department of Health has been utilizing the public participation process as part of the open dump inventory and has held public meetings at all sites including a 30-day comment period for the benefit of owners and operators of the facilities.

Idaho

The Idaho Department of Health and Welfare has contracted out the field inspecting responsibilities of the open dump inventory to Idaho's seven health districts. Under the direction of the Department, the health districts have focused their attention on the municipal facilities, with the major ones having priority. Industrial disposal facilities are being located and sites will be inventoried beginning in 1981. The Department is using the inventory as a planning tool and has found it to be beneficial in locating significant hazards associated with land disposal.

Illinois

The 1980 Illinois open dump inventory efforts were primarily directed towards evaluating permitted operating facilities. However, a significant proportion of the efforts were expended in evaluating unpermitted operating sites and unpermitted non-operating sites. Not all waste disposal facilities were evaluated with respect to all criteria; no explosive gas monitoring was performed at any facility and the groundwater criterion remains unevaluated at many sites. The Illinois open dump inventory list is viewed as a changing list that may grow or diminish with subsequent publication.

Indiana

FY 80 was primarily a year of planning and data gathering for State Board of Health (ISBOH). A contract was signed with Indiana University to identify unpermitted dump sites throughout the State, and prioritize them according to size, waste type, and frequency of use. Despite very limited resources during the early part of their FY 80 inventory, ISBOH evaluated 33 solid waste disposal facilities. Ten of these sites were unpermitted and found to be open dumps; all of the Federal criteria were applied to 23 licensed facilities, and these were classified as "sanitary landfills". During FY 81, ISBOH will be evaluating 5–10% of those unpermitted sites identified through the study as being a high priority, and 50 additional licensed landfills.

Iowa

In the years since the State's program was implemented, all major municipal dumps have been closed in Iowa. Through regionalization the number of facilities in the State has also been reduced. As a result, the inventory in the State of Iowa concentrated on large permitted facilities and non-permitted facilities at which surveillance and enforcement actions were required. Small promiscuous dumps were not included in the inventory but remained a part of the State's enforcement program. Iowa places particular importance on the groundwater criteria. Information gathered through the inventory will also play a role in permit renewal.

Kansas

The State of Kansas used available information to rank sites according to potential health and environmental need. Many of the State's open dumps have been closed in the last few years; as a result, the number of sites in Kansas has been reduced and the inventory concentrated on evaluation of currently permitted facilities. Small promiscuous dumps were not included in the inventory. Results have been generally successful as only four open dumps were found in 1980.

Kentucky

The Kentucky Department for Natural Resources and Environmental Protection has performed 15 complete partial evaluations during FY 80 and ten complete partial evaluations in the first quarter of FY 81. Groundwater monitoring will be completed during FY 81 for these sites. So far 14 sites have met requirements. In the remainder of FY 81 55 complete full evaluations, 76 complete partial evaluations, and 21 completions will be performed. Eighty sites are required to submit a plan by January 1, 1981, detailing how the groundwater determination will be achieved on their respective sites.

The Department for Natural Resources and Environmental Protection notifies each site operator prior to being inventoried, obtains a release for monitoring, notifies each operator of the preliminary decision, and notifies the operator that the site will be published in the Federal Register by EPA.

Louisiana

Field investigations for the open dump inventory were conducted by Department of Natural Resources (DNR) personnel and a consulting firm. Actual classifications were made by DNR.

Initial site inspections were made at about 1,500 solid waste disposal sites; 42 of these were classified as open dumps. The information gathered in this initial survey will be used to evaluate and classify sites in succeeding years.

Maine

Maine is dealing with over 300 solid waste sites that need to be inventoried. To facilitate the process the State inventoried those sites with the worst environmental impact first. This year the State had a formal prioritization workshop where points were assigned to each facility based on expected or documented environmental impact. The top 24 sites on the list were inventoried

by the State of Maine. Based on State inspections and geohydrologic impacts recommendations were made to the Board of Environmental Protection. After due notice the board made official determination of the 24 facilities inventoried this year.

In that the worst sites were dealt with, all were found to be open dumps. Following formal designation, the Board directed the State staff to enter negotiations with towns for upgrading and/or closing of these sites. The same procedures will be followed for the next four years.

Massachusetts

Massachusetts plans to incorporate the open dump inventory into its on-going enforcement program. During the Spring of 1980, all solid waste disposal facilities were prioritized by evaluating them for compliance with both State regulations and new Federal guidelines. Past history of enforcement actions coupled with current status of the facility were used in selecting priority facilities for final open dump inventory inspections.

These priority facilities were then inspected to determine compliance with floodplain, disease, air, fire, and access criteria. Inspections to assure compliance with regulations pertaining to groundwater, surface water, and all other criteria will be performed when the State sanitary landfill regulations are revised to conform with Federal guidelines.

Michigan

The Resource Recovery Division of the Michigan Department of Natural Resources is the Agency responsible for conducting the open dump inventory. In FY 80, 225 general refuse sites were evaluated; 137 were determined to be open dumps, 79 facilities were classified as "indeterminant", and 9 were found to be in compliance. Emphasis was placed on inventorying facilities which had known environmental problems and where enforcement action to close or upgrade a site had already been initiated. In FY 81, the remaining general refuse sites will be inventoried, and evaluation of industrial sites will begin.

Minnesota

The Minnesota Pollution Control Agency (MPCA) submitted the names of 84 solid waste disposal sites to the U.S. Bureau of Census for publication as open dumps in the **Federal Register**. These sites were submitted because it is believed that they are locationally unsound for the disposal of solid wastes or have operational problems as defined by Federal Criteria and Minnesota's Solid Waste Rules. In addition, many of the listed sites present either documented cases of pollution of an environmental resource or a high potential for such pollution. Most of these sites are located in rural, low-population areas of the State where solid waste management is not well developed. Names of eight Agency-permitted sanitary landfills are included among those on the Minnesota list. Improved operational practices and proper engineering design may adequately minimize pollution potential at some of these sites to the point where they may be permitted to upgrade and continue operation, but others will probably have to close as alternative solid waste disposal sites are provided.

Mississippi

During FY 80 all designated dumps in the State were evaluated against all criteria except air and groundwater. One hundred and seventy-four sites in 42 counties were identified as open dumps.

In August 1980 owners/operators of these sites were notified in person or by certified mail that their site would be included in the January 1981 inventory and that they should propose (for State Board of Health approval) compliance schedules to close or upgrade their site. Follow-up action by the State will be conducted in January 1981.

Missouri

Since 1972, Missouri has closed the majority of its open dumps. Consequently, the inventory concentrated on surveillance of existing permitted facilities. The small number of open dumps found in Missouri reinforces the effectiveness of the existing permitting and enforcement program. Through consolidation and regionalization the total number of disposal facilities has been reduced in the State. With respect to the criteria, emphasis was placed on groundwater contamination, methane migration and general overall operations.

Montana

The Montana Solid Waste Management Bureau conducts a State inventory for State purposes. The additional Federally supported inventory uses the Federal Criteria in addition to the State regulations for waste disposal.

Fifty-one sites were inventoried in FY 80, of which 17 were found to be open dumps.

Nebraska

In conducting the inventory, the Department of Environmental Control concentrated on permitted facilities in cities of the first class. The groundwater criterion was given first priority in Nebraska.

Nevada

Initially, Nevada's open dump inventory activities began with a review of the criteria and data obtained from past site inspections.

Next, the State conducted field inspections of over 109 sites throughout Nevada. After an analysis of the criteria and data collected, the State initially classified over 60 sites as open dumps. Operators were notified of the classifications and given 30 days to correct the deficiency. If the site operator did not come into compliance within the 30-day period, the facility was classified and referred to EPA as an open dump.

New Hampshire

The State of New Hampshire has prioritized for open dump inventory purposes over 300 solid waste disposal facilities based upon data gathered from field inspections. The open dump inventory process is being integrated with the State's enforcement program. Failure to comply with one or more Federal criteria implies a concurrent violation of one or more State rules which will result in an enforcement action to upgrade a facility in deficient areas so that it will comply with State rules or in an action to close out a facility where compliance cannot be achieved.

New Jersey

The Department of Environmental Protection identified 33 priority disposal sites within the State to be evaluated in FY 80. New Jersey elected to evaluate these sites for all eight Environmental Protection Agency (EPA) Criteria, as promulgated in the **Federal Register** of September 13, 1979.

Each site was placed in an "indeterminate" status for its surface water criterion evaluation, pending the putting into place of New Jersey Pollution Discharge Elimination System (NJPDES) regulations. As such, no sites were classified as open dumps which failed to meet the EPA surface water criterion as of September 30, 1980.

Once the NJPDES regulations are put into place—in early to mid-1981—these sites will be taken out of the "indeterminate" category and classified one way or the other. The State will then be in a better position to enforce closures or compliance schedules for sites classified as "open dumps" in FY

80 and thereafter under RCRA Section 4005(c) provisions.

New Mexico

(Did not participate in the Subtitle D RCRA program)

New York

Facilities were examined for open-dumping violations of 40 CFR Part 257 in all eight Criteria categories, and 33 sites Statewide were the subjects of a one-year groundwater study by an independent geotechnical consulting firm. Further, to ensure a current but representative data base for judging compliance, review of a facility's performance record was limited to its most recent two years of operation. Also, file data was corroborated in all cases by on-site inspection and testing. Lastly, because New York State feels strongly that citation as an open dump nears legal implications, the owners of each non-complying site were notified of the fact in a face-to-face meeting and invited to upgrade or close under a State-issued compliance schedule in accordance with Section 4005(c) of RCRA. Negotiation of such schedules is currently underway for most of the 21 open dumps listed in the initial printing of the inventory.

North Carolina

North Carolina has programmed the open dump classification work for its 170 permitted solid waste disposal sites over the 4-year period of 1980–1983. The largest number of sites (64) will be visited and evaluated during FY 81. Landfills were visited and evaluated for all criteria with the exception of groundwater because those sites permitted prior to 1979 were not required to include monitoring wells. Surface water samples are taken annually at all sites. Classification procedures followed EPA's *Guidance Manual for the Classification of Solid Waste Disposal Facilities.*

A help to the North Carolina survey was that quarterly inspections now being made under State rules and new permitting procedures cover most evaluation criteria (i.e., floodplains, ground water, etc.) outlined in the EPA Guidance Manual. The only criterion not covered is that of endangered species. The Department of Human Resources has coordinated with the Department of Natural Resources and Community Development to cover the endangered species criterion.

North Dakota

The North Dakota Division of Environmental Health conducts a State survey of waste disposal sites in two stages. Aerial photographs are taken of each significant site twice annually; priority sites are photographed four times annually. Evidence of violations of a State standard is highlighted on the photograph and sent to the operator with instructions that it be corrected. Follow up visits verify the violation or its correction.

The Federal inventory is conducted according to priorities for sites which have been adopted by the State. This priority listing may be changed by a visit to a site as a follow-up to the evidence in an aerial photo. Also, information from either local officials or private citizens can result in an inspection and inventory visit not in conformance with the established priorities. Federal inventory information was considered valid only after an on-site inspection.

A severe winter climate causes a frost line several feet deep. Storage of cover material is impractical in these conditions, the use of compacted snow to cover the working face may be judged as acceptable, except where methane generation problems may result due to increased moisture.

A total of 464 site reviews resulted in the inventory of 139 facilities. Six facilities were listed as open dumps, 84 showed no violations of the criteria as reviewed, 38 additional classifications are pending and 11 sites have been closed or upgraded.

Ohio

Ohio open dump inventory activities in FY 80 involved evaluation and classification of 230 licensed solid waste disposal facilities against all but two of the Federal criteria. Many facilities could only be ranked according to the potential for methane migration and groundwater contamination. For this reason, 180 facilities were given an indeterminant status. These sites will be further classified when gas and groundwater can be monitored. Initially, 41 sites were in noncompliance with one or more of the criteria; ten of these sites have subsequently been closed or upgraded, and removed from the list. The FY 81 inventory will center on evaluating industrial facilities, and bringing the remaining 31 facilities into conformance.

Oklahoma

The Oklahoma State Department of Health (OSDH) classified 27 sites as open dumps and 5 as sanitary landfills. The sites inventoried serve approximately 60% of Oklahoma's population.

Oregon

The Oregon Department of Environmental Quality is the lead agency in conducting the open dump inventory in Oregon. Field inspections have been carried out by personnel in the ten DEQ regional offices. Other government agencies have also been cooperative in their respective areas of expertise. Oregon has found the inventory useful in conjunction with their existing program to upgrade land disposal facilities. Specifically, Oregon had viewed the inventory as a planning tool and an opportunity to gather necessary information.

Pennsylvania

Pennsylvania began its evaluation process in the late spring of 1980, shortly after the EPA-sponsored training session in Baltimore, Maryland. As a result, only 70 solid waste disposal sites were evaluated by the September 30, 1980 deadline. Of the 70 disposal sites evaluated, 25 sites were determined to be "open dumps" (failed at least one criterion). The remaining sites were found to be in compliance with all the criteria evaluated with the exception of the groundwater criterion. Although groundwater monitoring systems are required for all permitted facilities, the ground water evaluations have not been totally completed due to a lack of sampling data and are pending further analysis since most of the parameters in Appendix I of the groundwater criterion are not routinely monitored. However, one site has been listed as non-compliance for ground water. This was due to a more extensive sampling program at this site.

Pennsylvania has notified the responsible officials of all the facilities listed as open dumps. Pennsylvania is currently in the process of developing compliance schedules for these sites. The Commonwealth is developing these schedules based on its general statutory authority to issue the kind of compliance schedules anticipated under Section 4005(c) of RCRA.

Rhode Island

The State of Rhode Island is conducting the Open Dump Inventory in three phases.The facilities included in this first publication of the open dump inventory are the result of the completed portion of phase I activities. The State's 22 refuse landfills were the only facilities investigated during this phase and in most cases were not investigated for the groundwater or gas criteria.

Investigation of the refuse landfills will be completed along with complete investigations of the State's 12 sewage

sludge disposal facilities (phase II) prior to the second publication of the open dump inventory.

All other solid waste facilities will be investigated thereafter (phase III).

South Carolina

The South Carolina approach to the open dump inventory was to first develop a prioritized listing of sites to be examined and evaluated. The sites to be evaluated first were those sites listed in the Eckardt Report and any known problem sites in the State where a high potential of groundwater contamination existed. The permitted sites in the State would hold the next priority. All sites visited were evaluated against all the criteria listed in EPA's Guidance Manual. Additionally, some preliminary review and evaluation was accomplished on a number of the lower priority sites.

Prior to an examination, the owner/operator was notified in writing concerning the site evaluation. If it was determined that the site did not meet the criteria, then the owner/operator was given the opportunity to rebut the finding. If the rebuttal was unfounded, the owner/operator had the opportunity to enter into a compliance schedule.

South Dakota

The South Dakota inventory is conducted in accordance with a priority system based on State and Federal needs. Approximately 40 visits at 21 sites resulted in the listing of five sites as open dumps, and the finding of ten sites as in compliance to Federal Criteria, with six sites pending further evaluation. Completion of groundwater monitoring wells is one cause for placing a site in the pending category. Seven additional sites upgraded or closed in FY 80 are not included in the 21 sites inventoried in FY 80.

In the past year additional on-site disposal facilities were found by use of colored and infrared aerial photos. Findings from the photos may cause revisions in the priority assigned to a disposal site.

Tennessee

The strategy utilized by Tennessee in conducting the open dump inventory differed somewhat from that listed in EPA's *Guidance Manual for the Classification of Solid Waste Disposal Facilities*. The strategy consisted of looking at every permitted facility that was listed in the Eckardt Report as having received hazardous waste and all permitted sites having monitoring wells to allow an evaluation using all the inventory criteria.

Sixteen sites were evaluated under the above strategy; incomplete evaluations were done on two obvious open dump sites for a total of 18 sites evaluated.

Texas

In Texas, the open dump inventory was conducted jointly by the Texas Department of Health (TDH) and the Texas Department of Water Resources (TDWR). Municipal solid waste sites were classified by TDH; industrial (non-hazardous) sites were classified by TDWR. Although only five sites were classified as open dumps, approximately 150 sites were evaluated, and the majority classified as sanitary landfills. Also, deficiencies at several sites were corrected immediately, and the sites were classified as sanitary landfills rather than open dumps.

Factors used to determine which sites would be inventoried were (1) the population served, (2) the type of waste received, (3) whether the site was in an environmentally sensitive area, (4) location in relation to aquifers, (5) safety, (6) the annual rainfall, and (7) the remaining life of the site. A site inventoried was evaluated for all eight EPA Criteria before being classified as an open dump or a sanitary landfill. Groundwater compliance was determined using a soil resistivity survey, a process where electrical resistance of the soil is used to determine potential for leachate movement. This method will eliminate the need for monitoring wells in instances where there is low potential for groundwater contamination by leachate.

Utah

The review of solid waste disposal sites in Utah is conducted at two levels. The local health official is responsible for the condition of solid waste facilities and in this capacity serves as an early warning method for the State agency. The Bureau of Solid Waste Management conducts the inventory in accordance with a set of priorities which meet State and Federal needs. Reports from the local level can alter these priorities. Distance between sites and remoteness of sites from the offices of the Bureau limit the number of sites which can be reviewed. Depths of 300 feet to groundwater have reduced the urgency of hydrologic information in some locations.

Inclusion of local efforts in the inspection process resulted in a total of 220 inventory visits to landfills. Because only the Bureau can classify, only 23 existing sites were officially inventoried. Two sites are listed as open dumps, six sites were classified as landfills and two sites have decisions pending. In addition to these sites, four sites have been upgraded and nine have been closed after an inventory visit. These latter 13 sites are not listed in the inventory.

Virginia

The State of Virginia inventoried a total of 93 facilities. Of the 93 inventoried, seven received complete evaluations. The remaining sites were not evaluated for gas and/or groundwater monitoring. The State intends to complete the gas monitoring determinations during the spring of 1981.

Washington

The Washington State Department of Ecology is conducting the open dump inventory through their four regional offices. A priority for site inspections has been established based on the severity of threat to public health and safety. The inventory of municipal solid waste facilities will be completed in 1981 with the industrial disposal facility inventory progress running close behind.

West Virginia

Thirty disposal sites were inventoried between July and October of 1980. Sites were chosen on the basis of waste volume received, suspected problems and the local resources available to correct these problems. Only three of these sites met all of the criteria. Twenty-five of the inventoried sites have received compliance schedules ranging from 10 days to one year. Several of the sites inventoried are expected to comply with the criteria with little difficulty due to the easily correctible nature of the violations.

The surface water criterion was the most complicated violation with 26 citations while inadequate daily cover accounted for 14 citations. Thirty-two additional sites are scheduled to be inventoried in FY 81.

Wisconsin

Wisconsin views the open dump inventory as an administrative planning tool, and an opportunity to look at the State program, assess its needs and define what directions should be taken to improve the State's waste management practices. During FY 80, 1,200 licensed disposal facilities were inspected and worksheets completed. Only a few sites with obvious violations were actually classified during FY 80. The problems at the remaining sites are being compiled to develop a prioritized list for completion of the inventory. This time-phased approach will result in many more classifications for FY 81 and

FY 82, and will meet the State's planning needs.

Wyoming

The State of Wyoming is characterized by the remoteness of many of its inhabitants. The remoteness necessitates a high cost per site inspection because of distances between facilities. One-way travel from the State office may be 500 miles or more. Influencing the judging of sites is the extremely low water table in certain areas of the State. Depths of over 1,300 feet may be found. The possibility of pollution compared to the cost to monitor combine to reduce the priority of the sites in regions of low rainfall to very low levels. A third factor affecting the Wyoming inventory is the large number of sites on Federally-managed lands. State control of these sites is indirect. Because a site on private land is more directly controlled by the State, these sites will give quicker results and are placed higher on the priority list.

Approximately 63 site visits were made at 30 waste facility sites. Six facilities have been upgraded or closed and two facilities were classified as open dumps. Of those remaining, six classifications are pending results from groundwater monitoring wells.

American Samoa

The inventory was conducted by local sanitarians of sites that have traditionally been used by the islanders over long periods of time. Little hazardous waste exists in American Samoa due to a very small industrial presence and no military installations. Clean-up of present facilities and site selection of new facilities is being incorporated into the Territories Solid Waste Management Plan.

Commonwealth of the Northern Marianna Islands

CNMI has one facility located on each of the three major islands of the island chain. Facility upgrading and, if necessary, new site selection is being accomplished through the development of the Commonwealth Solid Waste Management Plan.

District of Columbia

The District of Columbia does not possess a serious problem of open dumping or unregulated land disposal of solid waste. The District is a largely developed and urban area with limited sites available for landfill activities. In 1980 the District government examined the three known active land disposal sites located in the District of Columbia. Two of the site received complete evaluations and the third, a partial evaluation. All the EPA criteria applied to the sites were met.

In 1981 the District of Columbia intends to complete the classification of the remaining facilities and begin assessments of five land disposal facilities which have been closed for eight to ten years

Guam

Guam Environmental Protection Agency developed its inventory in two sections. The first section analyzed waste management facilities presently in operation and satisfied the requirements of RCRA. Three of the five facilities on Guam failed the criteria. The second section will identify the location and characteristics of illegal and promiscuous dumps on Guam. A strategy for cleanup of these areas will be part of Guam's Solid Waste Management Plan.

Puerto Rico

Puerto Rico performed the open dump inventory by adopting EPA forms related to the criteria under the RCRA guidelines. Contacts were made with each municipality and with appropriate public officials to prepare them for the inspection. After compilation of the data, a final decision was made and a classification made for each facility. The classification was provided to the owner of each facility and then submitted to the Department of Interior.

Virgin Islands

All disposal facilities, sewage treatment plants with sludge drying beds or polishing ponds were identified from the Department of Public Works records. The Guidance Manual for Classifying Solid Waste Disposal Facilities and the criteria in **Federal Register** on September 13, 1979 (Vol. 44 No. 179 pp. 53438–53468) were used for on-site field evaluation which reflects the current operational and physical condition of the facility.

This work was done by the Civil Engineer and/or Environmental Specialist. Where necessary, air pollution agency, water agency and FAA personnel were contacted.

BILLING CODE 6560-29-M

Appendix IV

Table 1. Number of Open Dumps by Specific Criteria Violations by EPA Regions and States

Areas	Total open dumps reported	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-bale cropland	Disease	Air	Safety			
									Vectors	Fires	Bird hazard to aircraft	Other
U.S. TOTAL	1,209	96	1	342	80	1	897	501	48	708	22	580
REGION I, TOTAL	163	4	-	47	23	-	127	49	5	70	1	29
CONNECTICUT	17	-	-	9	5	-	4	2	4	8	1	2
MAINE	24	1	-	22	14	-	14	10	1	9	-	2
MASSACHUSETTS	81	1	-	-	-	-	77	16	-	34	-	13
NEW HAMPSHIRE	29	-	-	8	-	-	29	20	-	16	-	11
RHODE ISLAND	6	2	-	3	2	-	-	1	-	-	-	1
VERMONT	6	-	-	5	2	-	3	-	-	3	-	-
REGION II, TOTAL	69	11	1	39	16	-	56	17	5	23	1	35
NEW JERSEY	5	-	-	-	4	-	4	-	3	-	-	1
NEW YORK	21	1	1	16	9	-	18	1	2	1	1	1
PUERTO RICO	34	9	-	17	-	-	30	13	-	20	-	28
VIRGIN ISLANDS	9	1	-	6	3	-	4	3	-	2	-	5
REGION III, TOTAL	56	4	-	32	2	-	34	8	12	12	-	8
DELAWARE	2	-	-	1	1	-	1	-	2	1	-	-
MARYLAND	2	-	-	-	-	-	2	-	2	1	-	1
PENNSYLVANIA	25	1	-	6	1	-	15	5	8	7	-	6
VIRGINIA	2	2	-	2	-	-	2	2	-	2	-	-
WEST VIRGINIA	25	1	-	23	-	-	14	1	-	1	-	1
REGION IV, TOTAL	215	16	-	27	3	-	177	147	3	191	1	155
ALABAMA	5	-	-	4	1	-	2	1	2	3	-	1
FLORIDA	18	1	-	6	1	-	11	3	1	11	-	12
GEORGIA	7	2	-	5	1	-	-	-	-	1	-	1
KENTUCKY	11	3	-	5	-	-	6	4	-	4	-	4
MISSISSIPPI	160	10	-	6	-	-	145	136	-	158	1	122
NORTH CAROLINA	10	-	-	-	-	-	10	1	-	10	-	9
SOUTH CAROLINA	2	-	-	1	-	-	1	-	-	2	-	2
TENNESSEE	2	-	-	-	-	-	2	2	-	2	-	2
REGION V, TOTAL	276	12	-	79	15	-	232	129	6	147	7	109
ILLINOIS	14	1	-	6	-	-	7	3	-	4	-	5
INDIANA	10	-	-	-	-	-	10	2	-	9	-	8
MICHIGAN	131	2	-	12	6	-	123	78	3	83	5	35
MINNESOTA	84	2	-	39	9	-	71	44	1	50	1	59
OHIO	31	5	-	19	-	-	21	2	-	1	1	2
WISCONSIN	6	2	-	3	-	-	-	-	2	-	-	-
REGION VI, TOTAL	109	20	-	73	5	-	91	65	4	72	4	60
ARKANSAS	31	3	-	15	1	-	25	25	-	31	-	18
LOUISIANA	41	2	-	34	-	-	38	13	3	16	3	25
OKLAHOMA	32	11	-	23	1	-	28	7	-	25	1	17
TEXAS	5	4	-	1	3	-	-	-	1	-	-	-
REGION VII, TOTAL	14	2	-	8	-	1	8	5	1	3	-	5
IOWA	4	1	-	1	-	-	4	2	-	2	-	3
KANSAS	2	-	-	2	-	-	-	-	-	-	-	-
MISSOURI	2	-	-	1	-	-	2	-	-	1	-	-
NEBRASKA	6	1	-	4	-	-	2	3	1	-	-	2
REGION VIII, TOTAL	51	4	-	3	4	-	30	2	2	26	1	24
COLORADO	19	1	-	3	1	-	1	-	2	11	-	11
MONTANA	17	1	-	-	-	-	16	-	-	13	1	10
NORTH DAKOTA	6	1	-	-	-	-	6	-	-	-	-	1
SOUTH DAKOTA	5	1	-	-	3	-	4	-	-	-	-	-
UTAH	2	-	-	-	-	-	1	2	-	2	-	2
WYOMING	2	-	-	-	-	-	2	-	-	-	-	-
REGION IX, TOTAL	136	18	-	15	4	-	61	16	7	86	-	93
AMERICAN SAMOA	6	2	-	2	1	-	-	-	1	-	-	3
ARIZONA	36	12	-	2	1	-	30	-	2	18	-	21
CALIFORNIA	30	4	-	9	-	-	25	10	4	11	-	20
GUAM	3	-	-	1	-	-	3	3	-	3	-	1
HAWAII	1	-	-	-	1	-	-	-	-	-	-	-
NEVADA	57	-	-	-	1	-	-	2	-	53	-	48
NORTHERN MARIANAS	3	-	-	1	-	-	3	1	-	3	-	-
REGION X, TOTAL	126	5	-	19	8	-	81	83	3	76	7	64
ALASKA	13	-	-	3	-	-	8	9	-	9	5	4
IDAHO	45	-	-	-	-	-	30	39	-	36	-	33
OREGON	31	-	-	5	6	-	13	15	1	6	1	5
WASHINGTON	31	5	-	11	2	-	30	20	2	27	1	22

- Represents zero.

Table 2. **Number of Landfills Which are Open Dumps by Specific Criteria Violations by EPA Regions and States**

Areas	Total landfill open dumps	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/aircraft hazard	Access
U.S. TOTAL	929	82	1	289	76	-	646	305	48	477	21	378
REGION I. TOTAL	135	4	-	39	23	-	99	29	5	54	1	18
CONNECTICUT	17	-	-	9	5	-	4	2	4	8	1	2
MAINE	24	1	-	22	14	-	14	10	1	9	-	2
MASSACHUSETTS	81	1	-	-	-	-	77	16	-	34	-	13
NEW HAMPSHIRE	1	-	-	-	-	-	1	-	-	-	-	-
RHODE ISLAND	8	2	-	3	2	-	-	1	-	-	-	1
VERMONT	6	-	-	5	2	-	3	-	-	3	-	-
REGION II. TOTAL	64	11	1	34	13	-	55	17	5	23	1	33
NEW JERSEY	5	-	-	-	4	-	4	-	3	-	-	1
NEW YORK	21	1	1	16	9	-	18	1	2	1	1	1
PUERTO RICO	34	9	-	17	-	-	30	13	-	20	-	28
VIRGIN ISLANDS	4	1	-	1	-	-	3	3	-	2	-	3
REGION III. TOTAL	54	3	-	30	2	-	32	7	12	11	-	7
DELAWARE	2	-	-	1	1	-	1	-	2	1	-	-
MARYLAND	2	-	-	-	-	-	2	-	2	1	-	1
PENNSYLVANIA	25	1	-	6	1	-	15	5	8	7	-	6
VIRGINIA	2	2	-	2	-	-	2	2	-	2	-	-
WEST VIRGINIA	23	-	-	21	-	-	12	-	-	-	-	-
REGION IV. TOTAL	50	5	-	19	3	-	25	12	3	29	-	26
ALABAMA	5	-	-	4	1	-	2	1	2	3	-	1
FLORIDA	17	-	-	5	1	-	10	3	1	11	-	12
GEORGIA	7	2	-	5	1	-	-	-	-	1	-	1
KENTUCKY	11	3	-	5	-	-	6	4	-	4	-	4
MISSISSIPPI	3	-	-	-	-	-	-	3	-	3	-	2
NORTH CAROLINA	7	-	-	-	-	-	7	1	-	7	-	6
REGION V. TOTAL	203	11	-	51	15	-	169	92	8	101	7	53
ILLINOIS	14	1	-	6	-	-	7	3	-	4	-	5
MICHIGAN	131	2	-	12	6	-	123	78	3	83	5	35
MINNESOTA	21	1	-	11	9	-	18	9	1	13	1	11
OHIO	31	5	-	19	-	-	21	2	-	1	1	2
WISCONSIN	6	2	-	3	-	-	-	-	2	-	-	-
REGION VI. TOTAL	108	19	-	72	5	-	90	45	4	71	4	59
ARKANSAS	31	3	-	15	1	-	25	25	-	31	-	18
LOUISIANA	41	2	-	34	-	-	38	13	3	16	3	25
OKLAHOMA	31	10	-	22	1	-	27	7	-	24	1	16
TEXAS	5	4	-	1	3	-	-	-	1	-	-	-
REGION VII. TOTAL	12	2	-	7	-	-	6	4	1	1	-	3
IOWA	2	1	-	-	-	-	2	1	-	-	-	1
KANSAS	2	-	-	2	-	-	-	-	-	-	-	-
MISSOURI	2	-	-	1	-	-	2	-	-	1	-	-
NEBRASKA	6	1	-	4	-	-	2	3	1	-	-	2
REGION VIII. TOTAL	51	4	-	3	4	-	30	2	2	26	1	24
COLORADO	19	1	-	3	1	-	1	-	2	11	-	11
MONTANA	17	1	-	-	-	-	16	-	-	13	1	10
NORTH DAKOTA	6	1	-	-	-	-	6	-	-	-	-	1
SOUTH DAKOTA	5	1	-	-	3	-	4	-	-	-	-	-
UTAH	2	-	-	-	-	-	1	2	-	2	-	2
WYOMING	2	-	-	-	-	-	2	-	-	-	-	-
REGION IX. TOTAL	132	16	-	15	3	-	59	14	7	83	-	91
AMERICAN SAMOA	5	2	-	2	-	-	-	-	1	-	-	2
ARIZONA	36	12	-	2	1	-	30	-	2	16	-	21
CALIFORNIA	30	4	-	9	-	-	25	10	4	11	-	20
GUAM	1	-	-	1	-	-	1	1	-	1	-	1
HAWAII	1	-	-	-	1	-	-	-	-	-	-	-
NEVADA	56	-	-	-	1	-	-	2	-	52	-	47
NORTHERN MARIANAS	3	-	-	1	-	-	3	1	-	3	-	-
REGION X. TOTAL	120	5	-	19	8	-	81	83	3	78	7	64
ALASKA	13	-	-	3	-	-	8	9	-	9	5	4
IDAHO	45	-	-	-	-	-	30	39	-	36	-	33
OREGON	31	-	-	5	6	-	13	15	1	6	1	5
WASHINGTON	31	5	-	11	2	-	30	20	2	27	1	22

Table 3. Number of Surface Impoundments Which are Open Dumps by Specific Criteria Violations by EPA Regions and States

Areas	Total surface impoundment open dumps	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Caves	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	6	1	-	5	4	-	2	-	-	-	-	3
REGION II, TOTAL	4	-	-	4	3	-	1	-	-	-	-	2
VIRGIN ISLANDS	4	-	-	4	3	-	1	-	-	-	-	2
REGION IV, TOTAL	1	1	-	1	-	-	1	-	-	-	-	-
FLORIDA	1	1	-	1	-	-	1	-	-	-	-	-
REGION IX, TOTAL	1	-	-	-	1	-	-	-	-	-	-	1
AMERICAN SAMOA	1	-	-	-	1	-	-	-	-	-	-	1

- Represents zero.

Table 4. Number of Land Spreading Facilities Which are Open Dumps by Specific Criteria Violations by EPA Regions and States

Areas	Total landing spreading open dumps	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Caves	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	1	-	-	1	-	-	1	-	-	1	-	1
REGION VII, TOTAL	1	-	-	1	-	-	1	-	-	1	-	1
IOWA	1	-	-	1	-	-	1	-	-	1	-	1

- Represents zero.

Table 5. Number of Facilities Classified as "Other" Which are Open Dumps by Specific Criteria Violations by EPA Regions and States

Areas	Total "other" open dumps	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Caves	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	273	13	-	47	-	1	248	196	-	230	1	198
REGION I, TOTAL	28	-	-	8	-	-	28	20	-	16	-	11
NEW HAMPSHIRE	28	-	-	8	-	-	28	20	-	16	-	11
REGION II, TOTAL	1	-	-	1	-	-	-	-	-	-	-	-
VIRGIN ISLANDS	1	-	-	1	-	-	-	-	-	-	-	-
REGION III, TOTAL	2	1	-	2	-	-	2	1	-	1	-	1
WEST VIRGINIA	2	1	-	2	-	-	2	1	-	1	-	1
REGION IV, TOTAL	164	10	-	7	-	-	151	135	-	162	1	127
MISSISSIPPI	157	10	-	6	-	-	145	133	-	155	1	120
NORTH CAROLINA	3	-	-	-	-	-	3	-	-	3	-	3
SOUTH CAROLINA	2	-	-	1	-	-	1	-	-	2	-	2
TENNESSEE	2	-	-	-	-	-	2	2	-	2	-	2
REGION V, TOTAL	73	1	-	28	-	-	63	37	-	46	-	56
INDIANA	10	-	-	-	-	-	10	2	-	9	-	8
MINNESOTA	63	1	-	28	-	-	53	35	-	37	-	48
REGION VI, TOTAL	1	1	-	1	-	-	1	-	-	1	-	1
OKLAHOMA	1	1	-	1	-	-	1	-	-	1	-	1
REGION VII, TOTAL	1	-	-	-	-	1	1	1	-	1	-	1
IOWA	1	-	-	-	-	1	1	1	-	1	-	1
REGION IX, TOTAL	3	-	-	-	-	-	2	2	-	3	-	1
GUAM	2	-	-	-	-	-	2	2	-	2	-	-
NEVADA	1	-	-	-	-	-	-	-	-	1	-	1

- Represents zero.

Table 6. **Number of Specific Criteria Violations Reported by Facilities Receiving Municipal Solid Waste by EPA Region and States**

Areas	Total open dumps receiving municipal solid waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Explosives
U.S. TOTAL	1,095	66	1	307	72	-	828	445	45	633	22	521
REGION I. TOTAL	158	4	-	45	23	-	123	47	5	67	1	28
CONNECTICUT	15	-	-	7	5	-	3	1	4	6	1	2
MAINE	24	1	-	22	14	-	14	10	1	9	-	2
MASSACHUSETTS	79	1	-	-	-	-	75	16	-	33	-	12
NEW HAMPSHIRE	28	-	-	8	-	-	28	19	-	16	-	11
RHODE ISLAND	6	2	-	3	2	-	-	1	-	-	-	-
VERMONT	8	-	-	5	2	-	3	-	-	3	-	1
REGION II. TOTAL	63	11	1	34	13	-	54	17	8	23	1	33
NEW JERSEY	5	-	-	-	4	-	4	-	3	-	-	1
NEW YORK	21	1	1	16	9	-	18	1	2	-	-	1
PUERTO RICO	34	9	-	17	-	-	30	13	-	20	1	1
VIRGIN ISLANDS	3	1	-	1	-	-	2	3	-	2	-	28
REGION III. TOTAL	53	4	-	31	1	-	33	8	12	12	-	3
DELAWARE	2	-	-	1	1	-	1	-	2	1	-	7
MARYLAND	2	-	-	-	-	-	2	-	2	1	-	-
PENNSYLVANIA	22	1	-	5	-	-	14	5	8	7	-	1
VIRGINIA	2	2	-	2	-	-	2	2	-	2	-	5
WEST VIRGINIA	25	1	-	23	-	-	14	1	-	1	-	-
REGION IV. TOTAL	151	13	-	19	2	-	130	99	3	135	1	1
ALABAMA	4	-	-	4	-	-	2	-	2	2	-	117
FLORIDA	17	1	-	5	1	-	11	3	1	11	-	1
GEORGIA	2	-	-	2	1	-	-	-	-	-	-	12
KENTUCKY	9	2	-	4	-	-	6	4	-	4	-	-
MISSISSIPPI	108	10	-	4	-	-	100	90	-	107	1	3
NORTH CAROLINA	10	-	-	-	-	-	10	1	-	10	-	91
TENNESSEE	1	-	-	-	-	-	1	1	-	1	-	9
REGION V. TOTAL	259	11	-	72	15	-	226	126	4	142	7	1
ILLINOIS	13	1	-	6	-	-	7	2	-	3	-	99
INDIANA	8	-	-	-	-	-	8	2	-	8	-	5
MICHIGAN	129	2	-	11	8	-	122	78	2	83	5	6
MINNESOTA	74	2	-	34	9	-	68	42	1	47	1	35
OHIO	31	5	-	19	-	-	21	2	-	1	1	51
WISCONSIN	4	1	-	2	-	-	-	-	1	-	-	2
REGION VI. TOTAL	100	15	-	66	4	-	86	43	3	65	4	-
ARKANSAS	29	2	-	14	1	-	24	24	-	29	-	55
LOUISIANA	40	2	-	33	1	-	37	12	3	15	3	17
OKLAHOMA	27	8	-	19	1	-	25	7	-	21	1	24
TEXAS	4	3	-	-	2	-	-	-	-	-	-	14
REGION VII. TOTAL	10	2	-	5	-	-	6	4	1	1	-	-
IOWA	2	1	-	-	-	-	2	1	-	-	-	3
KANSAS	1	-	-	1	-	-	-	-	-	-	-	1
MISSOURI	2	-	-	1	-	-	-	-	-	-	-	-
NEBRASKA	5	1	-	3	-	-	2	3	1	1	-	-
REGION VIII. TOTAL	49	4	-	1	3	-	30	2	2	26	1	2
COLORADO	17	1	-	1	-	-	1	-	2	11	-	24
MONTANA	17	1	-	-	-	-	16	-	-	13	1	11
NORTH DAKOTA	6	1	-	-	-	-	6	-	-	-	-	10
SOUTH DAKOTA	5	1	-	-	3	-	4	-	-	-	-	1
UTAH	2	-	-	-	-	-	1	2	-	2	-	-
WYOMING	2	-	-	-	-	-	2	-	-	-	-	2
REGION IX. TOTAL	132	17	-	15	3	-	59	16	7	84	-	-
AMERICAN SAMOA	3	2	-	2	-	-	-	-	1	-	-	91
ARIZONA	35	11	-	2	1	-	30	-	2	16	-	2
CALIFORNIA	29	4	-	9	-	-	24	10	4	10	-	21
GUAM	3	-	-	1	-	-	3	3	-	3	-	19
HAWAII	1	-	-	-	1	-	-	-	-	-	-	1
NEVADA	57	-	-	-	1	-	-	2	-	53	-	-
NORTHERN MARIANAS	2	-	-	1	-	-	2	1	-	2	-	48
REGION X. TOTAL	120	5	-	19	8	-	81	83	3	78	7	-
ALASKA	13	-	-	3	-	-	8	9	-	9	5	64
IDAHO	45	-	-	-	-	-	30	39	-	36	-	4
OREGON	31	-	-	5	6	-	13	15	1	6	1	33
WASHINGTON	31	5	-	11	2	-	30	20	2	27	1	5

- Represents zero.

Table 7. Number of Specific Criteria Violations Reported by Facilities Receiving Domestic Sewage Sludge by EPA Regions and States

Areas	Total open dumps receiving domestic sewage sludge	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/aircraft hazard	Access
U.S. TOTAL	104	2	-	28	10	-	39	16	9	67	4	58
REGION I. TOTAL	9	-	-	3	3	-	8	1	2	2	1	2
CONNECTICUT	2	-	-	1	-	-	1	1	1	1	1	1
MAINE	3	-	-	2	3	-	3	-	1	-	-	-
MASSACHUSETTS	4	-	-	-	-	-	4	-	-	1	-	1
REGION II. TOTAL	9	-	-	8	3	-	5	-	1	-	1	2
NEW YORK	4	-	-	3	-	-	4	-	1	-	1	2
VIRGIN ISLANDS	5	-	-	5	3	-	1	-	-	-	-	-
REGION III. TOTAL	7	-	-	5	-	-	3	1	3	2	-	-
PENNSYLVANIA	3	-	-	1	-	-	1	1	3	2	-	-
WEST VIRGINIA	4	-	-	4	-	-	2	-	-	-	-	-
REGION IV. TOTAL	6	1	-	2	-	-	5	4	-	4	-	-
FLORIDA	2	1	-	2	-	-	1	-	-	-	-	-
MISSISSIPPI	4	-	-	-	-	-	4	4	-	4	-	-
REGION V. TOTAL	7	-	-	3	-	-	6	4	1	4	1	4
MICHIGAN	2	-	-	1	-	-	2	-	-	-	1	1
MINNESOTA	4	-	-	2	-	-	4	4	-	4	-	4
WISCONSIN	1	-	-	-	-	-	-	-	1	-	-	-
REGION VI. TOTAL	3	-	-	2	1	-	2	-	-	2	-	1
ARKANSAS	2	-	-	1	1	-	1	-	-	2	-	1
LOUISIANA	1	-	-	1	-	-	1	-	-	-	-	-
REGION VII. TOTAL	1	1	-	1	-	-	1	1	-	-	-	-
NEBRASKA	1	1	-	1	-	-	1	1	-	-	-	-
REGION VIII. TOTAL	1	-	-	-	-	-	-	-	1	-	-	-
COLORADO	1	-	-	-	-	-	-	-	1	-	-	-
REGION IX. TOTAL	54	-	-	1	1	-	2	2	-	48	-	43
CALIFORNIA	2	-	-	1	-	-	2	-	-	-	-	-
NEVADA	52	-	-	-	1	-	-	2	-	48	-	43
REGION X. TOTAL	7	-	-	3	2	-	7	3	1	5	1	6
ALASKA	1	-	-	1	-	-	1	1	-	1	-	1
IDAHO	3	-	-	-	-	-	3	2	-	3	-	3
WASHINGTON	3	-	-	2	2	-	3	-	1	1	1	2

- Represents zero.

Table 8. Number of Specific Criteria Violations Reported by Facilities Receiving Industrial Solid Waste by EPA Regions and States

Areas	Total open dumps receiving industrial solid waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/aircraft hazard	Explosives
U.S. TOTAL	220	17	-	73	21	1	108	59	19	133	4	108
REGION I. TOTAL	30	-	-	12	10	-	23	4	3	10	1	2
CONNECTICUT	5	-	-	2	-	-	2	1	2	2	1	1
MAINE	11	-	-	10	10	-	7	1	1	1	-	-
MASSACHUSETTS	14	-	-	-	-	-	14	2	-	7	-	1
REGION II. TOTAL	4	-	-	2	-	-	3	-	1	-	-	-
NEW YORK	3	-	-	2	-	-	2	-	1	-	-	-
VIRGIN ISLANDS	1	-	-	-	-	-	1	-	-	-	-	-
REGION III. TOTAL	12	2	-	7	2	-	6	2	5	4	-	1
DELAWARE	2	-	-	1	1	-	1	-	2	1	-	-
PENNSYLVANIA	7	1	-	3	1	-	2	-	3	1	-	1
VIRGINIA	2	2	-	2	-	-	2	2	-	2	-	-
WEST VIRGINIA	1	-	-	1	-	-	1	-	-	-	-	-
REGION IV. TOTAL	42	4	-	11	2	-	24	21	2	29	-	25
ALABAMA	5	-	-	4	1	-	2	1	2	3	-	1
FLORIDA	5	2	-	2	1	-	1	1	-	1	-	2
GEORGIA	6	2	-	3	-	-	1	-	-	1	-	1
KENTUCKY	3	-	-	2	-	-	1	-	-	-	-	1
MISSISSIPPI	16	-	-	-	-	-	12	16	-	16	-	13
NORTH CAROLINA	6	-	-	-	-	-	6	1	-	6	-	5
TENNESSEE	2	-	-	-	-	-	2	2	-	2	-	2
REGION V. TOTAL	32	4	-	16	1	-	20	12	3	13	1	13
ILLINOIS	5	1	-	1	-	-	3	-	-	1	-	1
MICHIGAN	8	-	-	6	1	-	6	1	1	-	1	1
MINNESOTA	13	1	-	8	-	-	11	11	-	12	-	11
WISCONSIN	6	2	-	3	-	-	-	-	2	-	-	-
REGION VI. TOTAL	30	2	-	19	2	-	23	14	2	21	2	16
ARKANSAS	16	1	-	6	1	-	11	11	-	16	-	8
LOUISIANA	12	-	-	11	-	-	11	3	1	4	2	8
OKLAHOMA	1	-	-	1	-	-	1	-	-	1	-	-
TEXAS	1	1	-	1	1	-	-	-	1	-	-	-
REGION VII. TOTAL	3	-	-	1	-	1	2	1	1	2	-	3
IOWA	2	-	-	1	-	1	2	1	-	2	-	2
NEBRASKA	1	-	-	-	-	-	-	-	1	-	-	1
REGION VIII. TOTAL	2	-	-	2	1	-	-	-	-	-	-	-
COLORADO	2	-	-	2	1	-	-	-	-	-	-	-
REGION IX. TOTAL	59	5	-	-	3	-	2	2	2	49	-	44
AMERICAN SAMOA	1	-	-	-	1	-	-	-	-	-	-	1
ARIZONA	6	5	-	-	1	-	-	-	-	-	-	-
NEVADA	52	-	-	-	1	-	2	2	2	1	-	43
REGION X. TOTAL	6	-	-	1	-	-	5	3	-	5	-	4
IDAHO	4	-	-	-	-	-	4	2	-	4	-	4
WASHINGTON	2	-	-	1	-	-	1	1	-	1	-	-

- Represents zero.

Table 9. Number of Specific Criteria Violations Reported by Facilities Receiving Agricultural Solid Waste by EPA Regions and States

Areas	Total open dumps receiving agricultural solid waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/aircraft hazard	Explosives
U.S. TOTAL	163	4	-	26	3	-	84	75	-	142	-	124
REGION I. TOTAL	6	-	-	-	-	-	6	1	-	4	-	-
MASSACHUSETTS	5	-	-	-	-	-	5	-	-	4	-	-
NEW HAMPSHIRE	1	-	-	-	-	-	1	1	-	-	-	-
REGION IV. TOTAL	24	1	-	4	1	-	20	9	-	20	-	19
FLORIDA	14	-	-	3	1	-	10	2	-	10	-	12
MISSISSIPPI	7	1	-	1	-	-	7	7	-	7	-	4
NORTH CAROLINA	3	-	-	-	-	-	3	-	-	3	-	3
REGION V. TOTAL	26	1	-	12	-	-	22	22	-	22	-	18
MICHIGAN	4	-	-	-	-	-	3	3	-	3	-	2
MINNESOTA	22	1	-	12	-	-	19	19	-	19	-	16
REGION VI. TOTAL	8	-	-	6	-	-	7	5	-	6	-	5
ARKANSAS	3	-	-	1	-	-	2	2	-	3	-	2
LOUISIANA	5	-	-	5	-	-	5	3	-	3	-	3
REGION IX. TOTAL	58	-	-	1	1	-	1	2	-	53	-	49
CALIFORNIA	1	-	-	1	1	-	1	-	-	-	-	1
NEVADA	57	-	-	-	-	-	-	2	-	53	-	48
REGION X. TOTAL	41	2	-	3	1	-	28	36	-	37	-	33
IDAHO	30	-	-	-	-	-	17	27	-	28	-	23
WASHINGTON	11	2	-	3	1	-	11	9	-	9	-	10

- Represents zero.

Table 10. Number of Specific Criteria Violations Reported by Facilities Receiving Other Waste by EPA Regions and States

Areas	Total open dumps receiving other waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	153	11	-	41	1	1	121	82	-	117	-	93
REGION I. TOTAL	7	-	-	3	-	-	5	2	-	4	-	2
CONNECTICUT	3	-	-	3	-	-	1	1	-	3	-	2
MASSACHUSETTS	4	-	-	-	-	-	4	1	-	1	-	2
REGION III. TOTAL	3	-	-	1	-	-	2	-	-	-	-	-
PENNSYLVANIA	2	-	-	1	-	-	1	-	-	-	-	-
WEST VIRGINIA	1	-	-	-	-	-	1	-	-	-	-	-
REGION IV. TOTAL	71	1	-	6	1	-	59	55	-	65	-	46
FLORIDA	8	1	-	3	1	-	4	-	-	3	-	5
MISSISSIPPI	59	-	-	2	-	-	52	53	-	58	-	37
SOUTH CAROLINA	2	-	-	1	-	-	1	-	-	2	-	2
TENNESSEE	2	-	-	-	-	-	2	2	-	2	-	2
REGION V. TOTAL	34	2	-	16	-	-	24	19	-	22	-	24
ILLINOIS	1	-	-	-	-	-	-	1	-	1	-	1
INDIANA	2	-	-	-	-	-	2	-	-	1	-	2
MICHIGAN	4	-	-	1	-	-	4	1	-	3	-	2
MINNESOTA	25	1	-	14	-	-	18	17	-	17	-	20
WISCONSIN	2	1	-	1	-	-	-	-	-	-	-	1
REGION VI. TOTAL	14	6	-	9	-	-	10	5	-	12	-	10
ARKANSAS	3	1	-	1	-	-	2	2	-	3	-	2
LOUISIANA	2	-	-	2	-	-	2	1	-	1	-	2
OKLAHOMA	9	5	-	6	-	-	6	2	-	8	-	6
REGION VII. TOTAL	4	-	-	3	-	1	2	1	-	2	-	2
IOWA	2	-	-	1	-	1	2	1	-	2	-	2
KANSAS	1	-	-	1	-	-	-	-	-	-	-	1
NEBRASKA	1	-	-	1	-	-	-	-	-	-	-	1
REGION IX. TOTAL	20	2	-	3	-	-	19	-	-	12	-	9
ARIZONA	14	2	-	-	-	-	13	-	-	10	-	7
CALIFORNIA	5	-	-	3	-	-	5	-	-	1	-	2
NORTHERN MARIANAS	1	-	-	-	-	-	1	-	-	1	-	-

- Represents zero.

Table 11. Number of Specific Criteria Violations Reported by Landfill Facilities Receiving Municipal Solid Waste by EPA Regions and States

Areas	Total landfill open dumps receiving municipal solid waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	891	72	1	268	72	-	633	300	45	462	21	368
REGION I. TOTAL	131	4	-	37	23	-	96	28	5	51	1	17
CONNECTICUT	15	-	-	7	5	-	3	1	4	6	1	2
MAINE	24	1	-	22	14	-	14	10	1	9	-	2
MASSACHUSETTS	79	1	-	-	-	-	75	16	-	33	-	12
NEW HAMPSHIRE	1	-	-	-	-	-	1	-	-	-	-	-
RHODE ISLAND	6	2	-	3	2	-	-	1	-	-	-	1
VERMONT	6	-	-	5	2	-	3	-	-	3	-	-
REGION II. TOTAL	63	11	1	34	13	-	54	17	5	23	1	33
NEW JERSEY	5	-	-	-	6	-	4	-	3	-	-	1
NEW YORK	21	1	1	16	9	-	18	1	2	1	1	1
PUERTO RICO	34	9	-	17	-	-	30	13	-	20	-	28
VIRGIN ISLANDS	3	1	-	1	-	-	2	3	-	2	-	3
REGION III. TOTAL	51	3	-	29	1	-	31	7	12	11	-	6
DELAWARE	2	-	-	1	1	-	1	-	2	1	-	-
MARYLAND	2	-	-	-	-	-	2	-	2	1	-	1
PENNSYLVANIA	22	1	-	5	-	-	14	5	8	7	-	5
VIRGINIA	2	2	-	2	-	-	2	2	-	2	-	-
WEST VIRGINIA	23	-	-	21	-	-	12	-	-	-	-	-
REGION IV. TOTAL	41	2	-	14	2	-	25	11	3	27	-	24
ALABAMA	4	-	-	4	-	-	2	-	2	2	-	1
FLORIDA	16	-	-	4	1	-	10	3	1	11	-	12
GEORGIA	2	-	-	2	1	-	-	-	-	-	-	-
KENTUCKY	9	2	-	4	-	-	6	4	-	4	-	3
MISSISSIPPI	3	-	-	-	-	-	-	3	-	3	-	2
NORTH CAROLINA	7	-	-	-	-	-	7	1	-	7	-	6
REGION V. TOTAL	198	10	-	49	15	-	168	91	4	100	7	53
ILLINOIS	13	1	-	6	-	-	7	2	-	3	-	5
MICHIGAN	129	2	-	11	6	-	122	78	2	63	5	35
MINNESOTA	21	1	-	11	9	-	18	9	1	13	1	11
OHIO	31	5	-	19	-	-	21	2	-	1	1	2
WISCONSIN	4	1	-	2	-	-	-	-	1	-	-	-
REGION VI. TOTAL	99	14	-	65	4	-	85	43	3	64	4	54
ARKANSAS	29	2	-	14	1	-	24	24	-	29	-	17
LOUISIANA	40	2	-	33	-	-	37	12	3	15	3	24
OKLAHOMA	26	7	-	18	1	-	24	7	-	20	1	13
TEXAS	4	3	-	-	2	-	-	-	-	-	-	-
REGION VII. TOTAL	10	2	-	5	-	-	6	4	1	1	-	3
IOWA	2	1	-	-	-	-	2	1	-	-	-	1
KANSAS	1	-	-	1	-	-	-	-	-	-	-	-
MISSOURI	2	-	-	1	-	-	2	-	-	1	-	-
NEBRASKA	5	1	-	3	-	-	2	3	1	-	-	4
REGION VIII. TOTAL	49	4	-	1	3	-	30	2	2	26	1	24
COLORADO	17	1	-	1	-	-	1	-	2	11	-	11
MONTANA	17	1	-	-	-	-	16	-	-	13	1	10
NORTH DAKOTA	6	1	-	-	-	-	6	-	-	-	-	1
SOUTH DAKOTA	5	1	-	-	3	-	4	-	-	-	-	-
UTAH	2	-	-	-	-	-	1	2	-	2	-	2
WYOMING	2	-	-	-	-	-	2	-	-	-	-	-
REGION IX. TOTAL	129	17	-	15	3	-	57	14	7	81	-	90
AMERICAN SAMOA	5	2	-	2	-	-	-	-	1	-	-	2
ARIZONA	35	11	-	2	1	-	30	-	2	16	-	21
CALIFORNIA	29	4	-	9	-	-	24	10	4	10	-	19
GUAM	1	-	-	1	-	-	1	1	-	1	-	1
HAWAII	1	-	-	-	1	-	-	-	-	-	-	-
NEVADA	56	-	-	-	1	-	-	2	-	52	-	47
NORTHERN MARIANAS	2	-	-	1	-	-	2	1	-	2	-	-
REGION X. TOTAL	120	5	-	19	8	-	81	83	3	78	7	64
ALASKA	13	-	-	3	-	-	8	9	-	9	5	4
IDAHO	45	-	-	-	-	-	30	39	-	36	-	33
OREGON	31	-	-	5	6	-	13	15	1	6	1	5
WASHINGTON	31	5	-	11	2	-	30	20	2	27	1	22

- Represents zero.

Table 12. Number of Specific Criteria Violations Reported by Landfill Facilities Receiving Domestic Sewage Sludge by EPA Regions and States

Areas	Total landfill open dumps receiving domestic sewage sludge	Criteria violated											
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety				
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	89	1	-	20	7	-	29	8	9	58	4	51
REGION I. TOTAL	9	-	-	3	3	-	8	1	2	2	1	2
CONNECTICUT	2	-	-	1	-	-	1	1	1	1	1	1
MAINE	3	-	-	2	3	-	3	-	1	-	-	-
MASSACHUSETTS	4	-	-	-	-	-	4	-	-	1	-	1
REGION II. TOTAL	4	-	-	3	-	-	4	-	1	-	1	-
NEW YORK	4	-	-	3	-	-	4	-	1	-	1	-
REGION III. TOTAL	7	-	-	5	-	-	3	1	3	2	-	-
PENNSYLVANIA	3	-	-	1	-	-	1	1	3	2	-	-
WEST VIRGINIA	4	-	-	4	-	-	2	-	-	-	-	-
REGION IV. TOTAL	1	-	-	1	-	-	-	-	-	-	-	-
FLORIDA	1	-	-	1	-	-	-	-	-	-	-	-
REGION V. TOTAL	3	-	-	1	-	-	2	-	1	-	1	-
MICHIGAN	2	-	-	1	-	-	2	-	-	-	1	-
WISCONSIN	1	-	-	-	-	-	-	-	1	-	-	-
REGION VI. TOTAL	3	-	-	2	1	-	2	-	-	2	-	1
ARKANSAS	2	-	-	1	1	-	1	-	-	2	-	1
LOUISIANA	1	-	-	1	-	-	1	-	-	-	-	-
REGION VII. TOTAL	1	1	-	1	-	-	1	1	-	-	-	-
NEBRASKA	1	1	-	1	-	-	1	1	-	-	-	-
REGION VIII. TOTAL	1	-	-	-	-	-	-	-	1	-	-	-
COLORADO	1	-	-	-	-	-	-	-	1	-	-	-
REGION IX. TOTAL	53	-	-	1	1	-	2	2	-	47	-	42
CALIFORNIA	2	-	-	1	-	-	2	-	-	-	-	-
NEVADA	51	-	-	-	1	-	-	2	-	47	-	42
REGION X. TOTAL	7	-	-	3	2	-	7	3	1	5	1	6
ALASKA	1	-	-	1	-	-	1	1	-	1	-	-
IDAHO	3	-	-	-	-	-	3	2	-	3	-	2
WASHINGTON	3	-	-	2	2	-	3	-	1	1	1	4

- Represents zero.

Table 13. Number of Specific Criteria Violations Reported by Landfill Facilities Receiving Industrial Solid Waste by EPA Regions and States

Areas	Total landfill open dumps receiving industrial solid waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	190	16	-	64	20	-	83	33	19	104	4	81
REGION I. TOTAL	30	-	-	12	10	-	23	4	3	10	1	2
CONNECTICUT	5	-	-	2	-	-	2	1	2	2	1	1
MAINE	11	-	-	10	10	-	7	1	1	1	-	-
MASSACHUSETTS	14	-	-	-	-	-	14	2	-	7	-	1
REGION II. TOTAL	4	-	-	2	-	-	3	-	1	-	-	-
NEW YORK	3	-	-	2	-	-	2	-	1	-	-	-
VIRGIN ISLANDS	1	-	-	-	-	-	1	-	-	-	-	-
REGION III. TOTAL	12	2	-	7	2	-	6	2	5	4	-	1
DELAWARE	2	-	-	1	1	-	1	-	2	1	-	-
PENNSYLVANIA	7	-	-	3	1	-	2	-	3	1	-	1
VIRGINIA	2	2	-	2	-	-	2	2	-	2	-	-
WEST VIRGINIA	1	-	-	1	-	-	1	-	-	-	-	-
REGION IV. TOTAL	27	4	-	11	2	-	10	6	2	14	-	12
ALABAMA	5	-	-	4	1	-	2	1	2	3	-	1
FLORIDA	5	-	-	2	1	-	1	1	-	1	-	2
GEORGIA	5	2	-	3	-	-	-	-	-	1	-	1
KENTUCKY	3	2	-	2	-	-	1	-	-	-	-	1
MISSISSIPPI	3	-	-	-	-	-	-	3	-	3	-	2
NORTH CAROLINA	6	-	-	-	-	-	6	1	-	6	-	5
REGION V. TOTAL	21	3	-	10	1	-	11	2	3	2	1	3
ILLINOIS	5	1	-	1	-	-	3	-	-	1	-	1
MICHIGAN	8	-	-	6	1	-	6	1	1	-	1	1
MINNESOTA	2	-	-	-	-	-	2	1	-	1	-	1
WISCONSIN	6	2	-	3	-	-	-	-	2	-	-	-
REGION VI. TOTAL	30	2	-	19	2	-	23	14	2	21	2	16
ARKANSAS	16	1	-	6	1	-	11	11	-	16	-	8
LOUISIANA	12	-	-	11	-	-	11	3	1	4	2	8
OKLAHOMA	1	-	-	1	-	-	-	-	-	-	-	-
TEXAS	1	1	-	1	1	-	-	-	1	1	-	-
REGION VII. TOTAL	1	-	-	-	-	-	-	-	1	-	-	1
NEBRASKA	1	-	-	-	-	-	-	-	1	-	-	1
REGION VIII. TOTAL	2	-	-	2	1	-	-	-	-	-	-	-
COLORADO	2	-	-	2	1	-	-	-	-	-	-	-
REGION IX. TOTAL	57	5	-	-	2	-	2	2	2	48	-	42
ARIZONA	6	5	-	-	1	-	2	2	2	1	-	-
NEVADA	51	-	-	-	1	-	-	-	-	47	-	42
REGION X. TOTAL	6	-	-	1	-	-	5	3	-	5	-	4
IDAHO	4	-	-	-	-	-	4	2	-	4	-	4
WASHINGTON	2	-	-	1	-	-	1	1	-	1	-	-

- Represents zero.

Table 14. Number of Specific Criteria Violations Reported by Landfill Facilities Receiving Agricultural Solid Waste by EPA Regions and States

Areas	Total landfill open dumps receiving agricultural solid waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	132	2	-	13	3	-	57	49	-	113	-	101
REGION I. TOTAL	5	-	-	-	-	-	5	-	-	4	-	-
MASSACHUSETTS	5	-	-	-	-	-	5	-	-	4	-	-
REGION IV. TOTAL	14	-	-	3	1	-	10	2	-	10	-	12
FLORIDA	14	-	-	3	1	-	10	2	-	10	-	12
REGION V. TOTAL	7	-	-	-	-	-	6	4	-	4	-	3
MICHIGAN	4	-	-	-	-	-	3	3	-	3	-	2
MINNESOTA	3	-	-	-	-	-	3	1	-	1	-	1
REGION VI. TOTAL	8	-	-	6	-	-	7	5	-	6	-	5
ARKANSAS	3	-	-	1	-	-	2	2	-	3	-	2
LOUISIANA	5	-	-	5	-	-	5	3	-	3	-	3
REGION IX. TOTAL	57	-	-	1	1	-	1	2	-	52	-	48
CALIFORNIA	1	-	-	1	-	-	1	-	-	-	-	1
NEVADA	56	-	-	-	1	-	-	2	-	52	-	47
REGION X. TOTAL	41	2	-	3	1	-	28	36	-	37	-	33
IDAHO	30	-	-	-	-	-	17	27	-	28	-	23
WASHINGTON	11	2	-	3	1	-	11	9	-	9	-	10

- Represents zero.

Table 15. Number of Specific Criteria Violations Reported by Landfill Facilities Receiving Other Waste by EPA Regions and States

Areas	Total landfill open dumps receiving other waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	61	9	-	22	1	-	44	9	-	35	-	28
REGION I. TOTAL	7	-	-	3	-	-	5	2	-	4	-	2
CONNECTICUT	3	-	-	3	-	-	1	1	-	3	-	-
MASSACHUSETTS	4	-	-	-	-	-	4	1	-	1	-	2
REGION III. TOTAL	3	-	-	1	-	-	2	-	-	-	-	-
PENNSYLVANIA	2	-	-	1	-	-	1	-	-	-	-	-
WEST VIRGINIA	1	-	-	-	-	-	1	-	-	-	-	-
REGION IV. TOTAL	7	-	-	2	1	-	3	-	-	3	-	5
FLORIDA	7	-	-	2	1	-	3	-	-	3	-	5
REGION V. TOTAL	8	1	-	2	-	-	5	2	-	4	-	2
ILLINOIS	1	-	-	-	-	-	-	1	-	1	-	-
MICHIGAN	4	-	-	1	-	-	4	1	-	3	-	2
MINNESOTA	1	-	-	-	-	-	1	-	-	-	-	-
WISCONSIN	2	1	-	1	-	-	-	-	-	-	-	-
REGION VI. TOTAL	14	6	-	9	-	-	10	5	-	12	-	10
ARKANSAS	3	1	-	1	-	-	2	2	-	3	-	2
LOUISIANA	2	-	-	2	-	-	2	1	-	1	-	2
OKLAHOMA	9	5	-	6	-	-	6	2	-	8	-	6
REGION VII. TOTAL	2	-	-	2	-	-	-	-	-	-	-	-
KANSAS	1	-	-	1	-	-	-	-	-	-	-	-
NEBRASKA	1	-	-	1	-	-	-	-	-	-	-	-
REGION IX. TOTAL	20	2	-	3	-	-	19	-	-	12	-	4
ARIZONA	14	2	-	-	-	-	13	-	-	10	-	3
CALIFORNIA	5	-	-	3	-	-	5	-	-	1	-	2
NORTHERN MARIANAS	1	-	-	-	-	-	1	-	-	1	-	-

- Represents zero.

Table 16. Number of Specific Criteria Violations Reported by Surface Impoundment Facilities Receiving Municipal Solid Waste by EPA Regions and States

Areas	Total surface impoundment open dumps receiving municipal solid waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	1	1	-	1	-	-	1	-	-	-	-	-
REGION IV. TOTAL	1	1	-	1	-	-	1	-	-	-	-	-
FLORIDA	1	1	-	1	-	-	1	-	-	-	-	-

- Represents zero.

Table 17. Number of Specific Criteria Violations Reported by Surface Impoundment Facilities Receiving Domestic Sewage Sludge by EPA Regions and States

Areas	Total surface impoundment open dumps receiving domestic sewage sludge	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	5	1	-	5	3	-	2	-	-	-	-	2
REGION II. TOTAL	4	-	-	4	3	-	1	-	-	-	-	2
VIRGIN ISLANDS	4	-	-	4	3	-	1	-	-	-	-	2
REGION IV. TOTAL	1	1	-	1	-	-	1	-	-	-	-	-
FLORIDA	1	1	-	1	-	-	1	-	-	-	-	-

- Represents zero.

Table 18. **Number of Specific Criteria Violations Reported by Surface Impoundment Facilities Receiving Industrial Solid Waste by EPA Regions and States**

Areas	Total surface impoundment open dumps receiving industrial solid waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	1	-	-	-	1	-	-	-	-	-	-	1
REGION IX. TOTAL	1	-	-	-	1	-	-	-	-	-	-	1
AMERICAN SAMOA	1	-	-	-	1	-	-	-	-	-	-	1

- Represents zero.

Table 19. **Number of Specific Criteria Violations Reported by Surface Impoundment Facilities Receiving Other Waste by EPA Regions and States**

Areas	Total surface impoundment open dumps receiving other waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	1	1	-	1	-	-	1	-	-	-	-	-
REGION IV. TOTAL	1	1	-	1	-	-	1	-	-	-	-	-
FLORIDA.	1	1	-	1	-	-	1	-	-	-	-	-

- Represents zero.

Table 20. **Number of Specific Criteria Violations Reported by Land Spreading Facilities Receiving Industrial Solid Waste by EPA Regions and States**

Areas	Total land spreading open dumps receiving industrial solid waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	1	-	-	1	-	-	1	-	-	1	-	1
REGION VII. TOTAL.	1	-	-	1	-	-	1	-	-	1	-	1
IOWA	1	-	-	1	-	-	1	-	-	1	-	1

- Represents zero.

Table 21. **Number of Specific Criteria Violations Reported by Land Spreading Facilites Receiving Other Waste by EPA Regions and States**

Areas	Total land spreading open dumps receiving other waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	1	-	-	1	-	-	1	-	-	1	-	1
REGION VII. TOTAL.	1	-	-	1	-	-	1	-	-	1	-	1
IOWA	1	-	-	1	-	-	1	-	-	1	-	1

- Represents zero.

Table 22. Number of Specific Criteria Violations Reported by Other Facilities Receiving Municipal Solid Waste by EPA Regions and States

Areas	Total "other" open dumps receiving municipal solid waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	203	13	-	38	-	-	194	145	-	171	1	153
REGION I. TOTAL	27	-	-	8	-	-	27	19	-	16	-	11
NEW HAMPSHIRE	27	-	-	8	-	-	27	19	-	16	-	11
REGION III. TOTAL	2	1	-	2	-	-	2	1	-	1	-	1
WEST VIRGINIA	2	1	-	2	-	-	2	1	-	1	-	1
REGION IV. TOTAL	109	10	-	4	-	-	104	88	-	108	1	93
MISSISSIPPI	105	10	-	4	-	-	100	87	-	104	1	89
NORTH CAROLINA	3	-	-	-	-	-	3	-	-	3	-	3
TENNESSEE	1	-	-	-	-	-	1	1	-	1	-	1
REGION V. TOTAL	61	1	-	23	-	-	58	35	-	42	-	46
INDIANA	8	-	-	-	-	-	8	2	-	8	-	6
MINNESOTA	53	1	-	23	-	-	50	33	-	34	-	40
REGION VI. TOTAL	1	1	-	1	-	-	1	-	-	1	-	1
OKLAHOMA	1	1	-	1	-	-	1	-	-	1	-	1
REGION IX. TOTAL	3	-	-	-	-	-	2	2	-	3	-	1
GUAM	2	-	-	-	-	-	2	2	-	2	-	-
NEVADA	1	-	-	-	-	-	-	-	-	1	-	1

- Represents zero.

Table 23. Number of Specific Criteria Violations Reported by Other Facilities Receiving Domestic Sewage Sludge by EPA Regions and States

Areas	Total "other" open dumps receiving domestic sewage sludge	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	10	-	-	3	-	-	8	8	-	9	-	5
REGION II. TOTAL	1	-	-	1	-	-	-	-	-	-	-	-
VIRGIN ISLANDS	1	-	-	1	-	-	-	-	-	-	-	-
REGION IV. TOTAL	4	-	-	-	-	-	4	4	-	4	-	-
MISSISSIPPI	4	-	-	-	-	-	4	4	-	4	-	-
REGION V. TOTAL	4	-	-	2	-	-	4	4	-	4	-	4
MINNESOTA	4	-	-	2	-	-	4	4	-	4	-	4
REGION IX. TOTAL	1	-	-	-	-	-	-	-	-	1	-	1
NEVADA	1	-	-	-	-	-	-	-	-	1	-	1

- Represents zero.

Table 24. Number of Specific Criteria Violations Reported by Other Facilities Receiving Industrial Solid Waste by EPA Regions and States

Areas	Total "other" open dumps receiving industrial solid waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	28	1	-	8	-	1	24	26	-	28	-	25
REGION IV. TOTAL	15	-	-	-	-	-	14	15	-	15	-	13
MISSISSIPPI	13	-	-	-	-	-	12	13	-	13	-	11
TENNESSEE	2	-	-	-	-	-	2	2	-	2	-	2
REGION V. TOTAL	11	1	-	8	-	-	9	10	-	11	-	10
MINNESOTA	11	1	-	8	-	-	9	10	-	11	-	10
REGION VII. TOTAL	1	-	-	-	-	1	1	1	-	1	-	1
IOWA	1	-	-	-	-	1	1	1	-	1	-	1
REGION IX. TOTAL	1	-	-	-	-	-	-	-	-	1	-	1
NEVADA	1	-	-	-	-	-	-	-	-	1	-	1

- Represents zero.

Table 25. Number of Specific Criteria Violations Reported by Other Facilities Receiving Agricultural Solid Waste by EPA Regions and States

Areas	Total "other" open dumps receiving agricultural solid waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	31	2	-	13	-	-	27	26	-	29	-	23
REGION I. TOTAL	1	-	-	-	-	-	1	1	-	-	-	-
NEW HAMPSHIRE	1	-	-	-	-	-	1	1	-	-	-	-
REGION IV. TOTAL	10	1	-	1	-	-	10	7	-	10	-	7
MISSISSIPPI	7	1	-	1	-	-	7	7	-	7	-	7
NORTH CAROLINA	3	-	-	-	-	-	3	-	-	3	-	3
REGION V. TOTAL	19	1	-	12	-	-	16	18	-	18	-	15
MINNESOTA	19	1	-	12	-	-	16	18	-	18	-	15
REGION IX. TOTAL	1	-	-	-	-	-	-	-	-	1	-	1
NEVADA	1	-	-	-	-	-	-	-	-	1	-	1

- Represents zero.

Table 26. Number of Specific Criteria Violations Reported by Other Facilities Receiving Other Waste by EPA Regions and States

Areas	Total "other" open dumps receiving other waste	Criteria violated										
		Flood-plains	Endangered species	Surface water	Ground water	Application to food-chain cropland	Disease	Air	Safety			
									Gases	Fires	Bird/ aircraft hazard	Access
U.S. TOTAL	90	1	-	17	-	1	75	73	-	81	-	64
REGION IV. TOTAL	63	-	-	3	-	-	55	55	-	62	-	41
MISSISSIPPI	59	-	-	2	-	-	52	53	-	58	-	37
SOUTH CAROLINA	2	-	-	1	-	-	1	-	-	2	-	2
TENNESSEE	2	-	-	-	-	-	2	2	-	2	-	2
REGION V. TOTAL	26	1	-	14	-	-	19	17	-	18	-	22
INDIANA	2	-	-	-	-	-	2	-	-	1	-	2
MINNESOTA	24	1	-	14	-	-	17	17	-	17	-	20
REGION VII. TOTAL	1	-	-	-	-	1	1	1	-	1	-	1
IOWA	1	-	-	-	-	1	1	1	-	1	-	1

- Represents zero.

[FR Doc. 81-15802 Filed 5-28-81; 8:45 am]
BILLING CODE 6560-29-C

federal register

Friday
May 29, 1981

Part III

Department of Labor

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

DEPARTMENT OF LABOR

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions are effective from their date of publication in the **Federal Register** without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and Supersedeas Decisions to General Wage Determination Decisions

Modifications and supersedeas decisions to general wage determination decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the modifications and supersedeas decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing general wage determination decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and supersedeas decisions are effective from their date of publication in the **Federal Register** without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Office of Government Contract Wage Standards, Division of Government Contract Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rulemaking procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Determination Decision.

New General Wage Determination Decisions

None.

Modifications to General Wage Determination Decisions

The numbers of the decisions being modified and their dates of publication in the **Federal Register** are listed with each State.

California:	
CA81-5113	May 1, 1981.
CA81-5119	May 15, 1981.
Colorado:	
CO80-5137	Oct. 24, 1980.
CO80-5139	Do.
Connecticut: CT81-3032	May 15, 1981.
Florida: FL77-1060	May 20, 1977.
Hawaii: HI81-5106	Mar. 6, 1981.
Nevada:	
NV81-5102	Feb. 6, 1981.
NV81-5104	Feb. 20, 1981.
NV81-5111	May 1, 1981.
Oregon: OR80-5145	Nov. 21, 1980.
Pennsylvania:	
PA78-3037	Apr. 21, 1978.
PA79-3006	Mar. 30, 1979.
PA80-3010	Apr. 4, 1980.
PA80-3011	Feb. 22, 1980.
PA80-3012	Feb. 15, 1980.
PA80-3033	Oct. 3, 1980.
PA80-3058	Do.
PA80-3059	Do.
PA80-3074	Dec. 12, 1980.

Supersedeas Decisions to General Wage Determination Decisions

The numbers of the decisions being superseded and their dates of publication in the **Federal Register** are listed with each State. Supersedeas decision numbers are in parentheses following the numbers of the decisions being superseded.

Arizona: AZ81-5101 (AZ81-5124)	Jan. 30, 1981.
Minnesota: MN77-2040 (MN81-2026)	Apr. 22, 1977.
Mississippi:	
MS81-1159 (MS81-1238)	Jan. 6, 1981.
MS81-1155 (MS81-1237)	Do.

Cancellation of General Wage Determination Decisions

None.

Signed at Washington, D.C., this 22d day of May 1981.

Dorothy P. Come,

Assistant Administrator, Wage and Hour Division.

BILLING CODE 4510-27-M

Modification Page 1

DECISION NO. CA81-5113 - Mod. #1
(46 FR 24803 - May 1, 1981)
Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura Counties, California

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Asbestos Workers	$17.74	$1.30	$1.45	$1.00	.07
Brick Tenders	11.23	1.25	2.90	1.20	.12
Laborers:					
Area 1:					
Group 1	10.62	1.25	2.90	1.20	.12
Group 2	10.78	1.25	2.90	1.20	.12
Group 3	10.98	1.25	2.90	1.20	.12
Group 4	11.28	1.25	2.90	1.20	.12
Group 5	11.48	1.25	2.90	1.20	.12
Gunnite Laborers:					
Group 1	12.62	1.25	2.90	1.20	.12
Group 2	11.97	1.25	2.90	1.20	.12
Group 3	10.91	1.25	2.90	1.20	.12
Area 2:					
Group 1	12.63	1.25	2.90	1.20	.12
Group 2	12.78	1.25	2.90	1.20	.12
Group 3	12.98	1.25	2.90	1.20	.12
Group 4	13.28	1.25	2.90	1.20	.12
Group 5	13.48	1.25	2.90	1.20	.12
Gunnite Laborers:					
Group 1	14.62	1.25	2.90	1.20	.12
Group 2	13.97	1.25	2.90	1.20	.12
Group 3	12.91	1.25	2.90	1.20	.12
Soft Floor Layers:					
Area 1	13.47	.91	1.70	1.30	.15
Omit:					
Soft Floor Layers:					
Area 3 - Rates and Descriptions					
Add:					
Soft Floor Layers:					
Area 3	14.09	.95	.95	1.25	.09
Descriptions:					
Kern, Inyo, and Mono Counties					

Modification Page 2

DECISION NO. CA81-5119 - Mod. #1
(46 FR 27017 - May 15, 1981)
Alameda, Amador, Calaveras, Contra Costa, Del Norte, El Dorado, Humboldt, Marin, Mariposa, Merced, Monterey, Napa, Nevada, Placer, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, Sutter, Tuolumne, Yolo, and Yuba Counties, California

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Omit:					
Plasterers:					
All Areas					
Add:					
Plasterers:					
Area 1	$14.32	$1.20	$2.80		.03
Area 2	16.08	1.15	3.90		.06
Area 3	14.21	1.21	2.85	1.00	.03
Area 4	13.10	1.13	1.50	1.50	.01
Area 5	14.97	1.31	2.20		.06
Area 6	12.40	1.45	1.75	1.75	
Area 7	12.75	1.20	2.75	2.00	

AREA DEFINITIONS

Plasterers:
Area 1: Alameda and Contra Costa Counties
Area 2: San Francisco and San Mateo Counties
Area 3: Amador, Calaveras, El Dorado, Nevada, Placer, Sacramento, San Joaquin, Sutter, Yolo, and Yuba Counties
Area 4: Del Norte, Humboldt, Marin, Napa, Solano, and Sonoma Counties
Area 5: Santa Clara, San Benito, and Santa Cruz Counties
Area 6: Monterey County
Area 7: Mariposa, Merced, and Tuolumne Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. CO80-5137 - Mod. #5 (45 FR 70577 - Oct. 24, 1980) Adams, Arapahoe, Boulder, Clear Creek, Denver, Douglas, Eagle, Elbert, Gilpin, Grand, Jefferson, Lake, Larimer, Morgan, Park, Summit and Weld Counties, Colorado					
CHANGE:					
Roofers:					
Remaining Counties, including northern portions of Lake, Park, Jefferson, Douglas and Elbert Counties	$13.32	.85	.50		.08
DECISION NO. CO80-5139 - Mod. #5 (45 FR 70686 - October 24, 1980) Delta, Garfield, Gunnison, Mesa, Montrose and Pitkin Counties, Colorado					
CHANGE:					
Electricians:					
Electricians	$14.85	1.00	3%+.50		1%
Cable Splicers	15.10	1.00	3%+.50		1%
OMIT:					
Roofers as issued					
ADD:					
Roofers:					
Garfield, Mesa & Pitkin Counties	13.32	.85	.50		.08
Remainder of Counties	11.41	.59	.40		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. CT81-3032 - MOD. #1 (46 FR 27040 - May 15, 1981) Hartford, Middlesex, New Haven, New London and Tolland Counties, Connecticut					
CHANGE:					
Area Descriptions Below					

PLUMBERS:
Area 1: HARTFORD COUNTY: Avon, Bloomfield, Burlington, Canton, East Granby, East Hartford, East Windsor, Enfield, Farmington, Glastonbury, Granby, Hartford, Hartland, Manchester, Marlborough, Newington, Rocky Hill, Simsbury, South Windsor, Suffield, West Hartford, Wethersfield, Windsor, and Windsor Locks Townships; MIDDLESEX COUNTY: Cromwell, East Haddam, East Hampton, Haddam, Middlefield, Middletown, and Portland Townships; TOLLAND COUNTY: Andover, Bolton, Columbia, Coventry, Ellington, Hebron, Mansfield, Somers, Stafford, Tolland, Union, Vernon, and Willington Townships

PLUMBERS; Steamfitters:
Area 1: NEW HAVEN COUNTY: Milford Township
Area 2: HARTFORD COUNTY: Berlin, Bristol, New Britain, Plainville, Southington, and parts of Newington, Farmington, & West Hartford Townships (Newington south of Cedar Street, west of Berlin Turnpike, north along New Haven Railroad to South Main Street to Route 6, west on Route 6 to Bristol town line) MIDDLESEX COUNTY: Durham Township; NEW HAVEN COUNTY: Cheshire, Meridan and Wallingford Townships
Area 3: HARTFORD COUNTY: Berlin, Bristol, East Berlin, New Britain, Plainville, and remainder of Newington and Farmington Townships
Area 4: MIDDLESEX COUNTY: Chester, Clinton, Deep River, Killingworth, and Westbrook Townships; NEW HAVEN COUNTY: Branford, Derby, East Haven, Guilford, Hamden, Madison, New Haven, North Branford, North Haven, Orange, West Haven, and Woodbridge Townships
Area 5: MIDDLESEX COUNTY: Essex, Old Saybrook, and Saybrook Townships; NEW LONDON COUNTY: Bozrah, Colchester, East Lyme, Franklin, Griswold, Groton, Lebanon, Ledyard (excluding U. S. Sub Base and 2½ acres of land on Gallup Hill Road known as Groton Piping Prefab Shop), Lisbon, Lyme, Montville (north of Oxoboxo Brook), New London, North Stonington, Norwich, Old Lyme, Preston, Salem, Sprague, Stonington, Voluntown, and Waterford Townships
Area 6: NEW HAVEN COUNTY: Ansonia, Beacon Falls, Bethany, Middlebury, Naugatuck, Oxford, Prospect, Seymour, Southbury, Waterbury, and Wolcott Townships; HARTFORD COUNTY: Hartland Township

DECISION NO. CT81-3032 - MOD. #1 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
LABORERS (Building Construction):					
Laborer	10.00	.65	.80		.10
Asphalt rakers, concrete & power buggy ops, concrete saw ops, chain saw ops, fence & guard rail erectors, form setters, pipelayers, dry stone wall builders, mason tenders, pneumatic drill ops, pneumatic gas & electric drill ops, powdermen & wagon drill operators & precast erectors	10.25	.65	.80		.10
Air track operators, block pavers & curb setters, sandblasters, wagon drill operators	10.50	.65	.80		.10
Open air caisson, cylindrical work & boring crew:					
Top man	10.00	.65	.80		.10
Bottom man	10.50	.65	.80		.10
PLUMBERS & STEAMFITTERS					
Area 6	13.50	.88	.80	s	.05

DECISION NUMBER FL77-1060-Mod. #6 (42 FR 26093 - May 20, 1977) Polk County, Florida	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Electricians					
Industrial Manufactoring production facilities (exclu. retail food establishments); Hospitals (over 50 beds) excluding nursing homes and clinics shopping malls with over 10 businesses: and any business complex with elevator or escalator system					
Wiremen	12.75	5.5%	6%	4%	.10
Cable Splicer	13.25	5.5%	6%	4%	.10
Commercial					
Wiremen	11.32	5.5%	6%	4%	.10
Cable Splicers	11.82	5.5%	6%	4%	.10

DECISION NUMBER HI81-5106 Mod. #3 (46 FR 15650 - March 6, 1981)					
STATEWIDE, HAWAII					
CHANGE:					
Plasterers	$12.34	1.45	2.30	.70	.21

DECISION NO. NV81-5102 - Mod. #2
(46 FR 11482 - February 6, 1981)
Clark County (does not include the Nevada Test Site), Nevada

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Cement Masons:					
Cement Masons	$13.50	$1.40	$1.50		.13
Cement Floor Finishing Machine; Color Work	13.85	1.40	1.50		.13
Elevator Constructors:					
Elevator Constructors	16.62	1.195	.95	a	.035
Helpers	11.63	1.195	.95	a	.035
Helpers (Prob.)	8.31				
Plasterers	14.10	1.40	1.50		.13
Plumbers; Steamfitters	18.75	1.25	2.50		.08
Truck Drivers:					
Group 1	12.97	.74	1.26		
Group 2	13.08	.74	1.26		
Group 3	13.13	.74	1.26		
Group 4	13.29	.74	1.26		
Group 5	13.47	.74	1.26		
Group 6	13.97	.74	1.26		

DECISION #NV81-5104 - Mod. #2
(46 FR 13482-February 20, 1981)
Washoe County, Nevada

Change:					
Asbestos Workers	$20.11	$1.25	$1.45		.11
Carpenters	13.80	1.17	1.69	$1.10	.11
Drywall Installers	14.05	1.17	1.69	1.10	.11
Electricians:					
Washoe County, does not include Lake Tahoe Area:					
Electricians;					
Technicians	19.63	1.09	3%+2.09		.14
Cable Splicers	21.59	1.09	3%+2.09		.14
Lake Tahoe Area:					
Electricians;					
Technicians	20.63	1.09	3%+2.09		.14
Cable Splicers	22.59	1.09	3%+2.09		.14
Roofers	18.52	1.00	1.00		.05

DECISION NO. NV81-5111 - Mod. #2
(46 FR 24837 - May 1, 1981)
Statewide (does not include the Nevada Test Site and Tonopah Test Range, and Highway Construction in Douglas County), Nevada

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Electricians:					
Area 2:					
Electricians;					
Technicians	$19.63	$1.09	3%+2.09		.14
Cable Splicers	21.59	1.09	3%+2.09		.14
Area 3:					
Electricians;					
Technicians	20.63	1.09	3%+2.09		.14
Cable Splicers	22.59	1.09	3%+2.09		.14
Line Construction Workers:					
Area 2:					
Groundman	13.63	.45	3%+1.50		1%
Line Equipment Operators	16.35	.45	3%+1.50		1%
Lineman	18.17	.45	3%+1.50		1%
Cable Splicers	19.44	.45	3%+1.50		1%
Area 3:					
Groundman	14.63	.45	3%+1.50		1%
Line Equipment Operators	17.35	.45	3%+1.50		1%
Lineman	19.17	.45	3%+1.50		1%
Cable Splicers	20.44	.45	3%+1.50		1%
Plumbers; Steamfitters:					
Area 1	18.75	1.25	2.50		.08
Roofers:					
Area 2	18.52	1.00	1.00		.05
Truck Drivers:					
Clark, Esmeralda, Lincoln, Nye Counties:					
Group 1	12.97	.74	1.26		
Group 2	13.08	.74	1.26		
Group 3	13.13	.74	1.26		
Group 4	13.29	.74	1.26		
Group 5	13.47	.74	1.26		
Group 6	13.97	.74	1.26		

DECISION NO. OR80-5145 - Mod #9
(45 FR 77321 - Nov. 21, 1980)
Statewide Oregon

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ADD:					
Line Construction: (Fringe benefits only) Group 7		.45	3% + 1.10	.10	1/2%
CHANGE:					
Glaziers	$14.34	.81	1.00		.03
Plumbers: Area 4	20.08	1.55	1.85		.20
Tile Setters: Area 1	16.38	1.00	1.45		.35

DECISION NO. PA78-3037 - MOD. #11
(43 FR 17239 - April 21, 1978)
Blair County, Pennsylvania

DECISION NO. PA79-3006 - MOD. #9
(44 FR 19099 - March 30, 1979)
Franklin County, Pennsylvania

DECISION NO. PA80-3010 - MOD. #7
(45 FR 23270 - April 4, 1980)
Bedford, Cambria, Cameron Clarion, Clearfield, Jefferson, Crawford, Venango Counties, Pennsylvania

DECISION NO. PA80-3011 - MOD. #8
(45 FR 12118 - February 22, 1980)
Greene, Somerset & Potter Counties, Pennsylvania

DECISION NO. PA80-3012 - MOD. #8
(45 FR 10595 - February 15, 1980)
Armstrong, Allegheny, Beaver, Butler, Fayette, Indiana, Washington, Westmoreland Counties, Pennsylvania

DECISION NO. PA80-3033 - MOD. #3
(45 FR 65891 - October 3, 1980)
Elk, Forest, McKean & Warren Counties, Pennsylvania

DECISION NO. PA80-3058 - MOD. #3
(45 FR 65898 - October 3, 1980)
Lawrence and Mercer County, Pennsylvania

DECISION NO. PA80-3059 - MOD. #3
(45 FR 65895 - October 3, 1980)
Erie County, Pennsylvania

DECISION NO. PA80-3074 - MOD. #3
(45 FR 81981 - December 12, 1980)
Clinton, Centre, Huntingdon, Fulton & Mifflin Counties, Pennsylvania

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
HEAVY & HIGHWAY CONSTRUCTION					
Piledrivermen	$14.09	6%	10%		
LABORERS					
CLASS I					
ZONE 1	10.26	10%	10%		
ZONE 2	10.15	10%	10%		
CLASS II					
ZONE 1	10.42	10%	10%		
ZONE 2	10.33	10%	10%		
CLASS IV					
ZONE 1	11.80	10%	10%		
ZONE 2	11.90	10%	10%		

LABORERS CLASSIFICATION DEFINITIONS

CLASS I - Heavy & Highway Construction Laborers (Including Craft Tenders, handling Salamanders L. P. Gas Heaters or similar, etc.); Asphalt Curb Sealer; Asphalt Tamper; Batchman (weigh); Blaster's Helper; Boatman; Brakeman; Change House Attendant; Coffer Dam; Concrete Curing Pitman; Puddler; Drill Runner's Helper, (Including Drill Mounted on Truck, Track, or similar and Davey Drill - Spots-clean-up & Helps to maintain); Electric Brush and or Grinder; Fence Construction (including Fence Machine Operator); Form Stripper and Mover; Gabion (Erectors and Placers); Hydro Jet Claster Nozzleman; Manually moved Emulsion Sprayer; Radio Actuated Traffic Control Operator; Rip Rap Work, Scaffolds and Runways; Sheeters and Shorers; Structural Concrete Top Surfacer; Walk Behind Street Sweeper; Welder's Helper (pipeline); Wood Chipper

LABORERS (CONT'D)

CLASS II - Air Tool Operator (all types); Asphalt, Batch & Concrete Plant Operator (manually operated) Asphalt Rakers; Burner; Caisson Men (open air); Carryable Pumps; Chain Saw Operator (Including attachments); Cribbing (Concrete or Steel); Curb Machine Operator (asphalt or concrete - walk behind); Diamond Head Core Driller; Drill Runner's Helper (Tunnel); Fork Lift (walk behind); Form Setter (Road Forms Line Man); Highway Slab Reinforcement Placers (Including Joint and Basket Setters); Hydraulic Pipe Pusher; Liner Plates (Tile or Vitrified Clay); Mechanical Compacting Equipment Operators; Mechanical Joint Sealer, Dope Pot and Tar Kettle; Mortar Mixer (hand or machine); Muckers, Brakemen & All Other Labor (Includes installation of Utility Lines); Pipe Layers (Regardless of material); Portable Single Unit Conveyor; Post Hole Auger (2 or 4 cycle-hand Operated); Power Wheelbarrows and Buggies; Rail Porter or Similar; Sand Blaster; Vibrator Operator, All Rail Road Track Work To Include The Following: Adzing Machine, Ballast Router; Bolting Machine; Power Jacks; Rail Drill; Railroad Brakeman; Rail Saw; Spike Drivers (Manually or handheld tool); Spike Pullers; Tamping Machine; Thermitweld

CLASS IV - Welder (pipeline); High Burner (any burning not done from deck)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
HEAVY & HIGHWAY CONSTRUCTION					
CLASS I					
ZONE I	13.94	7.5%	8.25%		1%
ZONE II	13.68	7.5%	8.25%		1%
CLASS 3					
ZONE 1	11.31	7.5%	8.25%		1%
ZONE 2	11.06	7.5%	8.25%		1%
CLASS 5					
ZONE 1	10.71	7.5%	8.25%		1%
ZONE 2	10.46	7.5%	8.25%		1%

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

CLASS I - Autograder (C.M.I. & similar); Backfiller; Backhoe - 360° Swing; Cableway; Caisson Drill (similar to Hugh Williams); Central Mix Plant; Cooling Plant; Concrete Paving Mixer; Concrete Pump (self-propelled); Cranes; Cranes (Boom or mast 101 ft. or over up to & including 150 ft. inclusive of jib + $.25 ; Boom or mast over 150 ft. up to & including 200 ft. inclusive of jib + $.50; Boom or mast over 200 ft. inclusive of jib + $.75; Tower-Stationary-Climbing Tower Crane); Derrick; Derrick Boat; Dozer (D-6 & over); Dragline; Dredge; Dredge Hydraulic; Elevating Grader; Franki Pile Machine; Gradall (Remote control or otherwise); Grader (Power-Fine Grade); Helicopter; Hilift (4 cy. and over); Hoist 2 Drums or more (in one unit); Hydraulic Boom Truck (with pivotal cab) (single motor-Pitman or similar); Kocal; Locomotive (Std. Gauge); Metro-chip Harvester or similar; Milling Machine (Roto Mill or Similar); Mix Mobile; Mucking Machine (Tunnel); Pile Driver Machine; Pipe Extrusion Machine; Prespliter Drill (Self contained); Refrigeration Plant (Soil Stabilization) Rough Terrain Crane; Scrapers; Shovel-Power; Slip Form Paver (C. M. I. and similar); Trenching Machine; Tunnel Machine (Mark XXI Jarva or similar)1 Whirley

CLASS III - Broom Finisher (C. M. I. or similar); Compactors/Rollers (Static or Vibratory (Self-propelled); Curb Builder; Minor Equipment Operator (two to three units); Multi-head Tie Tamper, Pavement Breaker (Self-Propelled or ridden); Soil Stabilizer Machine; Tire Repairman; Tractor (Snaking and hauling); Well Driller and Horizontal; Winch or "A" Frame Truck (when hoisting and lowering)

CLASS V - Deck Hand, Farm Tractor; Fireman on Boiler; Mechanic's Helper; Oiler, Power Broom, Side Delivery Shoulder Spreader (Attachment)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
OMIT:					
HEAVY & HIGHWAY CONSTRUCTION:					
POWER EQUIPMENT OPERATORS:					
Clarion & Elk Counties					
ZONE II					
ADD:					
HEAVY & HIGHWAY CONSTRUCTION:					
Carpenters - Burner					
ZONE I	12.88	8%	7%	10%	
ZONE II	12.68	8%	7%	10%	
Piledrivermen-welder	14.34	8%	10%		
POWER EQUIPMENT OPERATORS:					
HEAVY & HIGHWAY CONSTRUCTION:					
Clarion & Elk Counties					
ZONE I					

STATE: Arizona COUNTIES: Statewide
DECISION NUMBER: AZ81-5124 DATE: Date of Publication
Supersedes Decision No. AZ81-5101 dated January 30, 1981, in 46 FR 10078
DESCRIPTION OF WORK: Building Projects (does not include single family homes and apartments up to and including 4 stories), Heavy and Highway Projects

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:*					
Zone 1	$15.44	.75	$ 1.45		.03
Zone 2	16.24	.75	1.45		.03
Zone 3	16.44	.75	1.45		.03
Zone 4	16.89	.75	1.45		.03
Zone 5	19.19	.75	1.45		.03
BOILERMAKERS	17.31	1.30	1.25	1.00	.04
BRICKLAYERS; Stonemasons:*					
Northern Area:*					
Zone A	14.00	.90	1.10		.18
Zone B	15.12	.90	1.10		.18
Zone C	15.82	.90	1.10		.18
Zone D	16.52	.90	1.10		.18
Zone E	17.08	.90	1.10		.18
Zone F	18.20	.90	1.10		.18
Southern Area:*					
Zone A:					
Bricklayers; Stonemasons	12.80	1.00	.95		.06
Manhole Builders	13.05	1.00	.95		.06
Zone B:					
Bricklayers; Stonemasons	13.17	1.00	.95		.06
Manhole Builders	13.42	1.00	.95		.06
Zone C:					
Bricklayers; Stonemasons	13.55	1.00	.95		.06
Manhole Builders	13.80	1.00	.95		.06
Zone D:					
Bricklayers; Stonemasons	14.30	1.00	.95		.06
Manhole Builders	14.55	1.00	.95		.06

*See AREA and ZONE Descriptions - Page 2

AREA and ZONE DEFINITIONS

ASBESTOS WORKERS:
Zone 1: Area lying within 15 miles radius from the City Hall in Phoenix or Tucson
Zone 2: Area lying beyond the limits of Zone 1 and within 30 miles radius from the City Hall in Phoenix or Tucson
Zone 3: Area lying beyond the limits of Zone 2 and within 40 miles radius from the City Hall in Phoenix or Tucson
Zone 4: Area lying beyond the limits of Zone 3 and within 50 miles radius from the City Hall in Phoenix or Tucson
Zone 5: Area lying beyond the limits of Zone 4

BRICKLAYERS; STONEMASONS:
Northern Area: Apache, Coconino and Gila Counties; Graham County (west and north of the San Francisco River to the Gila River); Greenlee County (west and north of the San Francisco River to the Gila River); Maricopa, Mohave, and Navajo Counties; Pinal County (north of a boundary line drawn west along the Gila River to the western city limits of Florence, a straight line from the extreme southwestern city limits of Florence to the extreme southern city limits of Coolidge, then a straight line to the extreme southern city limits of Casa Granda, with the line extending to the Maricopa/Pinal County Line); Yavapai, and Yuma Counties:

ZONE A: 0-35 road miles from the City Hall in Phoenix
ZONE B: 35-50 road miles from the City Hall in Phoenix
ZONE C: 50-75 road miles from the City Hall in Phoenix
ZONE D: 75-100 road miles from the City Hall in Phoenix
ZONE E: 100-200 road miles from the City Hall in Phoenix
ZONE F: 200 road miles and over from the City Hall in Phoenix

Southern Area: Cochise County; Graham County (east and south of the San Francisco River to the Gila River); Greenlee County (east and south of the San Francisco River to the Gila River); Pima County; Pinal County (south of a boundary line drawn west along the Gila River to the western city limits of Florence, a straight line from the extreme southwestern city limits of Florence to the extreme southern city limits of Coolidge, then a striaght line to the extreme southern city limits of Casa Grande, with the line extending to the Maricopa/Pinal County Line); Santa Cruz Counties:

Zone A: 0-15 road miles from Tucson City limits
Zone B: 15-30 road miles from Tucson City limits
Zone C: 30-40 road miles from Tucson City limits
Zone D: Over 40 road miles from Tucson City limits

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS:*					
Northern Area:					
Carpenters; Drywall Applicator; Saw Filer; Shingler	$14.36	$1.195	1.115		.05
Floorlayers (finish); Piledrivermen	14.685	1.195	1.115		.05
Millwrights	14.835	1.195	1.115		.05
Central and Southern Areas:					
Carpenters; Saw Filers	12.235	1.195	1.115		.05
Floorlayers (finish); Piledrivermen	12.56	1.195	1.115		.05
Millwrights	12.71	1.195	1.115		.05
CEMENT MASONS:*					
Zone 1:					
Northern Area:					
Cement Masons	14.025	.95	1.30		.05
Concrete Troweling Machine; Sawing and Scoring Machine; Curb and Gutter Machine	14.205	.95	1.30		.05
Central & Southern Areas:					
Cement Masons	12.15	.95	1.30		.05
Concrete Troweling Machine; Sawing and Scoring Machine; Curb and Gutter Machine	12.33	.95	1.30		.05
Zone 2:					
Cement Masons	12.18	1.02	1.20		.05
Concrete Troweling Machine; Sawing and Scoring Machine; Curb and Gutter Machine; Clary and similar type of power screed Operator	12.36	1.02	1.20		.05
DRYWALL TAPERS:*					
Zone A	12.71	.59	.50		.07
Zone B	13.71	.59	.50		.07
Zone C	15.21	.59	.50		.07

*See AREA and ZONE Definitions - following Page

AREA and ZONE DEFINITIONS

CARPENTERS:
Northern Area: Area north of a straight line drawn between a point 35 miles due north of the City Hall in Flagstaff and a point 35 miles due north of the City Hall in Kingman, extending to the Arizona/Nevada State Line on the west; and connecting to a point 35 miles due north of the City Hall in Holbrook, thence due east to the intersection of the Arizona/New Mexico State Line

Central and Southern Areas: All areas not included in the Northern Area

CEMENT MASONS:
Zone 1: Apache, Coconino, and Gila Counties; Graham County (north of Sentinel-Casa Grande-Safford Line); Greenlee County (north of Sentinel-Casa Grande-Safford Line); Maricopa County (north of Sentinel-Casa Grande-Safford Line); Mohave, and Navajo Counties; Pinal County (north of Sentinel-Casa Grande-Safford Line); Yavapai and Yuma Counties

Northern Area: Area north of a straight line drawn between a point 35 miles due north of the City Hall in Flagstaff and a point 35 miles due north of the City Hall in Kingman, extending to the Arizona/Nevada State Line on the west and connecting to a point 35 miles due north of the City Hall in Holbrook, thence due east to the intersection of the Arizona/New Mexico State Line.

Central and Southern Areas: All Areas not included in the Northern Area.

Zone 2: Southern parts of Cochise, Graham, Greenlee, Maricopa, and Pinal Counties; Pima and Santa Cruz Counties

DRYWALL TAPERS:
Zone A: 0-40 road miles from Courthouse in Phoenix; Also Luke and William Air Force Bases
Zone B: 41-60 road miles from Courthouse in Phoenix
Zone C: 61 road miles and over from Courthouse in Phoenix

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS:*					
Area 1:					
Electricians	$16.81	.60	3%+.70		3/4%
Cable Splicers	18.16	.60	3%+.70		3/4%
Area 2:					
Electricians; Technicians; and Cable Splicers:					
Zone A	15.00	.96	3%+.93		1/2%
Zone B	18.12	.96	3%+.93		1/2%
Area 3:					
Zone A:					
Electricians; Technicians	17.24	.60	11%		1%
Cable Splicers	17.49	.60	11%		1%
Zone B:					
Electricians; Technicians	18.74	.60	11%		1%
Cable Splicers	18.99	.60	11%		1%
Zone C:					
Electricians; Technicians	19.24	.60	11%		1%
Cable Splicers	19.49	.60	11%		1%
Zone D:					
Electricians; Technicians	20.24	.60	11%		1%
Cable Splicers	20.49	.60	11%		1%
Area 4:					
Electricians	16.35	.96	3%+.93		.10
Area 5:					
Zone A:					
Electricians	16.44	.60	11%		1%
Cable Splicers	16.69	.60	11%		1%
Zone B:					
Electricians	17.24	.60	11%		1/2%
Cable Splicers	17.49	.60	11%		1/2%
Zone C:					
Electricians	17.94	.60	11%		1/2%
Cable Splicers	18.19	.60	11%		1/2%
Zone D:					
Electricians	18.94	.60	11%		1/2%
Cable Splicers	19.19	.60	11%		1/2%

*See AREA and ZONE Definitions - following Page

AREA and ZONE DEFINITIONS

ELECTRICIANS:

Area 1: Apache County (north of Highway #66)

Area 2: Coconino County; Navajo County (north and west of a boundary line beginning at a point where Clear Creek crosses the Coconino/Navajo County Line and then extending in a northeasterly direction along Clear Creek and northeasterly to Cottonwood Wash, along Cottonwood Wash extending northeasterly to where it intersects the Navajo Indian Reservation, then easterly along the Navajo Indian Reservation boundary line to a point where it intersects the Navajo/Apache County Line):

Zone A: 5 miles north-south, east and west of the Post Offices of Williams, Sedona, and Winslow
Zone B: Remainder of Area 2 not covered by Zone A

Area 3: Apache County (south of Highway #66); Gila County; Navajo County (south and east of a boundary beginning at a point where Clear Creek crosses the Coconino/Navajo County Line, then extending in a northeasterly direction along Clear Creek and northeasterly to Cottonwood Wash, along Cottonwood Wash extending northeasterly to where it intersects the Navajo Indian Reservation, then easterly along the Navajo Indian Reservation boundary line to a point where it intersects the Navajo/Apache County Line); Pinal County (north of the line, "First Standard Parallel South" and east of the line "Second Guide Meridian East"):

Zone A: Area within 16 road miles beginning where the Southern Pacific Railroad intersects Highway 60-70 at Kaiser Crossing; Area within 12 miles radius from the school in Lakeside, Arizona
Zone B: Area within 16-28 road miles from point where the Southern Pacific Railroad intersects Highway 60-70 at Kaiser Crossing
Zone C: Area within 28-46 road miles from point where the Southern Pacific Railroad intersects Highway 60-70 at Kaiser Crossing
Zone D: Area 46 road miles and over from point where the Southern Pacific Railroad intersects Highway 60-70 at Kaiser Crossing; Area over 12 miles radius from school in Lakeside, Arizona

AREA and ZONE DEFINITIONS (Cont'd)

ELECTRICIANS: (Cont'd)

Area 4: Maricopa and Mohave Counties; Pinal County (north and west of the boundary line beginning at a point where the Papago Indian Reservation Road #15 crosses the Pima/Pinal County Line, then extending in a northeasterly direction on the Papago Indian Reservation Road #15 to the intersection with the Florence Canal, north and east on the Florence Canal to the intersection with the line, "Second Guide Meridian East", then north to the Pinal/Maricopa County Line); Yavapai County

Area 5: Cochise, Graham, Greenlee, and Pima Counties, Pinal County (south and east of the boundary line beginning at a point where the Papago Indian Reservation Road #15 crosses the Pima/Pinal County Line, then extending in a northeasterly direction on the Papago Indian Reservation Road #15 to the intersection with the Florence Canal, north and east on the Florence Canal to the intersection with the line, "Second Guide Meridian East", then north to the line, "First Standard Parallel South", and along that line to the Graham/Pinal County Line); Santa Cruz and Yuma Counties:

Zone A: Area within 16 miles radius from the City Hall in Tucson or Yuma; Area within 16 road miles from center of Town in Douglas, Nogales or Sierra Vista; Area within the boundaries of the incorporated city limits of Parker, plus an area extending from the south city limits of Parker in a northeasterly direction to Milepost No. 150 located on State Highway #95, northeast of Parker from the Colorado River on the west, an area 1 mile wide paralleling the Colorado River
Zone B: Area lying beyond the limits of Zone A extending to and including 12 road miles excluding area near Douglas, Nogales and Sierra Vista
Zone C: Area lying beyond the limits of Zone B extending up to and including 18 road miles, excluding area near Douglas, Nogales and Sierra Vista
Zone D: Area lying beyond the limits of Zone C; for area near the Cities of Douglas, Nogales, Sierra Vista, the area lying beyond the limits of Zone A

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELEVATOR CONSTRUCTORS:					
Elevator Constructors	$15.69	$1.195	.95	a	.035
Helpers	10.98	1.195	.95	a	.035
Probationary Helpers	7.845				
GLAZIERS:					
Statewide excluding Bullhead City	12.17	.90	.30		.01
Bullhead City	17.02	.75	.40		.08
IRONWORKERS:*					
Northern Area	17.90	1.39	2.72		.11
Southern Area	15.15	1.39	2.72		.11
LATHERS:*					
Area 1	13.455	1.00			.06
Area 2:					
Zone A	13.78	1.00			.06
Zone B	14.28	1.00			.06
Zone C	14.53	1.00			.06
Zone D	15.28	1.00			.06
LINE CONSTRUCTION:*					
Zone 1:					
Groundmen	12.20	1.00	3%+2.00		1/2%
Equipment Operators; Powdermen; Mechanics	14.41	1.00	3%+2.00		1/2%
Linemen; Technicians; Crane Operators	16.24	1.00	3%+2.00		1/2%
Cable Splicers	16.71	1.00	3%+2.00		1/2%
Zone 1-A:					
Groundmen	13.20	1.00	3%+2.00		1/2%
Equipment Operators; Powdermen; Mechanics	15.32	1.00	3%+2.00		1/2%
Linemen; Technicians; Crane Operators	17.22	1.00	3%+2.00		1/2%
Cable Splicers	17.79	1.00	3%+2.00		1/2%
Zone 2:					
Groundmen	14.14	1.00	3%+2.00		1/2%
Equipment Operators; Powdermen; Mechanics	16.27	1.00	3%+2.00		1/2%
Linemen; Technicians Crane Operators	18.16	1.00	3%+2.00		1/2%
Cable Splicers	18.68	1.00	3%+2.00		1/2%

*See AREA and ZONE Definitions - following Page

AREA and ZONE DEFINITIONS

IRONWORKERS:
Northern Area: Area north from a line 10 miles north of and parallel to Highway #66, North to the Arizona-Utah border and from the Arizona-California border east to the Arizona-New Mexico border

Southern Area: All areas not included in the Northern Area

LATHERS:
Area 1: North of a line crossing the State drawn through Ajo, Randolph and Springerville; except as follows: northeast of a line drawn from Springerville to a point 4 miles northeast of Keams Canyon

Area 2: South of a line crossing the State drawn through Ajo, Randolph and Springerville:

Area A: Area within 30 mile radius of the City Hall in Tucson
Area B: Area within 30-40 mile radius of the City Hall in Tucson
Area C: Area within 40-50 mile radius of the City Hall in Tucson
Area D: Area outside of Zone C

LINE CONSTRUCTION:
Zone 1: Phoenix and Tucson 30 mile radius from the center of Town; Area within 10 mile radius from the City Hall of Yuma

Zone 1-A: Flagstaff, Globe, and Kingman; and 10 mile radius from the center of Town

Zone 2: Other Areas not covered by Zone 1 and Zone 1-A

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
MARBLE WORKERS:*					
Area 1	$12.56	.90	$ 1.10		.19
MASON TENDERS	10.44	1.02	1.20		.06
PAINTERS:*					
Area 1:					
Zone A:					
Brush; Soft Floor Layers	11.60	.90	.80		.20
Brush, steel and bridge	12.10	.90	.80		.20
Spray	12.05	.90	.80		.20
Spray, steel and bridge	12.60	.90	.80		.20
Zone B:					
Brush; Soft Floor Layers	12.35	.90	.80		.20
Brush, steel and bridge	12.85	.90	.80		.20
Spray	12.80	.90	.80		.20
Spray, steel and bridge	13.35	.90	.80		.20
Zone C:					
Brush; Soft Floor Layers	13.35	.90	.80		.20
Brush, steel and bridge	13.85	.90	.80		.20
Spray	13.80	.90	.80		.20
Spray, steel and bridge	14.35	.90	.80		.20
Zone D:					
Brush; Soft Floor Layers	13.60	.90	.80		.20
Brush, steel and bridge	14.10	.90	.80		.20
Spray	14.05	.90	.80		.20
Spray, steel and bridge	14.60	.90	.80		.20
Area 2:					
Zone A:					
Brush and Roller; Sandblaster (Nozzleman); Sheetrock Taper; Floor Coverer; Sandblaster (Pot Tender)	12.69	.60	.60		.10
Spray; Paperhanger	12.94	.60	.60		.10
Creosote Applier	13.02	.60	.60		.10
Swing Stage:					
Brush; Sandblaster	13.09	.60	.60		.10
Spray	13.34	.60	.60		.10
Steeplejack	13.55	.60	.60		.10

*See AREA and ZONE Descriptions - Page 14

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:* (Cont'd)					
Area 2: (Cont'd)					
Zone A: (Cont'd)					
Steel and bridge, brush; Nozzleman and Pot Tender; Steel (steam cleaner); Electric and air tool Operator; Steel Sandblaster	$13.62	.60	.60		.10
Steel and bridge, spray	13.82	.60	.60		.10
Zone B:					
Brush and Roller; Sandblaster (Nozzleman); Sheet Rock Taper; Floor Coverer; Sandblaster (Pot Tender)	13.69	.60	.60		.10
Spray; Paperhangers	13.94	.60	.60		.10
Creosote Applier	14.02	.60	.60		.10
Swing Stage:					
Brush; Sandblaster	14.09	.60	.60		.10
Spray	14.34	.60	.60		.10
Steeplejack	14.55	.60	.60		.10
Steel and bridge, Brush; Nozzleman and Pot Tender; Steel (steam cleaner); Electric and air tool Operator; Steel Sandblaster	14.62	.60	.60		.10
Steel and bridge, Spray	14.82	.60	.60		.10
Zone C:					
Brush and Roller; Sandblaster (Nozzleman); Sheet Rock Taper; Floor Coverer; Sandblaster (Pot Tender)	15.19	.60	.60		.10
Spray; Paperhangers	15.44	.60	.60		.10
Creosote Applier	15.52	.60	.60		.10
Swing Stage:					
Brush; Sandblaster	15.59	.60	.60		.10
Spray	15.84	.60	.60		.10
Steeplejack	16.05	.60	.60		.10

*See AREA and ZONE Descriptions - Page 14

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:* (Cont'd)					
Area 2: (Cont'd)					
Zone C: (Cont'd)					
Steel and bridge, Brush; Nozzleman and Pot Tender; Steel (steam cleaner); Electric air tool Operator; Steel Sandblaster	$16.12	.60	.60		.10
Steel and bridge, Spray	16.32	.60	.60		.10
Area 3:					
Zone A:					
Brush	10.77	.87	.50		.10
Spray; Sandblaster	11.27	.87	.50		.10
Swing Stage, under 40 ft.:					
Brush	11.07	.87	.50		.10
Spray	11.57	.87	.50		.10
Swing Stage, over 40 ft.:					
Brush	11.52	.87	.50		.10
Spray	12.02	.87	.50		.10
Structural Steel and Tanks:					
Brush	11.77	.87	.50		.10
Spray and Sandblasters	12.27	.87	.50		.10
Zone B:					
Brush	11.52	.87	.50		.10
Spray and Sandblasters	12.02	.87	.50		.10
Paperhangers	11.65	.87	.50		.08
Swing Stage, under 40 ft.:					
Brush	11.82	.87	.50		.10
Spray	12.32	.87	.50		.10
Swing Stage, over 40 ft.:					
Brush	12.27	.87	.50		.10
Spray	12.77	.87	.50		.10
Structural Steel and Tanks:					
Brush	12.52	.87	.50		.10
Spray and Sandblasters	13.02	.87	.50		.10

*See AREA and ZONE Descriptions - Page 14

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:* (Cont'd)					
Area 3: (Cont'd)					
Zone C:					
Brush	$12.27	.87	.50		.10
Spray	12.77	.87	.50		.10
Paperhangers	12.40	.87	.50		.10
Swing Stage, under 40 ft.:					
Brush	12.57	.87	.50		.10
Spray	13.07	.87	.50		.10
Swing Stage, over 40 ft.:					
Brush	13.02	.87	.50		.10
Spray	13.52	.87	.50		.10
Structural Steel and Tanks:					
Brush	13.27	.87	.50		.10
Spray and Sandblasters	13.77	.87	.50		.10
Zone D:					
Brush	12.77	.87	.50		.10
Spray	13.27	.87	.50		.10
Paperhangers	12.90	.87	.50		.10
Swing Stage, under 40 ft.:					
Brush	13.07	.87	.50		.10
Spray	13.57	.87	.50		.10
Swing Stage, over 40 ft.:					
Brush	13.52	.87	.50		.10
Spray	14.02	.87	.50		.10
Structural Steel and Tanks:					
Brush	13.77	.87	.50		.10
Spray and Sandblasters	14.27	.87	.50		.10

*See AREA and ZONE Descriptions - Page 14

AREA and ZONE DEFINITIONS

MARBLE WORKERS:
Area 1: Apache, Coconino, and Gila Counties; Graham County (west and north of San Francisco River to Gila River); Greenlee County (west and north of San Francisco River to Gila River); Maricopa, Mohave, and Navajo Counties; Pinal County (north of a boundary line drawn west along the Gila River to the western city limits of Florence, a straight line from the extreme southwestern city limits of Florence to the extreme southern city limits of Coolidge, then a straight line to the extreme southern city limits of Casa Grande with the line extending to the Maricopa/Pinal County Line); Yavapai and Yuma Counties

PAINTERS:
Area 1: Apache, Coconino, Navajo, and Yavapai Counties (north of woodruff/Camp Wood Line); Mohave County (north of a line following the Geodetic Hualapai Boundary Line to the Colorado River, a distance of 23 miles east of Pierce Ferry and then intersecting the Arizona/Nevada State Line):
Zone A: 0-20 road miles from Courthouse in Flagstsff
Zone B: 20-35 road miles from Courthouse in Flagstaff
Zone C: 35-80 road miles from Courthouse in Flagstaff
Zone D: 80 road miles and over from Courthouse in Flagstaff

Area 2: Apache, Coconino, Navajo, and Yavapai Counties (south of the Woodruff/Camp Wood Line); Gila, Graham, Greenlee, Maricopa, and Pinal Counties (north of 33rd Parallel); Mohave County (south of a line following the Geodetic Hualapai Boundary Line to the Colorado River, a distance of 23 miles east of Pierce Ferry and then intersecting the Arizona/Nevada State Line):
Zone A: 0-40 paved road miles from Courthouse in Phoenix; also, Luke and Williams Air Force Bases
Zone B: 41-60 paved road miles from Courthouse in Phoenix
Zone C: 61 paved road miles and over from Courthouse in Phoenix

Area 3: Cochise County; Graham, Greenlee, Maricopa and Pinal Counties (south of 33rd Parallel); Pima, Santa Cruz, and Yuma Counties:
Zone A: 0-30 paved road miles from Stone and Congress in Tucson or from the County Courthouse in Yuma
Zone B: 31-40 paved road miles from Stone and Congress in Tucson or from the County Courthouse in Yuma
Zone C: 41-50 paved road miles from Stone and Congress in Tucson or from the County Courthouse in Yuma
Zone D: 51 paved road miles and over from Stone and Congress in Tucson or from the County Courthouse in Yuma

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLASTERERS:*					
Area 1:					
Zone A	$11.77	.95	$1.30		.06
Zone B	12.52	.95	1.30		.06
Zone C	13.645	.95	1.30		.06
Area 2:					
Zone A	12.67	1.02	1.20		
Zone B	13.92	1.02	1.20		
Zone C	14.67	1.02	1.20		
PLASTERER TENDERS	10.96	1.12	1.30		.10
PLUMBERS:*					
Zone 1	15.49	.75	1.35		.13
Zone 2	15.89	.75	1.35		.13
Zone 3	16.34	.75	1.35		.13
Zone 4	17.84	.75	1.35		.13
ROOFERS:*					
Area 1	12.41	1.095	.70		.05
Area 2:					
Zone A:					
Roofers and Waterproofers; Shinglers (asbestos, wood and asphalt)	11.67	1.095	.35		.03
Pitch and Enamel	13.67	1.095	.35		.03
Zone B:					
Roofers and Waterproofers; Shingler (asbestos, wood and asphalt)	14.17	1.095	.35		.03
Pitch and Enamel	16.17	1.095	.35		.03
SHEET METAL WORKERS:*					
Area 1:					
Zone 1	15.68	1.05	1.68		.13
Zone 2	16.93	1.05	1.68		.13
Zone 3	19.68	1.05	1.68		.13
Area 2:					
Zone A	14.45	1.20	1.92		.07
Zone B	15.76	1.20	1.92		.07
Zone C	18.43	1.20	1.92		.07
SOFT FLOOR LAYERS	11.70	.69	.12		.12
SPRINKLER FITTERS	16.65	.95	1.40		.08
TERRAZZO WORKERS; TILE SETTERS:*					
Area 1	12.56	.90	1.10		.19

*See AREA and ZONE Definitions following Pages

FOOTNOTE:
a. Employer contributes 8% of basic hourly rate for 5 years' service and 6% of basic hourly rate for 6 months' to 5 years' service as Vacation Pay Credit. Seven Paid Holidays: A through G

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Friday after Thanksgiving; G-Christmas Day

AREA and ZONE DEFINITIONS

PLASTERERS:
Area 1: Apache, Coconino, and Gila Counties; Graham, Greenlee, Maricopa, and Pinal Counties (north of Sentinal - Casa Grande - Safford Line); Mohave, Navajo, Yavapai, and Yuma Counties:
Zone A: 0-35 miles from Phoenix
Zone B: 35-60 miles from Phoenix
Zone C: 60 miles and over from Phoenix

Area 2: Cochise County; Graham, Greenlee, Maricopa, and Pinal Counties (south of Sentinel - Casa Grande - Safford Line); Santa Cruz County:
Zone A: 0-30 miles radius from Tucson
Zone B: 30-50 miles radius from Tucson
Zone C: 50 miles radius and over from Tucson

PLUMBERS:
Zone 1: Area within 15 road miles from either the intersection of Central Avenue and Jefferson Street in Phoenix or the Old Main Building of the University of Arizona in Tucson or the Main Post Office Building in either Douglas, Flagstaff or Yuma; Also, all areas within the City limits of Havasu City, Holbrook, Kingman, Prescott, and Winslow; Also, that area bordered by the Apache Trail on the north, Higley Road on the east, Elliott Road on the south and Arizona Avenue on the west

Zone 2: Over 15 and up to 30 road miles from either the intersection of Central Avenue and Jefferson Street in Phoenix or the Old Main Building of the University of Arizona in Tucson

PLUMBERS: (Cont'd)
Zone 3: Over 30 and up to 40 road miles from either the intersection of Central Avenue and Jefferson Street in Phoenix or the Old Main Building of the University of Arizona in Tucson

Zone 4: Over 40 road miles from either the intersection of Central Avenue and Jefferson Street in Phoenix or the Old Main Building of the University of Arizona in Tucson

ROOFERS:
Area 1: Apache, Coconino, Gila, Maricopa, Mohave, Navajo, Pinal, Yavapai, and Yuma Counties

Area 2: Cochise, Graham, Greenlee, Pima and Santa Cruz Counties:
Zone A: Area less than 44 road miles from City Hall in Tucson
Zone B: Area from 44 to 100 road miles from City Hall in Tucson

SHEET METAL WORKERS:
Area 1: Apache, Coconino, and Gila Counties; Graham, Greenlee, and Pinal Counties (north of 33rd Parallel); Maricopa, Mohave, Navajo, Yavapai, and Yuma Counties:
Zone 1: 0-25 miles radius, excluding Luke and Williams Air Force Bases, from the following base points: the intersection of 56th Street and Indian School Road in Phoenix, and the City Hall in Flagstaff, Kingman, Prescott and Yuma
Zone 2: 25-50 miles radius from the base points listed in Zone 1; also Luke and Williams Air Force Bases
Zone 3: 50 miles radius and over from the base points listed in Zone 1

Area 2: Cochise, Graham, Greenlee, and Pinal Counties (south of 33rd Parallel); Pima and Santa Cruz Counties:
Zone A: 0-25 miles radius from Tucson City Hall or Douglas City Hall
Zone B: 25-50 miles radius from Tucson City Hall or Douglas City Hall
Zone C: Over 50 miles radius from Tucson City Hall or Douglas City Hall; also San Manuel and vicinity

TERRAZZO WORKERS; TILE SETTERS:
Area 1: Apache, Coconino, and Gila Counties; Graham and Greenlee Counties (west and north of San Francisco River to Gila River); Maricopa, Mohave, and Navajo Counties; Pinal County (north of a boundary line drawn west along the Gila River to the western City limits of Florence, a straight line from the extreme southwestern City limits of Florence to the extreme southern city limits of Coolidge, then a straight line to the extreme southern city limits of Casa Grande, with the line extending to the Maricopa/Pinal County Line); Yavapai and Yuma Counties

LABORERS:	Basic Hourly Rates N AREA	Basic Hourly Rates C and S AREAS	Fringe Benefits Payments H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$11.64	$9.64	$1.02	$1.20		.10
Group 2	11.79	9.79	1.02	1.20		.10
Group 3	11.95	9.95	1.02	1.20		.10
Group 4	12.07	10.07	1.02	1.20		.10
Group 5	12.27	10.27	1.02	1.20		.10
Group 6	12.705	10.075	1.02	1.20		.10
Group 7	13.435	11.435	1.02	1.20		.10
(Tunnel and Shaft Work)						
Group 1	11.915	9.915	1.02	1.20		.10
Group 2	12.11	10.11	1.02	1.20		.10
Group 3	12.26	10.26	1.02	1.20		.10
Group 4	12.67	10.67	1.02	1.20		.10
Group 5	12.885	10.885	1.02	1.20		.10
Group 5-A	13.175	11.175	1.02	1.20		.10

AREA DEFINITIONS

NORTHERN AREA:
Area north of a straight line drawn between a point 35 miles due north of the City Hall in Flagstaff and a point 35 miles due north of the City Hall in Kingman, extending to the Arizona/Nevada State Line on the west; and connecting to a point 35 miles due north of the City Hall in Holbrook, thence due east to the intersection of the Arizona/New Mexico State Line

CENTRAL and SOUTHERN AREAS:
All Areas not included in the Northern Area

LABORERS

Group 1: Laborer, general or construction; Tool Dispatcher or Checker; Manually-controlled Signal Operator; Fence Builder, Guard Rail Builder - highway; Chat Box Man; Dumpman and/or Spotter; Rip Rap Stone Man; Form Stripper; Landscape Gardener and Nurseryman; Packing Rod Steel and Pans; Window Cleaners; Cesspool Diggers and Installers; Concrete Dump Man - belt; Pipe and/or Boseman; Astro-truf Layers; Clean-up, Bull Gang and Trackman - railroad; Chipper (clearing and grubbing)

Group 2: Cement Finisher Tender; Concrete Curer (Impervious Membrane); Cutting Torch Operator; Fine Grader (highway, engineering and sewer work only); Kettleman - Tarman; Power-type Concrete Buggy

Group 3: Chuck Tender (except tunnel); Sandblaster (Pot Tender); Powderman Tender; Spikers and Wrenchers; Rip Rap Stone Pavers; Creosote Tieman; Guinea Chaser; Bander

Group 4: Operator and Tenders of pneumatic and electric tools; Concrete Vibrating Machines; Chain Saw Machines (on clearing and grubbing); Floor Sanders - concrete; Hydraulic Jacks and similar mechanical tools not separately herein classified; Cement Dumpers (skip-type Mixer or handling bulk cement); Pipe Caulker and/or Backup Man (pipeline); Rigger/Signalman (pipeline); Pipe Wrapper; Cribber and Shorer (except tunnel); Pneumatic Gopher

Group 5: Grade Setter (pipeline); Driller; Jackhammer and/or Pavement Breakers; Pipe Layer (including but not limited to non-metallic, transite and plastic pipe, water pipe, sewer pipe, drain pipe, underground tile and conduit); Rock Slinger; Asphalt Rakers and Ironers; Air and water Wash-out Nozzleman; Scaler (using Bos'n's Chair or Safety Belt); Tampers (mechanical, all types); Hand-guided Trencher and similar operated equipment; Precast Manhole Erector

Group 6: Driller (Core, Diamond, Wagon or Air Track); Sandblaster (Nozzleman); Concrete Saw (hand-guided); Concrete Cutting Torch; Drill Doctor and/or Air Tool Repairman; Gunman and Mixerman (Gunite)

Group 7: Gunite Nozzleman or Rodman; Scaler (Drillers); Form Setter and/or Builder; Welders and/or Pipe Layers, installing process piping; Drillers, Joy Mustang, PR 143, 220 Gardener-Denver, Hydrasonic; Powder Man

LABORERS (cont'd)
(Tunnel and Shaft Workers)

Group 1: Bull Gang, Muckers, Trackman; Dumpmen; Concrete Crew (includes Rodders and Spreaders); Grout Crew; Swamper (Brakeman and Switchmen on tunnel work); Change House Man

Group 2: Nipper; Chucktender, Cabletender; Vibratorman, Jackhammer, Pneumatic Tools (except Driller)

Group 3: Grout Gunman

Group 4: Timberman, Retimberman - wood or steel blaster, Driller, Powderman; Cherry Pickerman; Powderman - Primer House; Steel Form Raiser and Setter; Kemper and other pneumatic concrete placer Operator; Miner - Finisher; Miners - Tunnel (hand or machine)

Group 5: Diamond Drill

Group 5A: Shaft and Raise Miner Welder

POWER EQUIPMENT OPERATORS (Except Piledriving and Steel Erection)	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
			H & W	Pensions	Vacation	Education and/or Appr. Tr.
	N AREA	C and S AREAS				
Group 1	$12.24	$10.24	$1.25	$1.20		.08
Group 2	12.67	10.67	1.25	1.20		.08
Group 3	13.19	11.19	1.25	1.20		.08
Group 4	13.81	11.81	1.25	1.20		.08
Group 5	14.42	12.42	1.25	1.20		.08
Group 5A	14.78	12.78	1.25	1.20		.08
Group 6	15.16	13.16	1.25	1.20		.08
Group 7	15.86	13.86	1.25	1.20		.08

AREA DEFINITIONS

NORTHERN AREA:
Area north of a straight line drawn between a point 35 miles due north of the City Hall in Flagstaff and a point 35 miles due north of the City Hall in Kingman, extending to the Arizona/Nevada State Line on the west; and connecting to a point 35 miles due north of the City Hall in Holbrook, thence due east to the intersection of the Arizona/New Mexico State Line

CENTRAL and SOUTHERN AREAS:
All Areas not included in the Northern Area

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

Group 1: Air Compressor Operator; Field Equipment Servicemen Tender; Heavy-duty Repair Tender; Heavy-duty Welder Tender; Oiler; Pump Operator

Group 2: Conveyor Operator; Generator Operator - portable; Power Grizzly Operator; Self-propelled Chip Spreading Machine - Conveyor Operator; Watch Fireman; Welding Machine Operator - gasoline and diesel power

Group 3: Concrete Mixer Operator - skip-type; Driver; Moto-paver, Slurry Seal Machine and similar type equipment; Dinky Operator (under 20 tons wt.); Motor Crane Driver; Power Sweeper Operator, self-propelled; Ross Carrier or Forklift Operator; Skip Loader Operator, all types with rated capacity 1½ cu. yds. or less; Wheel-type Tractor Operator (Ford, Ferguson, or similar type) with attachments such as Fresno, Push Blade, Post Hole Auger, Mover, etc. excluding compacting equipment

Group 4: A-Frame Boom Truck or Winch Truck Operator; Asphalt Plant Fireman; Elevator Hoist Operator (including Tuskey Hoist or similar type); Grade Checker (excluding Civil Engineer); Multiple power Concrete Saw Operator; Pavement Breaker; Mechanical Compactor Operator, power propelled; Roller Operator, all types, except as otherwise classified; Screed Operator; Self-propelled Chip Spreading Machine Operator (including Slurry Seal Machine Operator; Stationary Pipe Wrapping and Cleaning Machine Operator; Tugger Operator

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)

Group 5: Aggregate Plant Operator (including Crushing, Screening and Sand Plants, etc.); Asphalt Laydown Machine Operator; Asphalt Plant Mixer Operator; Beltcrete Operator; Boring Machine Operator; Concrete Mechanical Tamping, Spreading or Finishing Machine (including Clary, Johnson or similar types); Concrete Pump Operators; Concrete Batch Plant Operator, all types and sizes; Conductor, Brakeman or Handler; Drilling Machine; Elevating Grader Operator, all types and sizes (except as otherwise classified); Highline Cableway Signalman; Field Equipment Serviceman; Kolman Belt Loader Operator or similar with belt width 48" or over; Locomotive Engineer (including Dinky, 20 tons wt. and over); Moto-paver and similar type equipment Operator; Operating Engineer Rigger; Pneumatic-tired Scraper Operator (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment) up to and including 12 cu. yds.; Power Jumbo Form Setter Operator; Pressure Grout Machine Operator (as used in heavy engineering construction); Road Oil Mixing Machine Operator; Roller Operator, on all types asphalt pavement; Self-propelled Compactor, with blade; Skip Loader Operator, all types rated capacity, over 1½ but less than 4 cu. yds.; Slip Form Operator (power driven lifting device for concrete forms); Soil Cement Road Mixing Machine Operator, single pass type; Stationary Central Generating Plant Operator, rated 300 K. W. or more; Surface Heater and Planer Operator; Traveling Pipewrapping Machine Operator

Group 5A: Heavy-duty Mechanic and/or Welder; Pneumatic-tired Scraper, all sizes and types over 12 cu. yds. up to and including 45 cu. yds. MRC (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment); Tractor Operator (Pusher, Bulldozer, Scraper) up to 400 net horsepower rating; Trenching Machine Operator

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)

Group 6: Auto Grade Machine (CMI and similar equipment); Boring Machine Operator (including Mole, Badger and similar type); Concrete Mixer Operator, paving type, and Mobile Mixer; Concrete Pump Operator with boom attachment (truck mounted); Crane Operator, Crawler and pneumatic type, under 100 ton capacity MRC; Crawler type Tractor Operator, with boom attachment or slope bar; Derrick Operator; Forklift Operator for hoisting personnel; Grade-all Operator; Helicopter Hoist; Highline Cableway Operator (less than 20 tons rated capacity); Mass Excavator Operator (150 Bucyrus Erie and similar types); Mechanical Hoist Operator (two or more drums); Motor Grade Operator, any type power blade; Motor Grade Operator with elevating grader attachment; Mucking Machine Operator; Overhead Crane Operator; Piledriver Engineer (portable, stationary or skid rig); Pneumatic-tired Scraper Operator, all sizes and types (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment over 45 cu. yds., MRC); Power driven Ditch Lining or Ditch Trimming Machine Operator; Skip Loader Operator, all types with rated capacity 4 cu. yds., but less than 8 cu. yds.; Slip Form Paving Machine Operator (including Gunnert, Zimmerman and similar types); Specialized Power Digger Operator, attached to wheel-type Tractor; Tower Crane (or similar type) Operator; Tractor Operator (Pusher, Bulldozer, Scraper) (400 net horsepower and over); Tugger Operator (two or more); Universal Equipment Operator, Shovel, Backhoe, Dragline, Clamshell, etc., up to 8 cu. yds.

Group 7: Crane Operator, Pneumatic or Crawler (100 ton hoisting capacity and over MRC rating); Helicopter Pilot, FAA qualified, when used in construction work; Highline Cableway Operator, over 20 ton rated capacity and using Traveling Head and Tail Tower; Remote-control Earth Moving Equipment Operator; Skip Loader Operator, all types with rated capacity of 8 cu. yds. or more; Universal Equipment - Shovel, Backhoe, Dragline, Clamshell, etc., 8 cu. yds. and over

TRUCK DRIVERS	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
			H & W	Pensions	Vacation	Education and/or Appr. Tr.
	N AREA	C and S AREAS				
Group 1	$11.80	$9.80	$1.02	$1.20		.10
Group 2	11.95	9.95	1.02	1.20		.10
Group 3	12.20	10.20	1.02	1.20		.10
Group 4	12.61	10.61	1.02	1.20		.10
Group 5	12.79	10.79	1.02	1.20		.10
Group 5A	13.01	11.01	1.02	1.20		.10
Group 6	13.17	11.17	1.02	1.20		.10
Group 7	13.64	11.64	1.02	1.20		.10
Group 8	14.235	12.235	1.02	1.20		.10
Group 8A	14.99	12.99	1.02	1.20		.10
Group 8B	12.45	10.45	1.02	1.20		.10
Group 8C	14.63	12.63	1.02	1.20		.10

AREA DEFINITIONS

NORTHERN AREA:
Area north of a straight line drawn between a point 35 miles due north of the City Hall in Flagstaff and a point 35 miles due north of the City Hall in Kingman, extending to the Arizona/Nevada State Line on the west; and connecting to a point 35 miles due north of the City Hall in Holbrook, thence due east to the intersection of the Arizona/New Mexico State Line

CENTRAL and SOUTHERN AREAS:
All Areas not included in the Northern Area

TRUCK DRIVERS

Group 1: Teamsters; Pick-ups; Station Wagon; Man Haul Driver

Group 2: Dump or Flatrack (2 or 3 axle); Water Truck (under 2500 gallons); Buggymobile (1 cu. yd. or less); Bus Driver; Self-propelled Street Sweeper; Shop Greaser

Group 3: Dump or Flatrack (4 axle); Dumptor or Dumpster (less than 7 cu. yds.); Water Truck (2500 gallons but less than 4000 gallons); Tireman

Group 4: Dumptor or Dumpster (7 cu. yds. but less than 16 cu. yds.); Dump or Flatrack (5 axle); Water Truck (4000 gallons and over); Slurry type equipment Driver or Leverman; Vacuum Pump Truck Drivers; Flaherty Spreader or similar type equipment or Leverman; Transit Mix (8 cu. yds. or less mixer capacity); Warehouseman and/or Warehouse Clerk; Ambulance Driver

Group 5: Dump or Flatrack (6 axle); Transit Mix (over 8 cu. yds. but less than 10.5 cu. yds.); Rock Truck (i.e. Dart, Euclid and other similar type end Dumps, single unit) less than 16 cu. yds.

Group 5A: Oil Tanker or Spreader and/or Bootman, Retortman or Leverman

Group 6: Transit Mix (over 10.5 cu. yds. but less than 14 cu. yds. mixer capacity); Ross Carrier, Fork Lift or Lift Truck; Hydro Lift, Swedish Crane, Iowa 300 and similar types; Concrete Pump (when integral part of Transit Mix Truck); Dump or Flatrack (7 axle); Transport Driver (unless axle rating results in higher classification)

Group 7: Dump or Flatrack (8 axle)

Group 8: Off-highway equipment Driver including but not limited to: 2 or 4 wheel power unit, i.e. Cat, DW Series, Euclid, International and similar type equipment, transporting material when top loaded or by external means including pulling Water Tanks, Fuel Tanks or other applications under Teamster Classifications; Rock Trucks (Dart, Euclid, or other similar end dump types) 16 cu. yds. and over; Eject-alls; Dumptor or Dumpster (16 cu. yds. and over); Dump or Flatrack (9 axle)

Group 8A: Heavy-duty Mechanic/Welder; Body and Fender Man

Group 8B: Heavy-duty Mechanic/Welder Tender

Group 8C: Field Equipment Serviceman or Fuel Truck Drivers

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

SUPERSEDEAS DECISION

STATE: Minnesota COUNTY: Brown
DECISION NUMBER: MN81-2026 DATE: Date of Publication
Supersedes Decision No. MN77-2040, dated April 22, 1977 in 42 FR 21027
DESCRIPTION OF WORK: Heavy & Highway Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS	$11.37				
CEMENT MASONS	9.76				
LABORERS:					
Common	6.60				
Skilled	9.19				
POWER EQUIPMENT OPERATORS:					
Asphalt Distributor Spreader	9.50				
Backhoe w/ Power Shovels	9.41				
Backhoe, Rubber Tired	11.06				
Front End Loader	9.83				
Grader Operator	8.25				
Mechanic	9.50				
Motor Patrol	8.23				
Oilers	9.14				
Roller, Finish	8.55				
Roller Operator	9.50				
Tractor w/ Powerstake	9.69				
Turnpull Operator	9.93				
TRUCK DRIVERS:					
Tandem Axle	8.03				
Truck Driver, 5 Axle	7.50				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

SUPERSEDEAS DECISION

STATE: MISSISSIPPI

COUNTIES: Clarke, Jasper, Kemper, La Fourche, Leake, Neshoba, Newton, Scott, and Smith Counties

DECISION NUMBER: MS81-1233 DATE: Date of Publication

Supersedes Decision No.: MS81-1159, January 6, 1981, 46 FR 1528

DESCRIPTION OF WORK: Residential Construction consisting of single family homes and apartments up to and including four stories

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and or Appr. Tr.
AIR CONDITIONING MECHANIC	$7.50				
BRICKLAYERS	7.50				
CARPENTERS	6.72				
CEMENT MASONS	6.00				
DRYWALL HANGERS	8.40				
DRYWALL FINISHERS	6.68				
ELECTRICIANS	7.10				
LABORERS	4.06				
PAINTERS, brush	5.55				
PLUMBERS & PIPEFITTERS	7.23				
POWER EQUIPMENT OPERATORS:					
Bulldozer	5.00				
Motor Grader	5.00				
ROOFERS	5.65				
SHEET METAL WORKERS	5.50				
SOFT FLOOR LAYERS	6.00				
TILE SETTERS	5.75				
TRUCK DRIVERS	4.06				
WELDERS - receive rate prescribed for craft to which it is incidental					

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR 5.5(a)(1)(ii)).

[FR Doc. 81-15854 Filed 5-28-81; 8:45 am]

BILLING CODE 4510-27-C

SUPERSEDEAS DECISION

STATE: MISSISSIPPI

COUNTIES: Alcorn, Itawamba, Lee, Pontotoc, Prentiss, Tippah, Tishomingo, Union

DECISION NUMBER: MS81-1237 DATE: Date of Publication

Supersedes Decision No.: MS81-1155, January 6, 1981 in 46 FR 1526

DESCRIPTION OF WORK: Residential Construction consisting of single family homes and apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and or Appr. Tr.
AIR CONDITIONING MECHANICS	$5.00				
BRICKLAYERS	6.91				
CARPENTERS	5.78				
CEMENT MASONS	5.44				
DRYWALL HANGERS	5.00				
DRYWALL FINISHERS	6.00				
ELECTRICIANS	6.48				
INSULATORS	7.00				
IRONWORKERS:					
Reinforcing	5.44				
Structural & Ornamental	5.00				
LABORERS:					
Mason tenders	3.92				
Mortar mixers	4.00				
Pipelayers	5.00				
Unskilled	3.81				
PAINTERS, brush	5.00				
PLASTERERS	7.93				
PLUMBERS & PIPEFITTERS	7.50				
POWER EQUIPMENT OPERATORS:					
Backhoe	5.64				
Bulldozer	5.00				
Forklift	4.25				
Front end loader	4.38				
Roller	5.25				
ROOFERS	6.00				
SHEET METAL WORKERS	5.00				
SOFT FLOOR LAYERS	6.00				
TILE SETTERS	5.59				
TRUCK DRIVERS	4.50				
WELDERS - receive rate for craft					

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR 5.5 (a)(1)(ii)).

federal register

Friday
May 29, 1981

Part IV

Department of Commerce

Patent and Trademark Office

Rules of Practice in Patent Cases; Reexamination Proceedings

DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 CFR Part 1

Rules of Practice in Patent Cases; Reexamination Proceedings

AGENCY: Patent and Trademark Office, Commerce.

ACTION: Final rule.

SUMMARY: The Patent and Trademark Office is amending its rules of practice in patent cases to provide procedures for the reexamination of patents. Public Law 96–517 amended the patent act to authorize reexamination proceedings as a means for improving the quality of United States patents. The Patent and Trademark Office intends, through this amendment of its rules, to provide patent owners and the public with guidance on the procedures the Office will follow in conducting reexamination proceedings.

DATE: Effective date: July 1, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. R. Franklin Burnett by telephone at (703) 557–3054 or by mail marked to his attention and addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

SUPPLEMENTARY INFORMATION: This rule change relates to a procedure for reexamination of patents as provided for in Public Law 96–517, section 1 of which relates to reexamination and becomes effective on July 1, 1981.

Background

A notice of proposed rulemaking was published in the Federal Register on January 13, 1981 at 46 FR 3162–3175 and in the *Official Gazette* on February 17, 1981 at 1003 O.G. 36–47.

The proposed rulemaking set forth two somewhat distinct procedures directed towards determining and improving the quality and reliability of United States patents. The procedures were (1) provisions for reexamination of patents as provided for in Pub. L. 96–517, section 1 of which relates to reexamination and becomes effective on July 1, 1981, and (2) provisions for inter partes protest proceedings in a patent application between the patent applicant and a member (or members) of the public who has (have) access to the application file.

An oral hearing was held on April 16, 1981. Fifty-nine written letters and statements were submitted. Nineteen persons testified at the oral hearing which resulted in 107 pages of testimony.

Discussion of General Issues Involved

After careful consideration of the comments which have been received, the part of the proposed rulemaking relating to reexamination of patents as set forth in new Chapter 30 which Pub. L. 96–517 added to Title 35 of the United States Code (35 U.S.C. 301–307) is being adopted with certain changes. The remainder of the proposal relating to inter partes protest proceedings is not being adopted.

The comments relating to the proposed rules for inter partes protest proceedings were generally mixed, with a majority of persons and associations submitting comments either opposed to these proposed rules or indicating that adoption of the proposed rules should be delayed or deferred for further study and consideration.

A number of comments were received requesting some further changes to the rules be made. The thrust of some of the suggested changes would be to remove public access to reissue applications and to limit public participation in the examination of reissue applications. The changes suggested included restoring the rules in these areas to essentially their pre-1977 form. In particular, it was suggested that § 1.175 be amended to eliminate paragraph (a)(4). These changes were not a part of the published proposal and are not being adopted at this time. Their consideration and adoption would require a new notice of proposed rulemaking.

Further, since the subject matter of reissue applications is already known to the public the necessity for maintaining them in confidence is not compelling. The elimination of paragraph (a)(4) of § 1.175 would not have a significant effect since less than one-fourth of the currently filed reissue applications are based solely upon the 1977 change to § 1.175. Under the present circumstances, it is more appropriate to defer any consideration of such changes until this issue has been reviewed further and possibly until some experience is gained under the rules adopted herein relating to reexamination. Such experience may indicate the desirability of either retaining the 1977 change to § 1.175, deleting the 1977 change, or making different changes in the rules.

The comments relating to reexamination were generally favorable with most of the comments indicating general approval of the proposed rules. Among the more often mentioned specific comments were suggestions relating to public notice of reexamination requests and/or orders. A number of comments also related to requester and/or third party participation in the reexamination proceeding and also to the scope of the proceeding.

After careful review of the comments and suggestions it has been decided to adopt the suggestions relating to the publication in the *Official Gazette* of requests for reexamination for which the fee has been paid. In addition, any reexaminations ordered at the initiative of the Commissioner will also be announced in the *Official Gazette*. The announcement will include at least the date of the request or any Commissioner initiated order, a reexamination request or order control number, the patent number, title, class and subclass, name of the inventor, name of the patent owner of record, and the examining group to which the reexamination is assigned.

The suggestions and comments relating to more participation in the reexamination proceeding by the requester and third parties have been adopted only to a limited degree. The requester will in general have only that participation provided by the rules as proposed. However, any citations under § 1.501 by any person will be entered in the patent file up until the date of an order to reexamine. The essentially ex parte nature of the proceeding is believed to be in keeping with the spirit and intent of the statute even though the statute does not require ex parte proceedings. Ex parte proceedings will minimize the costs and other effects of reexamination requests on patentees, especially individuals and small businesses.

The scope of the reexamination proceeding which was originally proposed has been essentially adopted in the final rules. The suggestions that the rules be broadened to include other issues have not been adopted since the other issues would unduly complicate the proceedings, raise the expense of the proceedings and raise questions whether such issues can be considered under Pub. L. 96–517.

Discussion of the Major Specific Issues Involved

The rules relating to reexamination proceedings are directed to the procedures set forth in new Chapter 30 of Title 35 of the United States Code (35 U.S.C. 301–307). This Chapter provides for the citation of prior art in patents, filing of requests for reexamination, decisions on such requests, reexamination and appeal from reexamination decisions, and the issuance of a certificate at the

termination of the reexamination proceedings.

Present §§ 1.1, 1.5, 1.11, 1.33, 1.34, 1.36, 1.104, 1.107, 1.109, 1.111, 1.112, 1.113, 1.115, 1.116, 1.121, 1.191, 1.192, 1.196, 1.197, 1.231, 1.248, 1.301, and 1.303 are amended to provide for reexamination procedures. A new "Subpart D—Reexamination of Patents" includes new §§ 1.501, 1.510, 1.515, 1.520, 1.525, 1.530, 1.535, 1.540, 1.550, 1.552, 1.555, 1.560, 1.565, and 1.570. Paragraph (b) of § 1.291, relating to prior art citations in patents, is deleted, since provisions therefor appear in § 1.501.

Section 1.1, as amended, provides for communications relating to reexamination proceedings to be marked "Box Reexam" to speed internal Office mail processing. No comments were received concerning this section. The proposal has been modified to indicate that only requests should be marked "Box Reexam".

Section 1.5, as amended, provides for all letters relating to a reexamination proceeding to be identified by patent number and a reexamination request control number. No comments were received concerning this section. Section 1.5 has been modified to also include reference to the Group Art Unit and the examiner, if known.

Section 1.11, as amended, provides for all papers made of record in reexamination proceedings to be open to inspection and copying by the public. Eighteen comments were received relating to publication of a notice in the *Official Gazette*. A new paragraph (c) has been added which provides for the publication of requests with sufficient fees paid and orders initiated by the Commissioner. Proposed paragraph "c" has been adopted as paragraph "d".

Section 1.33, as amended, has a new paragraph (c) relating to which address communications for the patent owner will be sent and who may sign papers filed. Four comments were received on this section relating to whom the mail should be addressed. One proposal, which suggested use of the current address of the attorney or agent of record, was adopted.

Section 1.34, as amended, provides for the appointment of an attorney or agent in a reexamination proceeding. Only one comment was received on this section which proposed a rule specifically allowing attorneys to file requests without identifying their clients. Since any person may request reexamination, such a rule is not felt necessary.

Section 1.36, as amended, provides for the revocation and withdrawal of powers of attorney in a reexamination proceeding. No comment was received. Section 1.36 is adopted as proposed with an additional change which added "or her" near the end.

Section 1.104, as amended, broadens the present section to also include reexamination. Three comments were received on § 1.104. All comments indicated that the examiner should not make a prior art search. Although no complete new search by the examiner is required, the use of patents and printed publications in addition to those submitted by the requester is clearly indicated in 35 U.S.C. 303(a). Accordingly, § 1.104 is adopted as proposed.

Section 1.107, as amended, provides for the citation of prior art by the examiner in a reexamination proceeding. The amended rule also refers to foreign published applications, as well as patents. No comments were received on this section. It is adopted as proposed.

Section 1.109, as amended, provides for the examiner to supply reasons for allowance in a reexamination proceeding if the examiner believes that the record does not make clear the reasons for allowing a claim or claims. No comments were received on this section. Except for a clarifying change in language, it is adopted as proposed.

Section 1.111, as amended, provides for replies by the patent owner in a reexamination proceeding. One comment was received which suggested a clarification. The suggestion was adopted. Other non-substantive changes have been made in the proposed section to shorten the sentences for clarity.

Section 1.112, as amended, provides for reexamination and reconsideration of the patent under reexamination after responses by the patent owner. Three comments were received on this section.

The wording has been changed as suggested to avoid any confusion between "reexamination" and "re-examine". The sentences have also been shortened for clarity.

Section 1.113, as amended, provides for a final rejection or action in a reexamination proceeding. One comment was received which pointed out a possible conflict between the amendment rights of section 305 and the final rejection of section 1.113. No problem is seen in this regard because of the provision of section 305 which states that "reexamination will be conducted according to the procedures established for initial examination." The section is adopted as proposed with the last sentence being divided into two sentences for clarity.

Section 1.115, as amended, provides for amendments by the patent owner in a reexamination proceeding. No comments were received concerning this section. The section is adopted as proposed with minor changes for clarity.

Section 1.116, as amended, provides for amendments after final action in reexamination proceedings. One comment was received which was the same as that mentioned and responded to in Section 1.113 above. The sentences have been shortened for clarity.

Section 1.121, as amended, contains a new paragraph (f) which requires a complete copy of any new or amended claim when presented during reexamination proceedings. Two persons commented on this section. One proposed side-by-side presentation of amended and original claims. The other proposed that exactly the same procedure be used as is now in effect for amending reissue claims. Neither suggestion was adopted since neither lends itself to printing only the amended claims in a certificate as easily as the procedure set forth in § 1.121(f). The proposed section was revised to also provide for the amendment of the description. In addition, the last three sentences of § 1.510(e) have been inserted as the last three sentences of § 1.121(f) in order to provide a more complete description therein of the manner of making amendments, including the numbering of claims, the restriction on scope of the claims and the prohibition against the introduction of new matter.

Section 1.191, as amended, provides for appeal to the Board of Appeals by the patent owner from any decision adverse to patentability, in accordance with 35 U.S.C. 306. One comment was received on proposed § 1.191 which urged that the requester should also be entitled to appeal. This proposal was not adopted because it is not provided for in the law and could result in harassment if permitted. The section is adopted as proposed except that "primary" contained in the existing rule is retained.

Section 1.192, as amended, provides two months from the date of the Notice of Appeal for the patent owner to file an appeal brief in a reexamination proceeding. Five comments were received relating to § 1.192 which proposed that the period for filing an appeal brief in a reexamination appeal be two months as in other appeals. The proposed rule has been adopted with the suggested two month period. The sentences have been shortened for clarity.

Section 1.196 and § 1.197 are being amended to refer to "appellants", which is a term which includes both applicants and patent owners.

These two sections were not published for comment, however, the issues involved were presented in proposed §§ 1.191 and 1.192. Paragraph (c) of § 1.197 has also been rewritten for clarity.

Section 1.231(a)(1), as amended, provides for a motion that a patent claim is unpatentable in an interference proceeding where reexamination thereof has also been requested.

Three comments were received concerning § 1.231. All comments related to when interference or reexamination proceedings would be suspended. Section 1.565 provides basis for such suspensions. Decisions will be made on a case by case basis, depending on the particular fact situation. The sentences in § 1.231(a)(1) have been shortened and rearranged for clarity.

An amendment was proposed to delete the last two sentences of § 1.247 relating to proof of service. No comments were received concerning this section but, on reconsideration, no need for such deletion is felt necessary and no change is being adopted.

Section 1.248, as amended, includes a new paragraph (b) relating to methods of serving papers and proof of service. No comments were received concerning this section. The section is adopted as proposed with minor changes for clarity and to conform to the Federal Rules of Civil Procedure.

Section 1.291, as amended, deletes paragraph (b). Former paragraph (b) dealt with the citation of prior art provisions. It was deleted since the provisions are now covered by § 1.501. Five persons commented on § 1.291. One comment relating to filing protests in reexamination proceedings was not adopted since such proceedings are ex parte in nature and are limited to consideration of prior art patents and printed publications cited by the public prior to the order. Two persons mentioned providing a procedure for citation of prior art by patentees. Citation of prior art by patentees is included in § 1.501. The two other comments related to the content of protest proceedings, which are not part of this final rule. Section 1.291 is adopted as proposed except that the paragraph designation of (c) is not being changed.

Section 1.301, as amended, provides for appeal by the owner of a patent in reexamination proceedings to the U.S. Court of Customs and Patent Appeals. Four comments were received relating to § 1.301. One person suggested the insertion of "any" as the fourth word in the section. This suggestion was adopted. The other three comments related to appeals in inter partes protest proceedings which are not a part of this promulgation. Section 1.301 is adopted as proposed with only the above mentioned change.

Section 1.303, as amended, provides for remedy by civil action under 35 U.S.C. 145 for the owner of a patent in reexamination proceedings. No comments were received concerning this section. The changes from the proposal are the insertion of "any" as the fourth word in the section as suggested in § 1.301 and the addition of ", 306" to the title.

New § 1.501 provides a system for citation of patents and printed publications to the Patent and Trademark Office for placement in the patent file by any person during the period of enforceability of the patent in accordance with 35 U.S.C. 301. Seventeen persons commented on § 1.501. Nine comments indicated that citations should be limited to patents or printed publications. Six comments indicated that persons citing art should be required to apply it to at least one claim. Three persons held the opposite view. The final rule wording provides for citations limited to patents and printed publications where the person making the citation states the pertinency and applicability of the citation to the patent and the bearing the citation has on the patentability of at least one claim of the patent. The final rule provides that a citation made by the patent owner may include an explanation of how the claims differ from the prior art cited. Any citations which include items other than patents and printed publications will not be entered in the patent file. This does not, of course, limit in any manner the kinds and types of information which can be relied upon in protests against pending patent applications, whether such be original applications or reissue applications. Four persons stated that a separate letter requesting confidentiality should be required in cases desiring confidentiality. This provision was not considered to be necessary. One comment requested clarification of the term "period of enforceability of a patent." The meaning of this term appears to be clear since it includes any period for which recovery can be had for infringement. Under usual circumstances, this would be the term of the patent plus the six years provided by 35 U.S.C. 286. Five comments were received relating to paragraph (c) concerning service of citations on the patent owner. The wording has been clarified. A suggestion was made that prior art copies and translations of non-English documents be required. This suggestion was not adopted since such documents are not absolutely essential until a request for reexamination has been filed. However, if the person citing the patents or printed publications desires that they be considered in any subsequent reexamination proceedings, copies and any necessary English translation should be included with the citation. A proposal was also made to charge a fee to prevent harassment. This proposal was not adopted since the mere citation of prior art is not considered to constitute harassment. A suggestion was made to change the title of the section. This suggestion was adopted in slightly modified form.

New § 1.510 sets forth procedures for any person to request reexamination in accordance with 35 U.S.C. 302. Paragraph (a) of new § 1.510 limits the period for such request to the period of enforceability of the patent for which the request is filed and requires payment of the fee for requesting reexamination. Paragraph (b) of new § 1.510 indicates what each request for reexamination must include. Paragraph (c) of new § 1.510 indicates under which conditions a request for reexamination will be considered. Paragraph (d) of new § 1.510 indicates the date on which the entire fee is received will be considered to be the date of the request for reexamination. Upon reconsideration of the paragraph as proposed, it was considered more appropriate to base the filing date of the request for reexamination on the receipt of the fee for requesting reexamination rather than include other matters. Proposed paragraph (d) has been amended accordingly and is adopted. Paragraph (e) of new § 1.510 covers amendments which a patent owner can propose. Such amendments can accompany a request for reexamination by the patent owner. The paragraph, with changes in wording for clarity, is adopted as proposed. A new paragraph (f) was added to clarify that requests for reexamination may be filed by attorneys or agents on behalf of a requester. Nineteen persons commented on § 1.510. One person inquired as to whether confidential requests would be accepted. In response thereto, § 1.510 provides that any person may file a request for reexamination. That person's name will not be maintained in confidence. One suggestion was made to permit comment and rebuttal before the decision under § 1.515. No need for such a procedure is seen since the only question to be considered is whether or not a substantial new question of patentability has been raised. An

opportunity for comment and rebuttal is provided after the issuance of the order. One comment was received which desired provision for supplemental requests at a reduced fee. This proposal was not adopted since it is felt that all requesters should share equally in the cost. One comment was received which proposed that duplicate copies of the request be filed in the Office so that one copy would be available for public inspection at all times. This proposal was not adopted since it would appear to create more problems than it would solve. One comment was received that only "readily available" translations should be required. It is felt that if a document is considered to be sufficiently pertinent to request reexamination, that an English translation should be provided to insure complete and proper consideration. A suggestion was made relating to paragraph (b)(5) that direct service be limited to registered patent attorneys. No need for such a restriction is seen. Various other comments relating to procedures were considered but were not adopted.

New § 1.515 relates to a determination as to whether the request has presented a substantial new question of patentability under 35 U.S.C. 303. Paragraph (a) of new § 1.515 requires that the determination be made within 3 months of the filing date of the request. Paragraph (b) of new § 1.515 refers to the refund provisions. Paragraph (c) of new § 1.515 provides for review by petition to the Commissioner of any decision refusing reexamination. Seven persons commented on § 1.515. Several comments were received suggesting that the term "reexamination" should be dropped before "examiner". This proposal was adopted. Several persons requested that all art cited in the patent file at the time of the order under § 1.525 be considered when deciding whether a substantial new question of patentability is presented in the request. This is possible under the provision of § 1.515(a) which permits "consideration of other patents or printed publications", but is not required insofar as prior art not relied upon in the request is concerned. One person suggested that "is" be changed to—affirms—in paragraph (c). This proposal has been adopted. One commentor questioned whether a right to review was available under paragraph (c) if reexamination was ordered. No right to review exists in such a case because all claims will be reviewed in view of all prior art during the reexamination under § 1.550.

New § 1.520 provides for reexamination at the initiative of the Commissioner under the provisions of the last sentence of paragraph (a) of 35 U.S.C. 303. Six persons commented on § 1.520. One comment was received that indicated that the section did not include a reference to patents "discovered by the Commissioner" which is contained in 35 U.S.C. 303(a). This phrase has been added to the rule. A request was made that the sentence "Normally requests from outside—will not be considered." be deleted from the rule. The sentence is being retained since the rule wording provides an easy reference for Office policy. Two comments were received that indicated a desire to have any decisions not to reexamine in Commissioner initiated situations be made part of the patent file. This proposal was not adopted since the basis for not reexamining may involve many policy issues in addition to whether a substantial new question of patentability exists in the case. If all papers in such a case would be made part of a file, it may lead to conclusions that there are no new questions of patentability when this question may not have been addressed because the reexamination was not ordered for other reasons such as little or no interest in a patent about to expire. One comment stated that the section safeguards the rights of the patentee. The language referring to the designation and delegation of authority to appropriate Patent and Trademark Office officials is deleted as unnecessary since the Commissioner's authority to designate and delegate is implicit and understood.

New § 1.525 provides for ordering reexamination where a substantial new question of patentability has been found pursuant to §§ 1.515 or 1.520. Six comments were received relating to § 1.525. One comment was made that the attorney should be able to return notices to the sender if he is unable to contact the patent owner. This topic has not been added to the rules but will be handled on a case by case basis. One comment requested that the patent owner have the option to request that the reexamination be performed by an examiner (1) other than the original examiner, or (2) other than the examiner who issued the order. Comments were also received on both sides of the question as to whether the original examiner should conduct the reexamination. In response, it would appear to be inappropriate to allow an interested party to select the examiner. Under the section, the only limitation placed on the selection of the examiner by the Office is that the same examiner whose decision was reversed on petition ordinarily will not conduct the reexamination. Paragraph (b) has been changed to provide that the notices published in the *Official Gazette* will be considered to be constructive notice.

New § 1.530 relates to the statement and proposed amendments provided for in the second sentence of 35 U.S.C. 304. Amendments submitted by the patent owner cannot enlarge the scope of a claim in the patent. Amendments will not be effectively entered into the patent until the certificate under § 1.570 and 35 U.S.C. 307 is issued. Nine comments were received on § 1.530. Several persons felt that the patent owner should be allowed to comment before the decision under § 1.515 is made. Providing for such a comment would delay the decision under § 1.515 which must be made within three months following the filing date of the request. Further, no need is seen for a statement relating to whether a new question of patentability is present since the patent owner has the opportunity to address any issues of patentability only after the first Office action. One comment questioned whether paragraph (d) also related to the description. This paragraph has been amended to clarify the matter. One person questioned whether an amendment could be filed with a statement. Paragraph (b) clearly answers this question in the affirmative. Several comments requested more time than two months for the patent owner to file a statement. In reply, the law in section 304 indicates that a reasonable period of not less than two months be provided for the patent owner's statement. If the period is too short in particular situations, extensions of time can be requested. It is felt that two months should be retained in the rule in view of the "Special Dispatch" required in reexamination cases. The proposed second sentence of paragraph (b) has not been adopted since § 1.525(b) now provides for the publication of notices of the filing of all requests which are accompanied by the proper fee.

New § 1.535 provides for reply by the reexamination requester to the statement under § 1.530 of the patent owner and for service on the patent owner of any such reply. The last sentence of proposed § 1.540 has been added as the last sentence of § 1.535. Five persons commented on § 1.535. Four persons indicated that the requester should be given additional opportunity to comment. The reasons for the limited participation are that it is all that is required under the law, it prevents to a great degree, harassment of a patent owner, it results in a less expensive proceeding for all parties, and

it results in an earlier conclusion of the proceedings.

New § 1.540 relates to the consideration of statements under § 1.530 and replies under § 1.535. One comment was received that the phrase "may result in their being refused" was worded too loosely. In the absence of any specific suggestion, the proposed wording is considered to be adequate and is adopted as proposed. In addition, it is appropriate that the Office retain discretion as to consideration in such cases.

New § 1.550 covers the basic items relating to the conduct of reexamination proceedings. These proceedings basically follow the same procedures used for examining patent applications. The patent owner will be required to serve the reexamination requester with any response by the patent owner to the Office, in order to remove the necessity of the requester having to continuously monitor the file wrapper. Fourteen persons commented on § 1.550.

Several persons commented that they felt that at least some input by third parties should be permitted. Paragraph (e) has been revised to permit third party input up until the time of the order. Several comments were received that the periods for response should be extended to be similar to those in regular application Office actions. Although problems may arise in certain cases and extensions of time may be granted, it is felt that relatively short response times are necessary in order to process reexaminations with "special dispatch". A question was raised as to the effect of failure to respond to an Office action. Paragraph (d) has been amended to clarify this matter.

New § 1.552 covers the scope of reexamination in a reexamination proceeding. While it is not intended that the examiners will routinely complete a new search when conducting reexamination, the examiners will be free to, and will, very likely, conduct additional searches and cite and apply additional prior patents and publications when they consider it is appropriate and beneficial to do so. Insofar as the actual reexamination is concerned, the examination as to original patent claims is only on the basis of patents or printed publications. However, narrowed amended claims or new claims limited to the original disclosure will also be examined for compliance with other sections of the statute (35 U.S.C. 112 and 132) which are necessary in order to ensure that any amended or new claims are supported, valid, and do not introduce new matter. New § 1.552 also provides that questions relating to matters other than those identified in paragraphs (a) and (b) of the section would merely be noted by the examiner as being an open question in the record. Patent owners could then file a reissue application if they wish such questions to be revolved. Ten persons commented on § 1.552. Several persons commented that the question of fraud should be considered in reexamination proceedings. Comments were also received that the proceedings should be limited to patents and printed publications. The rules have been written to follow the statute which speaks only to reexamination based on patents and printed publications. Mixed comments were also received concerning the retention of the second sentence of paragraph (c). The paragraph is being adopted as proposed with the addition of a reference to the fact that the examiner will note the existence of unresolved questions in an Office action. In addition, the phrase "raised or" has been deleted from paragraph (c) as unnecessary.

New § 1.555 covers the duty of disclosure by a patent owner in a reexamination proceeding involving the owner's patent. Nine persons commented on § 1.555. Four persons supported placing a duty of disclosure on the patent owner. One comment was received that an oath or declaration be required of the patent owner in a reexamination so as to minimize the appearance and occurrence of any fraudulent acts and to emphasize the patentee's obligation of candor. While the suggestion for an oath or declaration has not been adopted, § 1.555 does place an obligation of candor on the patent owner insofar as bringing patents or printed publications to the attention of the Office is concerned. The necessity for an oath or declaration in addition to the obligation placed on the patent owner by § 1.555 is not apparent at this time. Accordingly, the suggestion has not been adopted. Two persons felt the duty of disclosure should apply to both the patent owner and requester. This proposal was not adopted since no sanction could be easily applied against the requester who violated such a rule. One person suggested broadening the duty requirements to include information in addition to patents and printed publications. Although such a practice may be desirable, no need is seen to require information under the reexamination rules which cannot be used during the reexamination. One person felt that there should be no duty of disclosure requirement in reexamination proceedings since the Office will be considering specific prior art and the presence or absence of other prior art does not seem terribly relevant. This suggestion was not adopted since the issue of patentability is not limited to the specific prior art presented and the duty to disclose is consistent with current practice under § 1.56. The section is adopted as proposed except for the indication that prior art statements should be filed in accordance with § 1.98. Also, the section has been divided into two sentences for clarity.

New § 1.560 relates to the conduct of interviews in reexamination proceedings. Seven comments were received directed to § 1.560. One comment requested elimination of interviews. This suggestion was not adopted since interviews have been found to be very helpful in resolving issues. Five comments were received which indicated that the requester should be permitted to attend all interviews. This suggestion was not adopted because of the otherwise ex parte nature of the examination. Two comments were received which indicated that interviews should be permitted before the first Office action. This suggestion was not adopted since such interviews would be held at a time when the Office has not yet taken a position on the allowability of the claims under reexamination. Section 1.560 is adopted as proposed.

New § 1.565 provides for the Commisioner to determine which, if any, proceedings should be stayed, consolidated, or suspended, if concurrent proceedings involving the patent under reexamination are instituted or in progress. Four comments were received concerning § 1.565. One comment pointed out the desirability of combining copending reexamination proceedings. This concept has been accepted and a new paragraph (c) has been added to cover this matter. Two comments voiced concern over the possibility of delay resulting from stayed, suspended or combined cases. Although some delay may result, it is felt that a resolution of all issues should occur at an earlier date. Decisions as to whether to delay or combine cases will be made on a case by case basis to minimize delays and to protect the interests of all parties concerned. One comment was made to allow the patent owner to comment prior to any decision to stay proceedings by the Commissioner. The desirability of such comment will be decided on a case by case basis and is not considered desirable for placement in the rules. The addition of paragraph (c) and the insertion of "is or" before "becomes" in

the first sentence of paragraph (b) are the only changes from the proposed rule.

New § 1.570 concerns the issuance of the reexamination certificate under 35 U.S.C. 307 after conclusion of reexamination proceedings. The certificate will cancel any patent claims determined to be unpatentable, confirm any patent claims determined to be patentable, and incorporate into the patent any amended or new claim determined to be patentable. Three commentors mentioned § 1.570. Two persons questioned the satutory authority for paragraph (d). In response to the concern for statutory authority, it is the position of the Office that once all of the claims have been canceled from the patent, the patent ceases to be enforceable for any purpose. Accordingly, any pending reissue or other Office proceeding relating to a patent in which such a certificate has been issued will be terminated. This provides a degree of assurance to the public that patents with all the claims canceled via reexamination proceedings will not again be asserted. One commentor indicated that copies of the certificate should be part of subsequently sold copies of the patent. Such a practice is intended but is not being made part of the regulations.

Environmental, energy, and other consideration: The rule change will not have a significant impact on the quality of the human environment or the conservation of energy resources.

The rule change will not have a significant adverse economic impact on a substantial number of small entities (Regulatory Flexibility Act, Pub. L. 96-354).

The Patent and Trademark Office has determined that this rule change is not a major rule under Executive Order 12291.

Amendment of Regulations

For the reasons set out in the preamble and under the authority given to the Commissioner of Patents and Trademarks by 35 U.S.C. 6, Part I of Title 37 CFR is amended as set forth below.

1. Section 1.1 is revised to read as follows:

§ 1.1 All communications to be addressed to Commissioner of Patents and Trademarks.

(a) All letters and other communications intended for the Patent and Trademark Office must be addressed to "Commissioner of Patents and Trademarks," Washington, D.C. 20231. When appropriate, a letter should also be marked for the attention of a particular officer or individual.

(b) Letters and other communications relating to international applications during the international stage and prior to the assignment of a national serial number should be additionally marked "Box PCT."

(c) Requests for reexamination should be additionally marked "Box Reexam."

Note.— §§ 1.1 to 1.26 are applicable to trademark cases as well as to national and international patent cases except for provisions specifically directed to patent cases. See § 1.9 for definitions of "national application" and "international application." (Pub. L. 94-131, 89 Stat. 685)

2. Section 1.5 is amended by adding a new paragraph (d) to read as follows:

§ 1.5 Identification of application, patent or registration.

* * * * *

(d) A letter relating to a reexamination proceeding should identify it as such by the number of the patent undergoing reexamination, the reexamination request control number assigned to such proceeding and, if known, the group art unit and name of the examiner to which it has been assigned.

3. Section 1.11 is amended by adding new paragraphs (c) and (d) to read as follows:

§ 1.11 Files open to the public.

* * * * *

(c) All requests for reexamination for which the fee under § 1.21 (x) has been paid, will be announced in the *Official Gazette*. Any reexaminations at the initiative of the Commissioner pursuant to § 1.520 will also be announced in the *Official Gazette*. The announcement shall include at least the date of the request, if any, the reexamination request control number or the Commissioner initiated order control number, patent number, title, class and subclass, name of the inventor, name of the patent owner of record, and the examining group to which the reexamination is assigned.

(d) All papers or copies thereof relating to a reexamination proceeding which have been entered of record in the patent or reexamination file are open to inspection by the general public, and copies may be furnished upon paying the fee therefor.

4. Section 1.33 is amended by revising the heading and adding a new paragraph (c) to read as follows:

§ 1.33 Correspondence respecting patent applications, reexamination proceedings, and other proceedings.

* * * * *

(c) All notices, official letters, and other communications for the patent owner or owners in a reexamination proceeding will be directed to the attorney or agent of record (see § 1.34(b)) in the patent file at the address listed on the register of patent attorneys and agents maintained pursuant to §§ 1.341 and 1.347 or, if no attorney or agent is of record, to the patent owner or owners at the address or addresses of record. Amendments and other papers filed in a reexamination proceeding on behalf of the patent owner must be signed by the patent owner, or if there is more than one owner by all the owners, or by an attorney or agent of record in the patent file, or by a registered attorney or agent not of record who acts in a representative capacity under the provisions of § 1.34(a). Double correspondence with the patent owner or owners and the patent owner's attorney or agent, or with more than one attorney or agent, will not be undertaken. If more than one attorney or agent is of record and a correspondence address has not been specified, correspondence will be held with the last attorney or agent made of record.

5. Section 1.34 is revised to read as follows:

§ 1.34 Recognition for representation.

(a) When a registered attorney or agent acting in a representative capacity appears in person or signs a paper in practice before the Patent and Trademark Office in a patent case, his or her personal appearance or signature shall constitute a representation to the Patent and Trademark Office that under the provisions of this part and the law, he or she is authorized to represent the particular party in whose behalf he or she acts. In filing such a paper, the attorney or agent should specify his or her registration number with his or her signature. Further proof of authority to act in a representative capacity may be required.

(b) When an attorney or agent shall have filed his or her power of attorney, or authorization, duly executed by the person or persons entitled to prosecute an application or a patent involved in a reexamination proceeding, he or she is a principal attorney of record in the case. A principal attorney or agent, so appointed, may appoint an associate attorney or agent who shall also then be of record.

6. Section 1.36 is revised to read as follows:

§ 1.36 Revocation of power of attorney or authorization; withdrawal of attorney or agent.

A power of attorney or authorization of agent may be revoked at any stage in the proceedings of a case, and an attorney or agent may withdraw, upon application to and approval by the Commissioner. An attorney or agent, except an associate attorney or agent whose address is the same as that of the principal attorney or agent, will be notified of the revocation of his or her power of attorney or authorization, and the applicant or patent owner will be notified of the withdrawal of the attorney or agent. An assignment will not of itself operate as a revocation of a power or authorization previously given, but the assignee of the entire interest may revoke previous powers and be represented by an attorney or agent of his or her own selection.

7. In § 1.104, paragraphs (a) and (b) are revised to read as follows:

§ 1.104 Nature of examination; examiner's action.

(a) On taking up an application for examination or a patent in a reexamination proceeding, the examiner shall make a thorough study thereof and shall make a thorough investigation of the available prior art relating to the subject matter of the claimed invention. The examination shall be complete with respect both to compliance of the application or patent under reexamination with the applicable statutes and rules and to the patentability of the invention as claimed, as well as with respect to matters of form, unless otherwise indicated.

(b) The applicant, or in the case of a reexamination proceeding, both the patent owner and the requester, will be notified of the examiner's action. The reasons for any adverse action or any objection or requirement will be stated and such information or references will be given as may be useful in aiding the applicant, or in the case of a reexamination proceeding the patent owner, to judge the propriety of continuing the prosecution.

* * * * *

8. Section 1.107 is revised to read as follows:

§ 1.107 Citation of references.

(a) If domestic patents are cited by the examiner, their numbers and dates, and the names of the patentees, and the classes of inventions must be stated. If foreign published applications or patents are cited, their nationality or country, numbers and dates, and the names of the patentees must be stated, and such other data must be furnished as may be necessary to enable the applicant, or in the case of a reexamination proceeding, the patent owner, to identify the published applications or patents cited. In citing foreign published applications or patents, in case only a part of the document is involved, sthe particular pages and sheets containing the parts relied upon must be identified. If printed publications are cited, the author (if any), title, date, pages or plates, and place of publication, or place where a copy can be found, shall be given.

(b) When a rejection in an application is based on facts within the personal knowledge of an employee of the Office, the data shall be as specific as possible, and the reference must be supported, when called for by the applicant, by the affidavit of such employee, and such affidavit shall be subject to contradiction or explanation by the affidavits of the applicant and other persons.

9. Section 1.109 is revised to read as follows:

§ 1.109 Reasons for allowance.

If the examiner believes that the record of the prosecution as a whole does not make clear his or her reasons for allowing a claim or claims, the examiner may set forth such reasoning. The reasons shall be incorporated into an Office action rejecting other claims of the application or patent under reexamination or be the subject of a separate communication to the applicant or patent owner. The applicant or patent owner may file a statement commenting on the reasons for allowance within such time as may be specified by the examiner. Failure to file such a statement shall not give rise to any implication that the applicant or patent owner agrees with or acquiesces in the reasoning of the examiner.

10. Section 1.111 is revised to read as follows:

§ 1.111 Reply by applicant or patent owner.

(a) After the Office action, if adverse in any respect, the applicant or patent owner, if he or she persists in his or her application for a patent or reexamination proceeding, must reply thereto and may request reconsideration or further examination, with or without amendment.

(b) In order to be entitled to reconsideration or further examination, the applicant or patent owner must make request therefor in writing. The reply by the applicant or patent owner must distinctly and specifically point out the supposed errors in the examiner's action and must respond to every ground of objection and rejection in the prior Office action. If the reply is with respect to an application, a request may be made that objections or requirements as to form not necessary to further consideration of the claims be held in abeyance until allowable subject matter is indicated. The applicant's or patent owner's reply must appear throughout to be a bona fide attempt to advance the case to final action. A general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section.

(c) In amending in response to a rejection of claims in an application or patent undergoing reexamination, the applicant or patent owner must clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections. (See §§ 1.135 and 1.136 for time for reply.)

11. Section 1.112 is revised to read as follows:

§ 1.112 Reconsideration.

After response by applicant or patent owner (§ 1.111), the application or patent under reexamination will be reconsidered and again examined. The applicant or patent owner will be notified if claims are rejected, or objections or requirements made, in the same manner as after the first examination. Applicant or patent owner may respond to such Office action in the same manner provided in § 1.111, with or without amendment. Any amendments after the second Office action must ordinarily be restricted to the rejection or to the objections or requirements made. The application or patent under reexamination will be again considered, and so on repeatedly, unless the examiner has indicated that the action is final.

12. Section 1.113 is amended by revising paragraph (a) to read as follows:

§ 1.113 Final rejection or action.

(a) On the second or any subsequent examination or consideration the rejection or other action may be made final, whereupon applicant's or patent owner's response is limited to appeal in the case of rejection of any claim (§ 1.191), or to amendment as specified in § 1.116. Petition may be taken to the Commissioner in the case of objections

or requirements not involved in the rejection of any claim (§ 1.181). Response to a final rejection or action must include cancellation of, or appeal from the rejection of, each rejected claim. If any claim stands allowed, the response to a final rejection or action must comply with any requirements or objection as to form.

* * * * *

13. Section 1.115 is revised to read as follows:

§ 1.115 Amendment.

The applicant may amend before or after the first examination and action and also after the second or subsequent examination or reconsideration as specified in § 1.112 or when and as specifically required by the examiner. The patent owner may amend in accordance with §§ 1.510(e) and 1.530(b) prior to reexamination, and during reexamination proceedings in accordance with § §1.112 and 1.116.

14. Section 1.116 is amended by revising paragraphs (a) and (b) to read as follows:

§ 1.116 Amendments after final action.

(a) After final rejection or action (§ 1.113) amendments may be made cancelling claims or complying with any requirement of form which has been made. Amendments presenting rejected claims in better form for consideration on appeal may be admitted. The admission of, or refusal to admit, any amendment after final rejection, and any proceedings relative thereto, shall not operate to relieve the application or patent under reexamination from its condition as subject to appeal or to save the application from abandonment under § 1.135.

(b) If amendments touching the merits of the application or patent under reexamination are presented after final rejection, or after appeal has been taken, or when such amendment might not otherwise be proper, they may be admitted upon a showing of good and sufficient reasons why they are necessary and were not earlier presented.

* * * * *

15. Section 1.121 is amended by adding a new paragraph (f) to read as follows:

§ 1.121 Manner of making amendments.

* * * * *

(f) Proposed amendments presented in patents involved in reexamination proceedings must be presented in the form of a full copy of the text of (1) each claim which is amended and (2) each paragraph of the description which is amended. Matter deleted from the patent shall be placed between brackets and matter added shall be underlined. Copies of the printed claims from the patent may be used with any additions being indicated by carets and deleted material being placed between brackets. Claims must not be renumbered and the numbering of the claims added for reexamination must follow the number of the highest numbered patent claim. No amendment may enlarge the scope of the claims of the patent. No new matter may be introduced into the patent.

16. Section 1.191 is revised to read as follows:

§ 1.191 Appeal to Board of Appeals.

(a) Every applicant for a patent or for reissue of a patent, or every owner of a patent under reexamination, any of the claims of which have been twice rejected, or who has been given a final rejection (§ 1.113), may, upon the payment of the fee required by law, appeal from the decision of the primary examiner to the Board of Appeals within the time allowed for response.

(b) The appeal in an application must identify the rejected claim or claims appealed, and must be signed by the applicant or duly authorized attorney or agent. An appeal in a reexamination proceeding must identify the rejected claim or claims appealed, and must be signed by the patent owner or duly authorized attorney or agent.

(c) Except as otherwise provided by § 1.206, an appeal when taken must be taken from the rejection of all claims under rejection which the applicant or patent owner proposes to contest. Questions relating to matters not affecting the merits of the invention may be required to be settled before an appeal can be considered.

17. Section 1.192 is amended by revising paragraph (a) to read as follows:

§ 1.192 Appellant's brief.

(a) The appellant shall, within 2 months from the date of the notice of appeal under § 1.191 in an application, reissue application, or patent under reexamination, or within the time allowed for response to the action appealed from, if such time is later, file a brief in triplicate. The brief must be accompanied by the requisite fee and must set forth the authorities and arguments on which the appellant will rely to maintain the appeal. The brief must include a concise explanation of the invention which should refer to the drawing by reference characters, and a copy of the claims involved. Appellant must also indicate at the time of filing the brief if an oral hearing is desired. Upon a showing of sufficient cause, the commissioner may grant extensions of time for filing the brief. The determination of such requests may be delegated by the Commissioner to appropriate Patent and Trademark Office officials. All requests for extensions must be filed prior to the expiration of the period sought to be extended. The filing of a request for extension of time does not stay any period unless and until granted.

* * * * *

18. Section 1.196 is amended by revising paragraphs (b), (c) and (d) to read as follows:

§ 1.196 Decision by the Board of Appeals.

* * * * *

(b) Should the Board of Appeals have knowledge of any grounds not involved in the appeal for rejecting any appealed claim, it may include in the decision a statement to that effect with its reasons for so holding, which statement shall constitute a rejection of the claims. The appellant may submit an appropriate amendment of the claims so rejected or a showing of facts, or both, and have the matter reconsidered by the primary examiner. The statement shall be binding upon the primary examiner unless an amendment or showing of facts not previously of record be made which, in the opinion of the primary examiner, avoids the additional ground for rejection stated in the decision. The appellant may waive such reconsideration before the primary examiner and have the case reconsidered by the Board of Appeals upon the same record before them. Where request for such reconsideration is made the Board of Appeals shall, if necessary, render a new decision which shall include all grounds upon which a patent is refused. The appellant may waive reconsideration by the Board of Appeals and treat the decision, including the added grounds for rejection given by the Board of Appeals, as a final decision in the case.

(c) Should the decision of the Board of Appeals include an explicit statement that a claim may be allowed in amended form, appellant shall have the right to amend in conformity with such statement, which shall be binding on the primary examiner in the absence of new references or grounds of rejection.

(d) Although the Board of Appeals normally will confine its decision to a review of rejections made by the primary examiner, should it have knowledge of any grounds for rejecting any allowed claim that it believes should be considered, it may include in its decision a statement to that effect and remand the case to the primary

examiner for consideration thereof. In such event, the Board shall set a period, not less than one month, within which the appellant may submit to the primary examiner an appropriate amendment, or a showing of facts or reasons, or both, in order to avoid the grounds set forth in the statement of the Board of Appeals. If the primary examiner rejects the previously allowed claim or claims on the basis of such statement, the appellant may appeal to the Board of appeals from the rejection. Whenever a decision of the Board of Appeals includes a remand, that decision shall not be considered as a final decision in the case, but the Board of Appeals shall, upon conclusion of the proceedings before the primary examiner on remand, either adopt its decision as final or render a new decision on all of the claims on appeal, as it may deem appropriate.

19. Section 1.197 is amended by revising paragraphs (a) and (c) to read as follows:

§ 1.197 Action following decision.

(a) After decision by the Board of Appeals, the case shall be returned to the primary examiner, subject to the appellant's right of appeal or other review, for such further action by the appellant or by the primary examiner, as the condition of the case may require, to carry into effect the decision.

* * * * *

(c) Proceedings are considered terminated by the dismissal of an appeal or the failure to timely file an appeal to the court or a civil action (§ 1.304) except (1) where claims stand allowed in an application or (2) where the nature of the decision requires further action by the examiner. In such cases, the date of termination of proceedings is the date on which the appeal is dismissed or the date on which the time for appeal to the court or review by civil action (§ 1.304) expires. If an appeal to the court or a civil action has been filed, proceedings are similarly considered terminated when the appeal or civil action is terminated.

20. Section 1.231 is amended by revising paragraph (a)(1) to read as follows:

§ 1.231 Motions before the primary examiner.

(a) Within the period set in the notice of interference for filing motions any party to an interference may file a motion seeking:

(1) To dissolve as to one or more counts, except that such motion based on facts sought to be established by affidavits, declarations or evidence outside of official records and printed publications will not normally be considered. A motion to dissolve an interference in which a patentee is a party on the ground that the claims corresponding to the counts are unpatentable to the patentee over patents or printed publications will be considered through reexamination if it complies with the requirements of § 1.510(b) and is accompanied by the fee for requesting reexamination set in § 1.21(x). Otherwise, a motion to dissolve an interference in which a patentee is a party will not be considered if it would necessarily result in the conclusion that the claims of the patent which correspond to the counts are unpatentable to the patentee on a ground which is not ancillary to priority. Where a motion to dissolve is based on prior art, service on opposing parties must include copies of such prior art. A motion to dissolve on the ground that there is no interference in fact will not be considered unless the interference involves a design or plant patent or application or unless it relates to a count which differs from the corresponding claim of an involved patent or of one or more of the involved applications as provided in §§ 1.203(a) and 1.205(a).

* * * * * *

21. Section 1.248 is revised to read as follows:

§ 1.248 Service of papers; manner of service; proof of service.

(a) Service of papers must be on the attorney or agent of the party if there be such or on the party if there is no attorney or agent, and may be made in any of the following ways:

(1) By delivering a copy of the paper to the person served;

(2) By leaving a copy at the usual place of business of the person served with someone in his employment;

(3) When the person served has no usual place of business, by leaving a copy at the person's residence, with some person of suitable age and discretion who resides there;

(4) Transmission by first class mail. When service is by mail the date of mailing will be regarded as the date of service.

(5) Whenever it shall be satisfactorily shown to the Commissioner that none of the above modes of obtaining or serving the paper is practicable, service may be by notice published in the *Official Gazette*.

(b) Papers filed in the Patent and Trademark Office which are required to be served shall contain proof of service. Proof of service may appear on or be affixed to papers filed. Proof of service shall include the date and manner of service. In the case of personal service, proof of service shall also include the name of any person served, certified by the person who made service. Proof of service may be made by (1) an acknowledgement of service by or on behalf of the person served or (2) a statement signed by the attorney or agent containing the information required by this section.

22. Section 1.291 is amended by revising the title, removing and reserving paragraph (b) and revising paragraph (c) to read as follows:

§ 1.291 Protests by public.

* * * * *

(b) [Reserved]

(c) Protests by the public and any accompanying papers should either (1) reflect that a copy of the same has been served upon the applicant in accordance with § 1.248 or (2) be filed with the Office in duplicate in the event service is not possible.

23. Section 1.301 is revised to read as follows:

§ 1.301 Appeal to U.S. Court of Customs and Patent Appeals.

Any applicant or any owner of a patent involved in a reexamination proceeding dissatisfied with the decision of the Board of Appeals, and any party to an interference dissatisfied with the decision of the Board of Patent Interferences, may appeal to the U.S. Court of Customs and Patent Appeals. The appellant must take the following steps in such an appeal: (a) In the Patent and Trademark Office give notice to the Commissioner and file the reasons of appeal (see §§ 1.302 and 1.304); (b) in the court, file a petition of appeal and a certified transcript of the record within a specified time after filing the reasons of appeal, and pay the fee for appeal, as provided by the rules of the court. The transcript will be transmitted to the Court by the Patent and Trademark Office on order of and at the expense of the appellant. Such order should be filed with the notice of appeal, but in no case should it be filed later than 15 days thereafter.

24. Section 1.303 is revised to read as follows:

§ 1.303 Civil action under 35 U.S.C. 145, 146, 306.

(a) Any applicant or any owner of a patent involved in a reexamination proceeding dissatisfied with the decision of the Board of Appeals, and any party dissatisfied with the decision of the Board of Patent Interferences, may, instead of appealing to the U.S. Court of Customs and Patent Appeals (§ 1.301), have remedy by civil action under 35 U.S.C. 145 or 146, as

appropriate. Such civil action must be commenced within the time specified in § 1.304.

(b) If an applicant in an ex parte case or an owner of a patent involved in a reexamination proceeding has taken an appeal to the U.S. Court of Customs and Patent Appeals, he or she thereby waives his or her right to proceed under 35 U.S.C. 145.

(c) If a defeated party to an interference proceeding has taken an appeal to the U.S. Court of Customs and Patent Appeals, and any adverse party to the interference shall, within twenty days after the appellant shall have filed notice of the appeal to the court (§ 1.302), file notice with the Commissioner that he or she elects to have all further proceedings conducted as provided in 35 U.S.C. 146, certified copies of such notices will be transmitted to the U.S. Court of Customs and Patent Appeals for such action as may be necessary. The notice of election must be served as provided in § 1.248.

25. A new "Subpart D—Reexamination of Patents" is added to read as follows:

Subpart D—Reexamination of Patents

Citation of Prior Art

Sec.
1.501 Citation of prior art in patent files.

Request for Reexamination

1.510 Request for reexamination.
1.515 Determination of the request for reexamination.
1.520 Reexamination at the initiative of the Commissioner.

Reexamination

1.525 Order to reexamine.
1.530 Statement and amendment by patent owner.
1.535 Reply by requester.
1.540 Consideration of responses.
1.550 Conduct of reexamination proceedings.
1.552 Scope of reexamination in reexamination proceedings.
1.555 Duty of disclosure in reexamination proceedings.
1.560 Interviews in reexamination proceedings.
1.565 Concurrent Office proceedings.

Certificate

1.570 Issuance of reexamination certificate after reexamination proceedings.

Subpart D—Reexamination of Patents

Citation of Prior Art

§ 1.501 Citation of prior art in patent files.

(a) At any time during the period of enforceability of a patent, any person may cite to the Patent and Trademark Office in writing prior art consisting of patents or printed publications which that person states to be pertinent and applicable to the patent and believes to have a bearing on the patentability of any claim of a particular patent. If the citation is made by the patent owner, the explanation of pertinency and applicability may include an explanation of how the claims differ from the prior art. Citations by the patent owner under § 1.555 and by a reexamination requester under either § 1.510 or § 1.535 will be entered in the patent file during a reexamination proceeding. The entry in the patent file of citations submitted after the date of an order to reexamine pursuant to § 1.525 by persons other than the patent owner, or a reexamination requester under either § 1.510 or § 1.535, will be delayed until the reexamination proceedings have been terminated.

(b) If the person making the citation wishes his or her identity to be excluded from the patent file and kept confidential, the citation papers must be submitted without any identification of the person making the submission.

(c) Citation of patents or printed publications by the public in patent files should either (1) reflect that a copy of the same has been mailed to the patent owner at the address as provided for in § 1.33(c); or in the event service is not possible (2) be filed with the Office in duplicate.

Request for Reexamination

§ 1.510 Request for reexamination.

(a) Any person may, at any time during the period of enforceability of a patent, file a request for reexamination by the Patent and Trademark Office of any claim of the patent on the basis of prior art patents or printed publications cited under § 1.501. The request must be accompanied by the fee for requesting reexamination set in § 1.21(x).

(b) Any request for reexamination must include the following parts:

(1) a statement pointing out each substantial new question of patentability based on prior patents and printed publications.

(2) An identification of every claim for which reexamination is requested, and a detailed explanation of the pertinency and manner of applying the cited prior art to every claim for which reexamination is requested. If appropriate the party requesting reexamination may also point out how claims distinguish over cited prior art.

(3) A copy of every patent or printed publication relied upon or referred to in paragraph (b) (1) and (2) of this section accompanied by an English language translation of all the necessary and pertinent parts of any non-English language patent or printed publication.

(4) The entire specification (including claims) and drawings of the patent for which reexamination is requested must be furnished in the form of cut-up copies of the original patent with only a single column of the printed patent securely mounted or reproduced in permanent form on one side of a separate paper. A copy of any disclaimer, certificate of correction, or reexamination certificate issued in the patent must also be included.

(5) A certification that a copy of the request filed by a person other than the patent owner has been served in its entirety on the patent owner at the address as provided for in § 1.33(c). The name and address of the party served must be indicated. If service was not possible, a duplicate copy must be supplied to the Office.

(c) If the request does not include the fee for requesting reexamination or all of the parts required by paragraph (b) of this section, the person identified as requesting reexamination will be so notified and given an opportunity to complete the request within a specified time. If the fee for requesting reexamination has been paid but the defect in the request is not corrected within the specified time, the determination whether or not to institute reexamination will be made on the request as it then exists. If the fee for requesting reexamination has not been paid, no determination will be made and the request will be placed in the patent file as a citation if it complies with the requirements of § 1.501(a).

(d) The filing date of the request is: (1) the date on which the request including the entire fee for requesting reexamination is received in the Patent and Trademark Office; or (2) the date on which the last portion of the fee for requesting reexamination is received.

(e) A request filed by the patent owner, may include a proposed amendment in accordance with § 1.121(f).

(f) If a request is filed by an attorney or agent identifying another party on whose behalf the request is being filed, the attorney or agent must have a power of attorney from that party or be acting in a representative capacity pursuant to § 1.34(a).

§ 1.515 Determination of the request for reexamination.

(a) Within three months following the filing date of a request for reexamination, an examiner will consider the request and determine whether or not a substantial new

question of patentability affecting any claim of the patent is raised by the request and the prior art cited therein, with or without consideration of other patents or printed publications. The examiner's determination will be based on the claims in effect at the time of the determination and will become a part of the official file of the patent and will be given or mailed to the patent owner at the address as provided for in § 1.33(c) and to the person requesting reexamination.

(b) Where no substantial new question of patentability has been found, a refund of a portion of the fee for requesting reexamination will be made to the requester in accordance with § 1.26(c).

(c) The requester may seek review by a petition to the Commissioner under § 1.181 within one month of the mailing date of the examiner's determination refusing reexamination. Any such petition must comply with § 1.181(b). If no petition is timely filed or if the decision on petition affirms that no substantial new question of patentability has been raised, the determination shall be final and nonappealable.

§ 1.520 Reexamination at the initiative of the commissioner.

The Commissioner, at any time during the period of enforceability of a patent, may determine whether or not a substantial new question of patentability is raised by patents or printed publications which have been discovered by the Commissioner or which have been brought to the Commissioner's attention even though no request for reexamination has been filed in accordance with § 1.510. The Commissioner may initiate reexamination without a request for reexamination pursuant to § 1.510. Normally requests from outside the Patent and Trademark Office that the Commissioner undertake reexamination on his own initiative will not be considered. Any determination to initiate reexamination under this section will become a part of the official file of the patent and will be given or mailed to the patent owner at the address as provided for in § 1.33(c).

Reexamination

§ 1.525 Order to reexamine.

(a) If a substantial new question of patentability is found pursuant to §§ 1.515 or 1.520, the determination will include an order for reexamination of the patent for resolution of the question. If the order for reexamination resulted from a petition pursuant to § 1.515(c), the reexamination will ordinarily be conducted by an examiner other than the examiner responsible for the initial determination under § 1.515(a).

(b) If the order for reexamination of the patent mailed to the patent owner at the address as provided for in § 1.33(c) is returned to the Office undelivered, the notice published in the *Official Gazette* under § 1.11(c) will be considered to be constructive notice and reexamination will proceed.

§ 1.530 Statement and amendment by patent owner.

(a) Except as provided in § 1.510(e), no statement or other response by the patent owner shall be filed prior to the determinations made in accordance with §§ 1.515 or 1.520. If a premature statement or other response is filed by the patent owner it will not be acknowledged or considered in making the determination.

(b) The order for reexamination will set a period of not less than two months from the date of the order within which the patent owner may file a statement on the new question of patentability including any proposed amendments the patent owner wishes to make.

(c) Any statement filed by the patent owner shall clearly point out why the subject matter as claimed is not anticipated or rendered obvious by the prior art patents or printed publications, either alone or in any reasonable combinations. Any statement filed must be served upon the reexamination requester in accordance with § 1.248.

(d) Any proposed amendments to the description and claims must be made in accordance with § 1.121(f). No amendment may enlarge the scope of the claims of the patent or introduce new matter. No amended or new claims may be proposed for entry in an expired patent. Moreover, no amended or new claims will be incorporated into the patent by certificate issued after the expiration of the patent.

(e) Although the Office actions will treat proposed amendments as though they have been entered, the proposed amendments will not be effective until the reexamination certificate is issued.

§ 1.535 Reply by requester.

A reply to the patent owner's statement under § 1.530 may be filed by the reexamination requester within two months from the date of service of the patent owner's statement. Any reply by the requester must be served upon the patent owner in accordance with § 1.248. If the patent owner does not file a statement under § 1.530, no reply or other submission from the reexamination requester will be considered.

§ 1.540 Consideration of responses.

The failure to timely file or serve the documents set forth in § 1.530 or in § 1.535 may result in their being refused consideration. No submissions other than the statement pursuant to § 1.530 and the reply by the requester pursuant to § 1.535 will be considered prior to examination.

§ 1.550 Conduct of reexamination proceedings.

(a) All reexamination proceedings, including any appeals to the Board of Appeals, will be conducted with special dispatch within the Office. After issuance of the reexamination order and expiration of the time for submitting any responses thereto, the examination will be conducted in accordance with §§ 1.104–1.119 and will result in the issuance of a reexamination certificate under § 1.570.

(b) The patent owner will be given at least 30 days to respond to any Office action. Such response may include further statements in response to any rejections and/or proposed amendments or new claims to place the patent in a condition where all the claims, if amended as proposed, would be patentable.

(c) The time for reply set in paragraph (b) of this section will be extended only for sufficient cause, and for a reasonable time specified. Any request for such extension must be filed on or before the day on which action by the patent owner is due, but in no case will the mere filing of the request effect any extension.

(d) If the patent owner fails to file a timely and appropriate response to any Office action, the reexamination proceeding will be terminated and the Commissioner will proceed to issue a certificate under § 1.570 in accordance with the last action of the Office.

(e) The reexamination requester will be sent copies of Office actions issued during the reexamination proceeding. Any document filed by the patent owner must be served on the requester in the manner provided in § 1.248. The document must reflect service or the document may be refused consideration by the Office. The active participation of the reexamination requester ends with the reply pursuant to § 1.535, and no further submissions on behalf of the reexamination requester will be acknowledged or considered. Further, no submissions on behalf of any third parties will be acknowledged or considered unless such submissions are (1) in accordance with § 1.510 or (2) entered in the patent file prior to the date of the order to reexamine pursuant

to § 1.525. Submissions by third parties, filed after the date of the order to reexamine pursuant to § 1.525, must meet the requirements of and will be treated in accordance with § 1.501(a).

§ 1.552 Scope of reexamination in reexamination proceedings.

(a) Patent claims will be reexamined on the basis of patents or printed publications.

(b) Amended or new claims presented during a reexamination proceeding must not enlarge the scope of the claims of the patent and will be examined on the basis of patents or printed publications and also for compliance with the requirements of 35 U.S.C. 112 and the new matter prohibition of 35 U.S.C. 132.

(c) Questions other than those indicated in paragraphs (a) and (b) of this section will not be resolved in a reexamination proceeding. If such questions are discovered during a reexamination proceeding, the existence of such questions will be noted by the examiner in an Office action, in which case the patent owner may desire to consider the advisability of filing a reissue application to have such questions considered and resolved.

§ 1.555 Duty of disclosure in reexamination proceedings.

The owner of a patent involved in a reexamination proceeding who is aware, or becomes aware, of patents or printed publications material to the reexamination which have not been previously made of record in the patent file must bring such patents or printed publications to the attention of the Office. A prior art statement, preferably in accordance with § 1.98, should be filed within two months of the date of the order for reexamination, or as soon thereafter as possible in order to bring such patents or printed publications to the attention of the Office.

§ 1.560 Interviews in reexamination proceedings.

(a) Interviews in reexamination proceedings pending before the Office between examiners and the owners of such patents or their attorneys or agents of record must be had in the Office at such times, within Office hours, as the respective examiners may designate. Interviews will not be permitted at any other time or place without the authority of the Commissioner. Interviews for the discussion of the patentability of claims in patents involved in reexamination proceedings will not be had prior to the first official action thereon. Interviews should be arranged for in advance. Requests that reexamination requesters participate in interviews with examiners will not be granted.

(b) In every instance of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the patent owner. An interview does not remove the necessity for response to Office actions as specified in § 1.111.

§ 1.565 Concurrent office proceedings.

(a) In any reexamination proceeding before the Office, the patent owner shall call the attention of the Office to any prior or concurrent proceedings in which the patent is or was involved such as interferences, reissue, reexaminations, or litigation and the results of such proceedings.

(b) If a patent in the process of reexamination is or becomes involved in interference proceedings or a reissue application is filed for the patent, or litigation is instituted, the Commissioner shall determine whether or not to stay the reexamination, reissue or interference proceeding. If reexamination is stayed for the conduct of a reissue proceeding, the reissue proceeding shall take into account prior art provided by the requester for reexamination and the reexamination requester will be granted at least the same degree of participation in the reissue proceeding which the requester would have had in the reexamination proceeding. Any reexamination proceeding stayed for the conduct of a reissue proceeding shall be terminated by the grant of the reissued patent.

(c) If reexamination is ordered while a prior reexamination proceeding is pending, the reexamination proceedings will be consolidated and result in the issuance of a single certificate under § 1.570.

Certificate

§ 1.570 Issuance of reexamination certificate after reexamination proceedings.

(a) Upon the conclusion of reexamination proceedings, the Commissioner will issue a certificate in accordance with 35 U.S.C. 307 setting forth the results of the reexamination proceeding and the content of the patent following the reexamination proceeding.

(b) A certificate will be issued in each patent in which a reexamination proceeding has been ordered under § 1.525. Any statutory disclaimer filed by the patent owner will be made part of the certificate.

(c) The certificate will be mailed on the day of its date to the patent owner at the address as provided for in § 1.33(c). A copy of the certificate will also be mailed to the requester of the reexamination proceeding.

(d) If a certificate has been issued which cancels all of the claims of the patent, no further Office proceedings will be conducted with regard to that patent or any reissue applications or reexamination requests relating thereto.

(e) If the reexamination proceeding is terminated by the grant of a reissued patent as provided in § 1.565(b), the reissued patent will constitute the reexamination certificate required by this section and 35 U.S.C. 307.

(f) A notice of the issuance of each certificate under this section will be published in the *Official Gazette* on its date of issuance.

Dated: May 12, 1981.

Rene D. Tegtmeyer,

Acting Commissioner of Patents and Trademarks.

Dated: May 15, 1981.

Robert B. Ellert,

Acting Assistant Secretary for Productivity, Technology and Innovation.

[FR Doc. 81-16031 Filed 5-28-81; 8:45 am]

BILLING CODE 3510-16-M

federal register

Friday
May 29, 1981

Part V

Department of Health and Human Services

Social Security Administration

Disability Insurance and Supplemental Security Income; Determinations of Disability

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Parts 404 and 416

Disability Insurance and Supplemental Security Income; Determinations of Disability

AGENCY: Social Security Administration, HHS.

ACTION: Final rules.

SUMMARY: These regulations for administering the disability determination function implement section 304 of Pub. L. 96-265 (the "Social Security Disability Amendments of 1980") which amends section 211 of the Social Security Act.

The disability determination function was previously carried out by the States and the Federal Government under negotiated agreements between the Social Security Administration (SSA) and States. The law provides that, effective June 1, 1981, disability determinations will be made by the State agencies in compliance with regulations containing performance standards and other administrative requirements and procedures relating to the disability determination function. States have the option of turning the function over to the Federal Government if they do not wish to make disability determinations and the Federal Government has the authority to partially or wholly assume the disability determination function of any State that does not meet the prescribed minimum performance standards.

These regulations specify the responsibilities of the Secetary and the States in administering the disability program. They prescribe standards for accuracy of performance and processing time that State agencies must meet in making disability determinations, and provide the administrative requirements and procedures SSA and the State agencies will follow in carrying out the disability determination function. Provisions are included specifying how SSA or a State may terminate the State agency's performance of this function.

The primary purpose of these regulations is to improve the quality of State agency performance in following our adjudicative criteria and to improve the timeliness of disability determinations. These regulations will afford the States maximum practicable management flexibility in meeting objectives.

These regulations do not meet the criteria for a major rule, as defined in Executive Order 12291.

DATE: These regulations will be effective June 1, 1981.

FOR FURTHER INFORMATION CONTACT: Harry J. Short or William J. Ziegler, Legal Assistants, Office of Regulations, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235, telephone 301-594-7337 or 301-594-7415.

SUPPLEMENTARY INFORMATION: In order to obtain the public's views and comments before proceeding with these amendments, we published proposed rules for making disability determinations along with a Notice of Proposed Rulemaking in the **Federal Register** on January 16, 1981 (46 FR 4584). Interested persons, organizations, government agencies, and groups were invited to submit data, views, or arguments pertaining to the proposed amendments within a period of 60 days from the date of publication of the notice. We have carefully considered all the comments we received during the comment period. We have answered the issues raised in these comments later in the preamble.

Federal-State Structure Before Public Law 96-265

The disability programs under title II and title XVI of the Social Security Act (The Act) were previously administered under a Federal-State mechanism having its origins in the disability freeze provisions of the 1954 Amendments to the Act. At that time, Congress specified that determinations of disability should be made by State agencies under agreement with the Secretary. Wherever possible the State rehabilitation agency was to be the contracting agency to encourage rehabilitation contacts by disabled persons and to take advantage of the medical and vocational expertise of those agencies.

Negotiated agreements were previously in effect for 54 State agencies for making disability determinations for claimants applying for disability benefits under title II and title XVI of the Act. The agreements covered all the States plus the District of Columbia, Puerto Rico, and Guam; in South Carolina there were separate agencies for the blind and the disabled.

Under these agreements the State agencies, on behalf of the Secretary of Health and Human Services, made determinations of disability on the basis of standards and guides issued by SSA. SSA paid 100 percent of the costs incurred by the States in performing this function. The State agency function included obtaining medical and vocational evidence from the applicant and his or her medical treatment sources, and where necessary, arranging for one or more examinations of the applicant by specialists. Each determination of disability was made by a team consisting of a disability examiner and a physician on the State agency staff.

Section 221(a) of the Act provided that the determination of whether a person was disabled, and when a disability began and ended, would be made by a State agency under an agreement between the State and the Secretary and that, for purposes of the Act, determinations by the State are determinations of the Secretary. Section 1633(a) of the Act authorized the Secretary to make the same arrangements for title XVI purposes. Section 221(c) provided that the Secretary, on his own motion, could reverse the State's determination that a person was disabled, or could determine that a disability began later or ended earlier than the State had determined. In other important respects, the Act generally limited the Secretary's authority to make disability determinations. By precluding the Secretary from reaching a more favorable finding on a disability issue in reviewed cases, it gave the State what amounted to final authority in many cases for determining which applicants were disabled and, consequently, to a large extent how the SSA program was administered.

In 1978, the General Accounting Office (GAO) studied the effectiveness of SSA's management of the disability determination process in State agencies. GAO issued a report criticizing the quality and uniformity of the disability determination process. GAO recommended that SSA adopt a stronger and more active management role and that SSA revise the Federal-State agreements to clearly define the responsibilities of each party consistent with a uniform disability determination process. Papers prepared by the staff of the Subcommittee on Social Security for the use of the Committee on Ways and Means also recommended stronger Federal control.

The Federal-State model agreement was therefore revised. The revised model agreement reflected SSA's intentions to administer the program through standards, to take a lead role in assuring uniform training of State agency personnel, and to deal with those State practices that over the years had become impediments to effective administration.

SSA tried to get all the States to enter into the new agreement during the summer and fall of 1978, but

considerable resistance was encountered. The revisions in the agreement were viewed by various State officials and organizations as interfering with traditional State prerogatives to manage their own affairs. This concern is reflected in the fact that only 21 of 54 State agencies signed the new agreement.

Public Law 96-265—Section 304

General

Congress amended the Act to increase the Secretary's ability to influence State performance. The Secretary is required to establish, by regulation, whatever standards of performance and administrative requirements and procedures he considers necessary for the States to follow to insure effective and uniform administration of the SSA disability programs. Section 221(a), amended by Pub. L. 96-265, provides that beginning June 1981, disability determinations will be made by the State unless it notifies the Secretary, in writing, of its wishes to no longer make the determinations, and if the Secretary has not found that the State has failed to make determinations consistent with standards to be prescribed by the Secretary. Section 221(c) authorizes the Secretary to review State determinations and, based on the review, to make findings as to whether a person is or is not disabled and, if disabled, whether the disability began on an earlier or later date or ended on an earlier or later date than that determined by the State.

The amendments also provide that a State which wishes to discontinue making disability determinations or is found to be failing to make disability determinations as prescribed by standards, must continue to make the determinations for at least 180 more days. The Secretary is required to make the disability determinations thereafter. The Secretary is further required to develop and initiate a plan for the partial or complete assumption of a State's disability determination function if such a step becomes necessary. The plan must provide for the continuation of the disability determination function and for the protection of any affected State employees. The Secretary must give preference to capable State employees in filling appropriate employment positions, and may not assume a State's function until the State has made a fair and equitable arrangement to protect the rights of displaced State personnel (with some limited exceptions) not hired by the Secretary. (The Secretary of Labor will determine if this has been done.) The Secretary is directed to advise the Congress of any amendments of Federal law and regulations needed to carry out the plan. A report containing the plan was submitted to Congress on November 20, 1980.

The amendment also place responsibility upon the Secretary to provide for the continued effective operation of the disability program in the event of the non-participation of one or more States. This is to be done with only limited time to prepare for the State's non-participation and the need to assure protection of the employment rights of the displaced State personnel before the Secretary can assume the State's function.

Specific Provisions of the Law Subject to Regulations

Public Law 96-265 eliminates the system of negotiated agreements between the Secretary and the States and requires the Secretary to establish, through regulations, the procedures and performance standards for the State disability determination function in whatever detail appears appropriate.

The law gives the Secretary broad discretion to determine, for example, what matters to regulate, in how much detail to regulate them, and whether to regulate or to issue "other written guidelines." The Secretary may regulate such matters as:

- The administrative structure and the relationship between various units of the State agency;
- The physical location of, and relationship among, agency staff units and other organizations performing tasks for the State agency;
- Standards for the availability to applicants and beneficiaries of facilities for making disability determinations;
- State agency performance criteria, including the rate of accuracy of decisions and the time periods within which determinations must be made;
- The procedures for and the scope of review by the Secretary and, as he finds appropriate, by the State, of its performance in individual cases and classes of cases;
- Rules governing access of appropriate Federal officials to State offices and to State records relating to its administration of the disability determination function;
- Fiscal control procedures that the State agency may be required to adopt; and
- The submission of reports and other data, in such form and at such time as the Secretary may require, concerning the State agency's activities relating to the disability determination function.

Congressional Concerns

In its deliberation during the development of Pub. L. 96-265, Congress was aware of the problems in the existing Federal-State structure.

It felt that significant improvement in Federal management and control was necessary and that the amendments would strengthen the Federal role in how disability determinations are made in the State agencies.

Congress recognized the possibility that under Pub. L. 96-265 some States may decide not to participate under the program, or that the Secretary may determine that a State is not complying with the regulatory requirements promulgated under this legislation. It was concerned that there be adequate procedures to establish Federal administration if State administration ended for either reason. Two issues were of particular concern: the potential disruption of the ongoing determination process which could create hardship for disability applicants, and the positions of the State employees involved.

Congress concluded that the Department did not appear to have any extensive planning for Federal assumption of the State agencies' functions. Therefore, to stimulate planning for such a contingency, Pub. L. 96-265 required that the Secretary submit to Congress a detailed plan of how the Secretary expects to assume the functions and operations of a State disability determination function should it become necessary. The plan is to assume the uninterrupted operation of the disability determination process, including the utilization of the best-qualified personnel to carry out this function. Congress also required that the Department give a preference in hiring to the best-qualified State employees so that they would not be substantially disadvantaged in transferring to Federal employment, in the event that a State quits or is terminated for poor performance. A report containing the detailed plan was submitted to Congress on November 20, 1980.

Basic Considerations for Assuming State Functions

If a State chooses to stop making disability determinations, or if the Secretary finds it necessary to assume the function because a State fails to meet the standards, several legislated requirements and responsibilities will govern the Secretary's action.

A. Requirements

Public Law 96-265 imposes four conditions on the Secretary's

assumption of the disability determination function. These are:

1. The Secretary must assume the disability determination function no earlier than 180 days after a finding that the State is substantially failing to make disability determinations consistent with the statute and regulations or after receipt of a State's notice of its intentions to stop making disability determinations;

2. The Secretary's assumption must be made without any interruption in services to the residents of the State;

3. The Secretary must, in filling appropriate employment positions, give hiring preference to State agency employees (with some very limited exceptions) who are capable of performing duties in the disability determination process for the Secretary; and

4. The Secretary may not assume a State's function until after the Secretary of Labor has determined that the State has made fair and equitable arrangements under applicable law to protect the interests of those State agency employees who will be displaced from their employment on account of the Secretary's assumption and who will not be hired by the Secretary.

B. Responsibilities

When the Secretary has determined that a State agency's function must be terminated or when a State decides to stop making disability determinations, the Secretary of HHS, the State, and the Secretary of Labor must fulfill certain responsibilities.

1. The Secretary of HHS's responsibilities are to:

a. Begin making disability determinations no sooner than 180 days after notice that a State agency's disability determination function will end;

b. Develop and initiate procedures to give hiring preference to State agency employees who are capable of performing duties in the disability determination process; and

c. Insure that the Secretary of Labor has determined that the State has made fair and equitable arrangements for any State agency employees who will be displaced by the assumption and who will not be hired by the Secretary.

2. The terminating State's responsibilities are to:

a. Continue making disability determinations for not less than 180 days after a termination notice, or until the Secretary has fulfilled his responsibilities; and

b. Make fair and equitable arrangements to protect the interests of State agency employees who will not be hired by SSA. Employees' interests must be protected in accordance with applicable Federal, State, and local statutes.

3. The Secretary of Labor's responsibility is to determine that the State has made fair and equitable arrangements for protecting State personnel.

State Involvement in Development of the Regulations

In January 1980, SSA convened a two-day work group meeting of SSA central and regional office and State personnel to give us their views on developing the performance standards required by the disability bill. This work group developed some tentative guides for such performance standards.

During the summer of 1980, SSA invited to the headquarters in Baltimore, all of the Disability Determination Services (DDS) administrators, and in a series of four meetings, plans for issuing regulations under Pub. L. 96–265 were discussed. These were meetings in which the DDS administrators had an opportunity to comment on the general direction of our plans and to offer specific suggestions for the scope of the regulations. The reactions of these State administrators were considered in developing the regulations, and a number of significant changes resulted from their recommendations.

Our Basic Implementation Approach

It is our intention to use these regulations and the statutory authority derived from Pub. L. 96–265 to improve the overall administration and delivery of the disability program. We will accomplish these improvements by:

1. Setting a targeted level of performance that we will work toward;

2. Creating a system of intermediate goals to serve as stepping stones to progress towards our targeted level of performance;

3. Establishing a threshold level clearly defining the lowest level of acceptable performance by a State agency;

4. Setting forth those actions that we will take to make sure unacceptable performance does not continue; and,

5. Establishing administrative requirements that will provide the States with management flexibility, establishing the framework for the Federal-State partnership, and at the same time, allow us to retain our program stewardship responsibilities.

The regulations use standards as the means to improve the disability determination process.

We will specify the outcome expected. We will carefully monitor the States' disability determination process in terms of performance accuracy and processing time. The States will have control over management of their operation as long as performance is adequate under the standards which we set.

If a State's performance becomes unacceptable, these regulations provide for Federal involvement in the State's activities in making disability determinations for the purpose of improving the State's performance. We have a responsibility under the law for seeing that the disability programs are efficiently and equitably administered. If, even after our assistance, a State's performance is not adequate, we will take action to take over the disability program from the State.

While we are using regulations to establish national standards for performance accuracy and processing time, we will also be considering establishing standards for cost and other factors including incentives and disincentives. We will continue to assure the fiscal integrity of the States' operations through the budget process. Individual State budgets, including the goals they are expected to achieve, will continue to be negotiated on the regional level and in the manner we require. The objective of negotiations will be to determine a level of funding within available resources that will be perceived by Federal and State officials as sufficient to meet standards and stated goals. The negotiated budget is an integral part of the decision of setting goals. States will be expected to meet standards and goals within the negotiated budget.

The Target Level

We have developed target levels for State agency combined title II and title XVI initial accuracy, title II initial processing time, and title XVI processing time. The values selected for the target levels represent a difficult challenge but are designed to reflect what we believe to be a level of performance and service delivery that we should constantly strive to attain.

Intermediate Goals for State Performance Between the Target and Threshold Levels

We will establish intermediate performance goals between the threshold standards and the target standards in order to assure continued movement toward our targeted level of performance. We see these goals as essential to improving the overall performance of State agencies. This will therefore be an area of continuing

concern to us. After negotiating with each State agency, our regional offices will annually establish a new set of individual State agency goals to help them move from current levels of performance to target levels. Failure to meet these intermediate goals will not be cause for considering a State to be substantially failing to comply with the regulations. However, such failure will be a matter of concern to us. It may result in our urging the State to take corrective action and accept our offer of technical and management assistance.

The Threshold Levels

We are also establishing threshold levels for State agency performance accuracy and processing time. These are minimum acceptable levels for combined title II and title XVI initial performance accuracy, title II initial processing time, and title XVI initial processing time. We established the threshold levels for processing time and performance accuracy by using the national mean and applying a measurement of one standard deviation from the mean. (A standard deviation is a mathematical way of measuring the variability of items around an average.) Data from the fiscal year ending September 30, 1979 was used to establish the levels. Falling below these threshold levels will be unacceptable and will mandate appropriate action on our part to improve the situation. These actions are set forth in §§ 404.1650 and 416.1050. We will reexamine the threshold levels annually, but we will not make changes or modifications automatically. Instead, any decision to adjust the prevailing threshold standards will be made based on current State performance, procedural changes, systems modifications and resources.

In making any changes in the threshold levels we will continue to use the mean and standard deviation approach. In §§ 404.1640 through 404.1650 and in §§ 416.1040 through 416.1050, we explain how the threshold standards are used by us in evaluating State performance.

Determining Performance Accuracy

"Performance accuracy" refers to the reliability of State agency adjudication. In determining a national standard for State agency performance accuracy for purposes of section 304, we consider not only whether disability decisions are right or wrong for payment, but also whether the claims have all the desired evidence and whether all factors contributing to a sound decision were considered. Accordingly, the percentage of cases that can be processed without being returned to the State agency for further development or for correction of decisions based on evidence in the file represents the State agency's performance accuracy rate. The State agency's original decision is not changed in the majority of cases that are returned for additional development.

Errors in performance accuracy identified by the quality assurance system should not be interpreted as exclusively reflecting decisions that either incorrectly deny or award benefit payments. Since the quality assurance system measures factors that have the potential for impacting decisions as well as the correctness of the decisions, the rate of incorrect decisions is significantly lower than what is reflected in the standards cited in these regulations. Nevertheless, we believe we must measure accuracy using a higher standard than correct decisions.

Our most current data indicates that with a national level of performance accuracy of about 93 percent the rate of correct decisions is approximately 97 percent. Since decisional accuracy is tied to performance accuracy, the system we are establishing, to use goals and standards to improve performance, will also improve decisional accuracy. We estimate that our target level of 97 percent performance accuracy will yield a decisional accuracy rate of 99 percent.

Performance Accuracy Threshold Level

The national performance accuracy threshold level was established using fiscal year 1979 State-by-State title II and title XVI performance accuracy rates for disability determinations at the initial (first) level of adjudication. These data were obtained from the Disability Quality Assurance System. A combined Title II and title XVI national mean and standard deviation were calculated together. Separate calculations were not made for each title as they were for processing time. The national mean was formulated using the individual State agency fiscal year 1979 performance accuracy rates. The title II initial performance accuracy rates and the title XVI initial performance accuracy rates were statistically weighted by workload size for each individual State agency. A national mean was then computed for combined title II and title XVI initial performance accuracy. The combined title II and title XVI initial performance accuracy national mean for fiscal year 1979 resulted in a rate of 92.5 percent. The standard deviation was caluculated and resulted in a rate of 1.9 percent.

The threshold level for State agency performance accuracy has been established at one standard deviation below the national combined title II and title XVI initial performance accuracy mean. This threshold level was set after considering historical trends in State agency performance accuracy, past performance, and statistical theory. In addition, the selection of the threshold level was dependent upon our staffing and fiscal capacities for providing necessary technical and management assistance to State agencies whose performance is likely to fall below the threshold levels. Applying the one standard deviation measurement to the fiscal year 1979 national combined title II and title XVI performance accuracy mean, the threshold is 90.6 percent for combined title II and title XVI initial performance accuracy.

Determining Processing Time

State agency processing time for title II initial disability claims is the average number of days from the time the State agency receives the claim until the determination is put into the Social Security Administration Case Control System (SSACCS). Saturdays, Sundays, and holidays are counted.

State agency processing time for title XVI initial disability claims is the average number of days from release of the claim by the social security district office to the State agency until the determination by the State agency is put into the Supplemental Security Income Case Control System (SSICCS). Saturdays, Sundays and holidays are counted.

Determining Processing Time Threshold Levels

Processing time threshold levels were formulated using fiscal year 1979 State-by-State title II and title XVI mean processing time data for disability determinations at the initial (first) level of adjudication. These data were obtained from the Social Security Administration Case Control System (SSACCS) for title II and the Supplemental Security Income Control System (SSICCS) for title XVI. National means and standard deviations were calculated separately for title II and title XVI from these data. The national means were calculated using two steps.

First, the fiscal year 1979 mean processing time was established for each State agency by taking the average of the 12 monthly State agency processing time means. Then, the average of the individual State agency means was calculated to produce the national mean. This two-step process was applied separately to title II data and on title XVI data and resulted in the following national means:

Title II initial processing time—43.2 days.

Title XVI initial processing time—54.3 days.

The standard deviations for initial title II and title XVI fiscal year 1979 processing time data were calculated using established statistical techniques and resulted in the following:

Title II initial processing time—6.3 days.

Title XVI initial processing time—7.6 days.

The threshold levels for State agency processing time have been set at 1 standard deviation above the fiscal year 1979 national mean processing time. This decision was based on past State agency processing time, historical trends in State agency processing time, and statistical theory. In addition to mathematical and statistical considerations, the 1 standard deviation level was established based on our fiscal and staffing capabilities for providing necessary technical and management assistance to State agencies whose performance is likely to fall below the threshold levels. Applying the 1 standard deviation measurement to the fiscal year 1979 national processing time means, the thresholds are as follows:

Title II initial processing time—49.5 days.

Title XVI initial processing time—57.9 days.

The title XVI processing time threshold was reduced by 4 days to account for a computer systems modification which was activated in May 1979. This change stopped the measurement of State agency processing time when a State agency presumptive disability determination was put into SSICCS, rather than when the final decision was made. (A finding of presumptive disability is made before obtaining the evidence needed for a final determination when there is a high degree of probability of disability on the basis of the evidence available at the time.) After extensive study, it was determined that this modification lowered State agency title XVI initial mean processing time by 4 days on the average.

Target Levels and Intermediate Goals

Target levels represent the highest level of performance and service delivery presently achievable. They will, by their very nature, challenge nearly all agencies to improve. Each year each State is expected to make progress toward the target. The extent of progress will be negotiated annually on the regional level as part of the State agency budget process.

Other than the annually negotiated goal, there is no time frame for meeting the target. States will always be constrained by workloads, availability and competency of staff, and available money.

Technical and Management Assistance

We will do ongoing monitoring to evaluate State agency performance of combined title II and title XVI initial performance accuracy, of title II initial processing time, and title XVI initial processing time. The monitoring will allow us to determine whether a State agency needs technical and management assistance. A State agency will be provided mandatory assistance if it fails to meet two of three established threshold levels (one being accuracy) for two consecutive quarters. Failure to meet any one of the threshold levels for 2 consecutive quarters may result in mandatory technical and management assistance.

A State agency will be offered optional technical and management assistance when (1) our regular monitoring reveals State agency performance has significantly declined although not so low as to require mandatory assistance or (2) the State agency is failing to meet intermediate goals. We will offer optional assistance at our discretion based on our available resources. The technical and management assistance we will give a State agency is explained in §§ 404.1661 and 416.1061.

Substantial Failure

If a State agency substantially fails to make disability determinations consistent with the Secretary's regulations and other written guidelines, Pub. L. 96-265 requires the Secretary (after giving the State notice and an opportunity for a hearing) to make the disability determinations.

Our approach will be to closely monitor and evaluate State agency performance of title II and title XVI performance accuracy, title II processing time, and title XVI processing time. If a State agency is falling below 2 of the 3 threshold levels (one of which must be accuracy) for 2 consecutive quarters, we will provide technical and management assistance to the State agency for up to 12 months. After the assistance period, the State agency will have a 3-month adjustment period. After the adjustment period, if the State agency again falls below 2 of the 3 threshold levels (one being accuracy) in 2 consecutive quarters, during the next 12 months, we will notify the State that the State agency is in danger of being found to be in substantial failure and give the State an opportunity for a hearing. If it is found that the State substantially failed to comply with the regulations and written guidelines, the Secretary must take over the disability determination function. We are considering expanding the concept of "substantial failure" to include compliance with standards other than those relating to accuracy and processing time. We explain "substantial failure" in more detail in §§ 404.1670 through 404.1675 and in §§ 416.1070 through 416.1075.

Right to Hearing

We will notify a State that we are proposing to terminate its performance of the disability determination function if it is substantially failing to make disability determinations consistent with our regulations. The State will have an opportunity for a hearing before any termination. The hearing will be conducted as described in §§ 404.1680 through 404.1683 and in §§ 416.1080 through 416.1083.

Administrative Requirements and Procedures

Basically, our implementation approach is to specify certain performance results and let the States perform through their best management procedures with minimum Federal involvement as long as their performance is acceptable.

Accordingly, we are regulating administrative areas only to the extent necessary to insure effective stewardship of the disability program. This is a significant shift in our administrative relationship with the States under the agreements. We explain administrative requirements and procedures in §§ 404.1620 through 404.1633 and in §§ 416.1020 through 416.1033. Specifically, here is what we are proposing to do, and not do, in the regulations with respect to the various administrative areas that have to be addressed.

Adjudication

The State will make disability determinations in initial, reconsideration, and continuing eligibility cases under the various provisions of the Act.

A State disability examiner and medical consultant team will make these determinations. However, we do not propose regulating the types of positions to be established beyond the adjudication team.

In making determinations, the State will use our forms and procedures and adhere to the policies we may require to insure uniform and effective

administration of the disability program throughout the United States.

However, we are not proposing to regulate the internal case flow procedures except where they appear to contribute to unacceptable performance by a State.

Organization

The State will be expected to provide an organizational structure, sufficient qualified personnel, medical consultative services, and a quality assurance function that will result in timely processing and accurate decisionmaking of disability claims. We will not impose requirements, either through regulations or other directives, for a specific organizational structure unless State performance approaches unacceptable levels. We also do not propose to regulate the place in the State hierarchy of the State agency, or the relation of the State agency to other components in State government. The State will be responsible for producing an accurate and timely disability decision.

Personnel

In general, the State will be responsible for establishing positions, recruitment, selection, tenure, compensation, and staff development policies. The State will insure an acceptable level of competency of all employees through selection, ongoing training and staff development. However, we will provide technical training materials. We will become further involved only when State performance approaches unacceptable levels, or where the State requires complex instructional or training materials or the capacity of the State to deliver adequate training is in doubt. The State will make personnel available to attend meetings or conferences as may be necessary for furthering the purpose of the disability programs. The State must comply with equal employment opportunity directives in making disability determinations as specified in executive orders or the Code of Federal Regulations.

To the extent that Federal funding is available, the State will contribute to the processing of disability claims by avoiding, to the extent feasible and permissible under State law, personnel freezes, restrictions against overtime work, or other curtailment of facilities or activities.

Facilities

To the extent that Federal funding is available, the State will provide space, equipment, supplies and other services as will contribute to the timely and accurate processing of disability claims. The State will determine the locations where disability determinations are to be made. However, the State will provide the Secretary with access to the premises for the purpose of inspecting the work and activities required by these regulations. We will always give the State reasonable notice of the times of our visits.

Medical and Other Purchased Services

The State will determine the rates of payment to be used in arranging for medical or other examinations necessary to make determinations of disability. These rates should be designed to aid in the procurement of needed services but may not exceed the highest rate paid by Federal or other agencies in the State for the same or a similar type of service. The State will maintain documentation to support the rates of payment it uses.

Records and Reports

The State will furnish schedules, financial and cost reports, and other reports relating to the administration of the disability program that we may require. Records relating to the work being performed under these regulations will be retained by the State for a period of time specified by us. We will have access to these records for purposes of monitoring, research and development, and audit.

Research and Demonstration Projects

We will request State participation in federally funded research and demonstration projects to assess the effectiveness of the disability program and to ascertain the effect of program policy changes. Where we determine that participation is necessary for the project to be complete, e.g., to provide national uniformity in a claims process, State participation will be mandatory.

Fiscal

We will provide the State with funds in advance or by way of reimbursement for necessary costs incurred by the State in making disability determinations under these regulations. The State will submit estimates of anticipated costs for the periods, and at the time and in the manner we may request. After considering all pertinent information, we will notify the State of the amount which will be made available to it for the period, as well as what anticipated costs are being approved. The State will not incur or make expenditures for the period for items which we do not approve, or in excess of the amount we certify as available.

After the close of a period for which funds have been certified to the State, the State will submit a certified report of its actual expenditures. We will inform the State by audit whether expenditures were necessary and proper under standards in effect at the time expenditures were made or incurred. The standards may be found in subpart 1–15.7 of part 1–15 of the Federal Procurement Regulations (41 CFR 1–15.7) and in the Disability Insurance section of the Program Operations Manual System (POMS).

Any monies we pay to the State which are used for purposes not within the scope of these regulations will be paid back to the Treasury of the United States.

Considerations in Developing Standards

Performance Standards

Our primary considerations are related to fostering improvement in the adjudication process. In developing performance threshold levels, we took a middle of the road approach. We considered setting the threshold higher, but rejected it as imposing an unrealistic demand on States in the beginning stages of our changed relationship with the States. We also considered setting the threshold low, but dropped the option as doing little more than reinforcing the status quo. Our middle of the road approach will mean providing technical and management assistance to possibly 13 States with 2 of them likely to be in substantial failure.

Administrative Standards

Again our approach is moderate. We have elected to regulate only to the extent necessary to insure the Secretary's responsible stewardship and foster effective and uniform administration of the program. The proposed regulations on travel, training, access, records and reports, fiscal, and research and demonstration projects are examples in point.

We decided not to regulate specifically in more areas as inconsistent with our objective of giving the States management flexibility. On the other hand, we opted against regulating less specifically as failing to carry out our statutory mandate to assure effective and uniform administration of the disability insurance program throughout the United States.

Public Comments

We published proposed rules for making determinations of disability along with a Notice of Proposed Rulemaking in the **Federal Register** on

January 16, 1981 (46 FR 4584). We asked interested persons, organizations, government agencies, and other groups to give us their views, data, arguments, and evaluations within a period of 60 days. The comment period closed on March 17, 1981.

In the preamble of the Notice of Proposed Rulemaking (46 FR 4589), we invited comments from the State administrators and State employees now involved in the disability programs, employee unions, law and legal service groups, the disabled population and the organizations which represent them, and the public at large. As part of our outreach efforts, we mailed copies of the proposed rules to national organizations and asked them to give us their comments. Our mailing list included the State agency administrators of the 54 State agencies responsible for making title II and title XVI disability determinations, State agency directors responsible for overseeing the activities of the disability determination services (DDS) in the various State agencies, and the Council of State Administrators of Vocational Rehabilitation. In addition, copies were mailed for comment to national organizations representative of disabled persons, their advocates, and service providers as well as to law and legal service organizations.

We received comments from twelve individual State administrators and from the National Association of Disability Examiners on behalf of its members. These are the people directly affected by the proposed regulations.

We received no comments from disabled persons individually or organizations that represent them exclusively. We did receive comments from two national legal organizations, including a subcommittee of the American Bar Association, and legal services groups in seven States who represent the disabled among their clientele.

Overall, State agency administrators and disability examiners support our proposed approach. State agency administrators commented: "SSA's general philosophy of requiring a high level of performance from State agencies while not substantially interfering with State management function is sound", "this approach should offer the best opportunity for improving the uniformity and timeliness of adjudication while preserving the State/Federal partnership", and "the proposed rules are a positive step in the right direction." On the other hand, the State agency administrators urged that the regulations recognize the need for a State-run quality assurance system, questioned the data we would be using to measure State performance, and voiced fears that neither the State nor the Federal Government would provide the resources they needed to meet the proposed performance objectives. The professional association of disability examiners commended us "on an excellent effort to write regulations administering the disability determination function" and, further, "in practically all instances, we do not have any disagreements with the proposed regulations." They did request, however, that the professionalism of the disability examiner be recognized in the regulations. They also expressed concern that employees not be disadvantaged in the event of a Federal assumption of the disability determination function. Further, they urged that the regulations demand more of the State in assuring a working environment of adequate staff and facilities conducive to delivery of a high level of service to the claimants.

The two national legal organizations and the legal services groups, while supporting our intentions, have misgivings about whether our regulations will in fact improve the quality of the decision making process. Quoting the experience of their members in representing disabled claimants, these groups cite the high reversal rate upon appeal as indication of poor development and decision making by the State agencies. They question the quality of the medical evidence purchased by the State, the perceived reluctance of the State to develop the claim fully, and delays in claims processing. They see our proposed performance standards as unresponsive to these problems.

Because Pub. L. 96-265 requires the publication of final regulations in the **Federal Register** by June 1, 1981, we had to limit our consideration to comments which were received by March 17, 1981, the date the comment period closed. However, all the comments which we received after that date, as well as any additional comments which we may later receive, will be carefully evaluated for the purpose of considering possible future revisions in these regulations. Any future revisions we make of a substantive nature will be published in the **Federal Register** with another Notice of Proposed Rulemaking with another opportunity for the public to comment.

In drafting these regulations we had certain objectives in mind:

To improve disability determinations so as to pay benefits only to people properly entitled.

To improve the timeliness of disability determinations.

To improve the management of the disability program both at the State and Federal levels.

To avoid, where possible, increasing administrative complexity and costs.

To preserve the basic Federal/State relationship.

These objectives also guided us as we evaluated the comments received from the public. Some of the comments were not germane to these particular regulations. These comments are not addressed in the preamble. Other comments are condensed, summarized or paraphrased. However, we have responded to each of the issues raised in comments that are germane to these regulations. Of the comments that were germane, some involved hard choices between competing objectives.

For ease of comprehension and for perspective, we have grouped comments according to the issues raised. The issues and our responses are presented in the order in which the regulations are organized.

General Provisions

Issues

Four writers suggested revising the basic responsibilities for SSA and the State. One said there appears to be an imbalance of responsibilities, with the State having the greater responsibility. The same writer said that many of the requirements are vague and ambiguous and should be clarified, especially the State's responsibility for providing adequate facilities and qualified staff. One commenter said that the regulations should contain an absolute requirement that we consult with States before we issue any regulations or guidelines. A writer said that the regulations should provide that SSA should not arbitrarily increase its review of a particular State agency. Another writer said that the responsibility for States to treat all applicants equally and courteously should be deleted because it is subject to broad interpretations and opens the door for litigation against State agency personnel.

Response

Since the purpose of these regulations is to provide rules by which States will carry out the disability determination function, it is necessary that the States be advised of these responsibilities and what is expected of them. We have purposely avoided defining in great detail the administrative requirements and responsibilities of State agencies. Our objective is to specify the outcome we expect to achieve by setting

performance accuracy and processing time standards.

We believe that as long as State agencies meet these standards, we do not need to define State agency administrative responsibilities in detail. This we feel can best be left to each individual State agency.

We have not deleted the State responsibility to treat all applicants and beneficiaries equally and courteously. We believe we have the obligation to give fair and equal treatment and courteous service to the public, and States must share in this with us.

Except in some very limited circumstances, we do not issue regulations without giving the public and State agencies an opportunity to comment before the regulations become final. We will always endeavor to discuss significant changes in guidelines with State agencies and to get their advice before issuing the guidelines. However, in some situations, it may be impractical or impossible to consult first with the State agencies. In these situations, we will generally request State agency comments as soon as possible after the guidelines are issued. A determination that there is a need to increase our review of any particular State agency will be based on its performance and will be carried out only to the extent necessary to fulfill our responsibilities under these regulations.

Responsibilities for Performing the Disability Determination Function

Issues

One commenter said that State agencies should assist applicants with their applications and consolidate eligibility determinations for all related benefits such as those available under titles XIX and XX. This commenter said that application forms should be changed so that persons applying for SSI should not have to file separate forms for Medicaid. Another commenter said there should be a procedure that allows the claimant or his or her representative to have a voice in selecting the physician to be used where additional medical examinations are required in the development of evidence for a claim. This commenter also said that State agencies should be required to share all medical evidence contained in a claim with the claimant's representative and provide opportunity for the representative's comments before a determination is made on the disability question.

Two writers said that these regulations should contain a provision, such as is now contained in the agreements between SSA and the State agencies, that the State agencies shall not assume any responsibility for defending in court any determination made under these regulations.

Response

We have not adopted the recommendation that State agencies should consolidate eligibility determinations for other benefits. This is clearly beyond the role cut out for State agencies making disability determinations under titles II and XVI. However, our district offices do perform a referral service and provide basic information to claimants on related benefits and eligibility requirements for other programs as well as the location of offices for those programs. The district office also alerts State welfare agencies about claimants found eligible for SSI benefits and provides some limited information about the claimant. This helps the State determine who may be eligible for Medicaid and other State administered benefits. The district office notifies claimants who are not found eligible for SSI payments that they may still qualify for Medicaid and where they should apply. While State welfare agencies may adopt some of our decisions, for their program purposes, it is not feasible at this time to combine application forms for SSI and Medicaid. One difficulty is that Medicaid is administered by the States based on their own eligibility requirements.

We also have not adopted the suggestion that these regulations require State agencies to use examining physicians selected by claimants or their representatives whenever additional medical examinations are required. We believe that our present written guidelines are adequate to assure the most objective evaluation of the claimant's condition that is practicable. These guidelines now provide that an examination should be purchased from a physician who in the State agency's judgment is qualified and has agreed to perform these examinations. If the claimant objects, the state agency will attempt to comply with his or her wishes and attempt to schedule the examination with another physician that is acceptable to the State agency and the claimant.

We have not adopted the suggestion that a State agency should be required to share all the medical evidence with a claimant's representative before a disability determination is made since the writer's concern is accommodated by other regulations. Regulations (§§ 404.1710 and 416.1510) provide that a claimant's representative has the right to examine all the evidence the State agency has obtained, to submit any additional evidence and to comment on the evidence. The State agency considers all the evidence and any comments made on the evidence in determining whether the claimant is disabled or blind.

We have changed §§ 404.1615 and 416.1015 of the regulations to show that the State agency is not responsible for defending in court determinations made, or any procedures for making determinations, under these regulations.

Administrative Responsibilities and Requirements

Issues

One commenter stated that SSA should specify in the regulations where within the organization of the State government the disability function should be located and how it is related to other entities within the State government. Another commenter stated we should impose organizational requirements on a State only if the State's performance falls below threshold levels. Several commenters indicated that the regulations should require States to have a quality assurance system. Some went on to indicate that the regulations should mandate the system, the staffing, and the funding for this function.

One commenter felt we should specify the minimum qualifications for disability examiners to enhance their professional standing. Several commenters stated that a person qualified to interpret and evaluate medical reports should be referred to as "disability examiner," "professional nonmedical disability examiner," or "professional disability examiner." One commenter stated we should establish minimum qualifications for State agency vocational experts similar to those described in the Bureau (now "Office") of Hearings and Appeals manual and establish standards for their use. One commenter stated the term "medical consultant" in our regulations should be changed to "qualified consultant" to recognize that nonmedical consultants, including psychologists, who are licensed or certified under State laws are qualified to make certain types of disability determinations.

One commenter indicated that many of the requirements imposed on the States relating to adequate facilities and qualified staff are vague and ambiguous and should be clarified. A commenter stated SSA should be continually involved in workshops and seminars for examiners, medical consultants, and technicians, not just when a State's performance approaches an

unacceptable level. Another said that State participation in research and development projects shqulld be mandatory only when all States need to be involved in the project to provide national uniformity in the claims process. Another commenter stated that participation in research and development projects should be negotiated with the States, taking into consideration their workload and other problems.

Response

Our basic objective is to regulate only to the extent necessary to assure effective and uniform administration of the disability program throughout the United States. That objective can be met by specifying the results we wish the States to achieve instead of imposing a lot of rules on the States. As long as the States are able to achieve these results, they should be free to control the management of their operations, including organizational level, status, types, and number of staff and staff qualifications. Specific organizational requirements should be imposed on States only when they require the technical and management assistance described in these regulations. We have clarified the requirements accordingly. We agree that requiring the States to provide a quality assurance (QA) functions will contribute to effective and uniform administration of the disability program nationally. We therefore have revised §§ 404.1603(c)(2), 404.1620(a), 416.1003(c)(3) and 416.1020(a) to add a quality assurance function as a State responsibility. We did not, however, prescribe the internal design of the QA function or its staffing and funding since that would be counter to our basic objective.

The same is true for establishing minimum qualifications for disability examiners and for State agency vocational specialists in the regulations. We agree to use the term "disability examiner" and we have changed §§ 404.1615 and 416.1015 accordingly. We agree that licensed or certified psychologists may be qualified to determine the nature and severity of mental impairments. We considered permitting psychologists to serve as reviewers in the same manner as licensed physicians. However, because of the limited number of cases where the issues are clearly restricted to mental impairments, the use of psychologists as members of the State agency's review team would not be administratively feasible.

We will not prescribe what constitutes adequate facilities and qualified staff for any State so long as the State's performance meets the standards we set within the fiscal resources we provide after negotiations with the States. This is in keeping with our objective to regulate only to the extent necessary.

The regulations do not need to be revised to permit us to offer workshops or seminars for disability examiners, disability technicians, and medical consultants on a continual basis.

In conducting research and development projects SSA needs the flexibility to select the study design and prescribe the States it wishes to participate so that the most efficient and cost-effective studies can be undertaken. We will consider workload status and the unique problems of a State in selecting States to participate but cannot guarantee that any specific State will not be included in the project. We will also consider providing needed assistance where we agree mandated participation may jeopardize the State's ability to meet threshold levels or negotiated goals.

Medical Development and Evaluation

Issues

Several writers commented on matters relating to medical policy, the payment for travel expenses to medical examinations, and physician fees. One commenter questioned the absence of regulations requiring the State to document all aspects of a person's disability. Other commenters felt that certain travel expenses of claimants should be covered in these regulations; that the State's obligations concerning their medical and travel expense requirements, including notification of claimants of the availability of funds and the mechanisms for payment, should be spelled out; that the State should maintain records to support the rates of payment it uses for each service; and the State budget estimates should include anticipated costs for each service to be purchased and an estimate of the amount (e.g., hours) of service it would purchase. Another writer recommended that we require States to establish rates of compensation sufficient to attract the active participation of competent and accomplished professional personnel, both salaried staff physicians and consultants.

One writer wants us to clarify when SSA can obtain evidence from claimants or special arrangement sources "adequately" and more "readily" than the State agency. Another writer believed "or" should be changed to "and" in §§ 404.1614(a) and 416.1014(a) so as to avoid the impression that the State is restricted in collecting evidence for disability determinations to either the claimant or other sources but not both.

Several commenters recommended that we institute some procedure for assessing the performance of consulting physicians. One said we should impose a quality control on these physicians along the same lines as the performance accuracy standards for State agenices in these regulations. These commenters felt that there are physicians who devote an inordinate amount of their practice to performing consultative examinations for the State agencies and who submit reports that do not reflect the claimants' true medical conditions.

Response

The medical documentation requirements are fully covered in other regulations (Subpart P of Part 404 and Subpart I of Part 416 of this Chapter) and in written guidelines. Regulations covering claimants' travel expenses are being developed. Meanwhile States do have written guidelines relating to payment for travel expenses including notifying claimants that they may be reimbursed and how they are to obtain reimbursement.

Payment rates are established for each medical service. Generally, these rates are comparable to rates paid by other government and private users of similar medical services and are adjusted as necessary. Detailed budget estimates for each service are not required to determine State funding needs for purchasing medical services and would be administratively burdensome. The States set their rates according to the costs of medical services in the State and in conformance with State law and regulations governing expenditures for these services. If a particular provider's services are unsatisfactory, the use of that provider is discontinued. Overall, this system has worked successfully and State-set rates are generally adequate to ensure the participation of sufficient numbers of competent professional personnel.

In some instances, we can obtain "adequate" evidence more "readily" than a State. This usually occurs when an SSA district office has an ongoing working relationship with a medical source or when a claimant wishes to submit evidence directly to SSA when he or she files a claim. This permits more timely disability decisions, lowers costs, and improves the overall disability process. The work "or" has not been changed to "and" in §§ 404.1614(a) and 416.1014(a) because

an "either-or" choice is not intended. The State agency may secure evidence from *any* source it considers appropriate.

We do not believe the performance of consulting physicians requires regulation by us. Our experience clearly indicates that overall the State agencies are maintaining effective relationships with the State medical community. We have been getting objective evaluations from consulting physicians. Further, State agencies overall are effectively monitoring the quality of the consultative examinations purchased by them. If commenters have evidence of improper medical consultant practices they should submit this evidence to the State agency.

Target and Threshold Levels of Performance

Issues

Several commenters said that a standard for processing time was as important as accuracy as a measure of State performance. Other commenters raised questions about how we established the target and threshold levels of the performance standards. One stated that setting the threshold levels at one standard deviation from the national mean for accuracy and processing time would condone mediocrity and continuing to use one standard deviation from the mean when threshold levels are adjusted perpetuates that mediocrity. On the other hand, another commenter criticized using the mean and standard deviation to adjust the threshold levels annually because he believed 16 percent of the States would always fall more than one standard deviation below the mean. Using fiscal year 1979 data as the base year to establish the levels was questioned because it does not take into account significant program changes since that time and because 16 percent of the States will not meet the threshold levels even if the States are able to maintain the performance levels attained in 1979.

Two writers said that these regulations do not motivate the States to meet the target levels. One suggested that incentives be established to encourage States to meet or exceed performance standards. The other suggested establishing a time frame for meeting the target levels. Another writer said that a legislative change would be needed to adjust the threshold and target levels and the writer suggested that the regulations allow for an annual review of the proposed performance levels by State and Federal components. Another commenter noted that the regulations do not require that the threshold levels be strictly complied with and suggested we apply a "substantial performance" concept to performance standards. Use of the term "drive" on page 4586 of the preamble to the proposed rules was objected to because of the implication that the States want or need to be driven toward continued improvement.

Response

Because the thrust of the legislation which these regulations reflect is the enhancement of the accuracy and consistency of disability determinations, we believe we must emphasize improved accuracy over processing time as the more important objective of the performance standards. The quality or accuracy of the determinations is the primary thrust of the legislation. We believe that our concern with accuracy directly reflects Congressional direction to improve the quality of determinations and ensure that claimants throughout the nation will be judged under the same uniform standards and procedures. Nevertheless, we are very much concerned with improving processing time. Much of our effort will be in working with the States to achieve better processing time without sacrificing the accuracy of the decisions.

We established the threshold levels for accuracy and processing time using a national mean and standard deviation approach for two reasons. First, the mean is a level of performance that experience shows the "average" State to be capable of attaining. Second, we believe one standard deviation below the means as a measure of a *minimum* level of acceptable performance is reasonable. Performance below one standard deviation level cannot be tolerated and will cause Federal involvement in the form of technical and management assistance, and if performance does not improve after assistance, a finding of substantial failure. These are serious and potentially expensive measures. In keeping with our objectives to avoid increasing administrative costs and preserve the Federal-State structure, we will take these steps only when necessary. Moreover, the regulations provide intermediate performance goals to ensure progress toward target level performance. We clarified §§ 404.1641 and 416.1041 of the regulations to point out that these goals are established by the SSA regional commissioner after negotiation with each State. Failure to meet these intermediate goals is not a cause for considering the State to be substantially failing to comply with the performance standards. However, failure to meet these goals may result in the offer of technical and management assistance.

We will reexamine the threshold levels annually and we will use the mean and standard deviation approach. However, the regulations do not bind us to use this specific approach or to apply a measurement of one standard deviation or any other standard deviation measurement.

There are 3 separate threshold levels of performance and the performance measurement period is for 2 consecutive calendar quarters. Even if we use the one standard deviation measure to adjust the threshold in future years, it does not mean that 16 percent (or any other given percentage) of the States would always fall below 2 of the 3 threshold levels. While this could occur in any one quarter for any one of the 3 threshold levels, the great majority of the States will not fall below 2 of the 3 threshold levels for 2 consecutive calendar quarters. We compared State performance in fiscal year 1980 to fiscal year 1979 performance and found that the number and mix of States falling below the threshold levels is small and changes from quarter to quarter.

We used fiscal year 1979 as the base year because it was a relatively stable period in State disability program operations and at the time of the development of the standards was the most recent complete year. We recognize that no two years will ever be the same. For that reason, the regulations provide for reexamining the threshold levels annually. The threshold and target levels can be changed without legislation. However, if we change either of them we will revise the regulations through notice of proposed rulemaking. The public will be given an opportunity to comment on any future changes.

The Federal-State partnership has worked well. Many State agencies do an excellent job. States have shown, over the years, that they are self-motivated to do the best job they are capable of doing. With the clearer statement of performance goals that the regulations spell out, we expect they will do even better. It is unrealistic and impractical to establish a single date at this time by which all the States can be expected to reach the target levels of performance. There are 54 State agencies with different levels of performance that prevent them from reaching the target levels at the same time. We will work with the States to help them improve their performance, consistent with our available resources. We will help States improve by annually negotiating with

them and then establishing a new set of intermediate performance goals as part of the budget process. States will be expected to meet these goals within the negotiated budget.

Nevertheless, we recognize the value of establishing incentives for States to meet and exceed goals and standards. We are presently studying possible ways of providing incentives to the States.

The threshold levels must be strictly complied with. We cannot reach our objective of improving the disability determinations with a lesser standard like "substantial performance." We have reworded the preamble to remove the word "drive." We did not intend for it to be read as meaning we believe States want or need to be driven to improvement as pointed out by one commenter.

The Processing Time Standard

Issues

A number of commenters questioned the reason for different processing time standards for the title II and title XVI programs, mentioning that the requirements for the two programs are virtually the same so the same standard should apply to both. One commenter stated that the title XVI standards are less stringent than those imposed on States in the Medicaid program. Since the claimant characteristics are the same or similar for both programs, the writer recommended that the title XVI standards be raised to the same level as those for the Medicaid program. One commenter also said that the size of the title XVI population, fee schedules and State hiring and personnel practices vary among States and can impact on processing time.

Some commenters questioned using past experience to determine the processing time standards. One commenter mentioned that there is no correlation between the mean and how well a State could perform. Another writer wanted the standards to reflect, rather than target and threshold time, what the correct processing time should be. Others wanted the standard to reflect different processing times for different types of actions. Others wanted district office time included. One commenter suggested that only Federal holidays, but not State holidays, be used to compute processing time standards.

Two writers stated that the regulations should establish a maximum time level for processing each class of case (by impairment), but did not specify definite time frames. One commenter indicated that the Puerto Rico agency does not handle title XVI cases and, therefore, cannot be measured against that performance standard.

Response

Although the requirements for developing and adjudicating title II and title XVI claims are the same, there is a notable difference between the two programs in claimant characteristics. A vital difference is that title XVI claimants often have limited medical records available.

As a result of this, the State must usually develop medical evidence either through the purchase of general examinations or a specialized consultative examination. This has the effect of increasing processing time for the title XVI disability cases. Although the Medicaid and title XVI claimant populations are similar, in many instances the documentation requirements for Medicaid are different than the requirements for the title II and title XVI disability programs. States are permitted to waive the established processing time standard in determinations of Medicaid eligibility whenever an examining physician delays a required action. In contrast, medical development time accounts for the majority of State agency processing time in title II and title XVI disability cases. There are no exclusions for applicant or physician delays in computing a State's processing time in the disability cases. Consequently, we could expect that Medicaid processing times would be lower than our proposed State agency standards.

Another reason for different standards for the title II and title XVI programs is that SSA uses two different computer systems the characteristics of which necessitate different methods to measure processing time for the two programs. (See §§ 404.1642 and 416.1042 for these different measurement systems.)

In developing the processing time standards, we explored the various alternatives available and selected past experience and the mean and standard deviation approach. Basing the standards on demonstrated performance and applying this statistical technique is a recognized and acceptable method to set standards. We did not set a "correct" processing time. Instead, we set a standard for the States to meet now and an additional standard that they would work to meet in the future. This is in line with our objective of improving the overall administration of the program. The factors of title XVI population size, fee schedules and State hiring and personnel practices affected State performance in the 1979 base year and are built into the threshold standard. These same factors will continue to exist and be included in the mean processing time data.

We agree with those writers who cited the need to monitor overall processing time of disability claims, including district office time. However, the States should not be held accountable for district office processing time and we are therefore not changing these regulations, which provide standards for States, to include district office time. We also do not believe it is appropriate to set maximum time frames for individual impairments. We have no factual basis for making such differentiation; furthermore, even if we did, such differentiation would increase administrative burdens and program costs. Processing time reflects all the time a disability case resides in the State agency, including Saturdays, Sundays, and all holidays. Otherwise national uniformity in the measurement of State agency processing time could not be achieved.

Finally, since Puerto Rico does not handle title XVI cases, the title XVI processing time standard will not be applicable to that State agency. Puerto Rico's performance will be measured against the title II processing time standard (and the combined accuracy standard).

The Accuracy Standard

Issues

Several commenters requested that the performance standard for accuracy be clarified or expanded, pointing out that in their view the standard now only measures a State's ability to collect evidence or to prepare the case file for appeal or further decision. Some writers mentioned that the accuracy standard does not take into account underdevelopment of claims, interpretation of medical and vocational evidence, the ability to procure relevant evidence, or the ability to apply legal standards. One writer wanted the accuracy standard amended to reflect more reasonable goals since the commenter feels a single error could cause a State to fail to meet the standard.

A number of commenters wanted clarification of the relationship between performance and decisional accuracy. Some recommended that a threshold level be established for decisional accuracy as it now is for the target level.

A number of writers recommended that the high reversal rate at the hearings level be taken into account in

setting the accuracy standard since this is an indication of poor development and decision-making at the initial claims process. Several commenters wanted the regulations on accuracy to require the States to actively assist claimants to obtain evidence.

Response

The primary purpose of the accuracy standard is to achieve improvement in the initial claims process and to ensure that only properly entitled claimants receive disability benefits. Our approach to this standard is to specify outputs (i.e., performance accuracy) rather than to specify all the inputs that could go into the standard.

Our quality assurance system has been in place for some time and we are constantly monitoring and making improvements in it as needed. Data from this review system for fiscal year 1979 were used to establish the performance accuracy levels. Data from this ongoing quality review system will be used to measure State performance.

Our quality assurance system reviews the claims file to determine if it contains the desired evidence; if other factors that could affect a decision have been considered; and if the decision is correct. This review determines the reliability of a State's adjudication of disability claims. The accuracy standard measures such items as interpretation of medical and vocational evidence, procurement of relevant medical evidence, and application of legal standards. Other sections of the regulations require the States to follow written guidelines, and policies and procedures relating to the disability process. These sections give specific requirements for developing and interpreting evidence, applying legal requirements, and adjudicating disability claims. These same guidelines, policies, and procedures are the basis for the factors reviewed in our quality assurance process and are reflected in the accuracy standard.

Further, based on the evidence in the disability claims folder, the quality assurance system identifies the percentage of cases that can be processed without being returned to the State for further development of medical or vocational evidence or for correction of the decision. This percentage is called the State's performance accuracy rate. A separate percentage of cases with correct decisions is called the State's decisional accuracy rate. Decisional accuracy is included in the performance accuracy rate.

We think the State's ability to properly develop a claim is directly related to its ability to arrive at a correct decision. A State could arrive at the right decision in a claim but have incomplete medical or vocational evidence in the folder or have followed incorrect policies and procedures in adjudicating the claim. If we do not return this case as a deficiency, the State could apply the same erroneous practices in other claims which may not be selected for quality assurance review and could make incorrect decisions.

The relationship between the development of a claim and the outcome of the decision makes it unnecessary to set a separate threshold level for decisional accuracy. A target level for decisional accuracy is provided only so the public can better understand the relationship between performance accuracy and decisional accuracy. Also, we wanted to emphasize that performance accuracy reflects more than a right or wrong decision. To set a threshold for decisional accuracy would overemphasize its importance in measuring a State's performance and could lead the States to take shortcuts in developing evidence needed to adjudicate a disability claim.

The commenter who thought a single error could cause a State to fail to meet the accuracy standard was concerned with the sizes of the samples reviewed in the quality assurance system. The likelihood of any State failing to meet the standard because of a single error is statistically possible but extremely remote.

We agree that there is a high reversal rate of denials at the hearings level; however, we do not agree that there is a correlation between this high reversal rate and a State's performance accuracy rate at the initial level. Experience (both special studies and the quality assurance reviews of initial allowances and denials and of hearings level cases) does not support this correlation. Instead, it shows that decisions reversed at the hearings level more often result from the claimant submitting additional medical evidence or the worsening of the claimant's condition. For these reasons, we did not consider the reversal rate at the hearings level in setting initial performance accuracy standards.

We do not agree with the commenters who want the regulations to state that States are required to actively assist claimants to obtain evidence for their claims. Other sections of the regulations require the States to follow SSA's guidelines, policies, and procedures. These sections specify both the claimant's and the State's responsibilities in developing evidence for a disability claim. These factors will be reviewed through the quality assurance function.

Technical and Management Assistance

Issues

Several commenters recommended stricter mandatory technical assistance requirements, a shortening of the technical assistance process, and an SSA assumption of a portion of the workload if a State is unable to meet the threshold levels. Another commenter recommended that SSA assist the State agencies in other ways that the States determine would promote the objectives of effective and uniform administration.

One commenter asked for a more detailed explanation of the meaning of mandatory and optional technical assistance. Another felt that some States would not provide the necessary personnel, equipment, and other resources needed to meet their responsibilities unless forced to do so. The same writer also felt that it would be unrealistic to expect the Federal Government to take over the functions of a State and thus there will be increased pressure on State agency administrators to do more with less.

Response

Our approach for providing technical and management assistance is designed to obtain a high level of performance while not substantially interfering with States' management functions. It gives a State the opportunity to improve its operation without undue interference while still providing for technical and management assistance. Strict requirements would not provide this flexibility. A shortening of the technical and management assistance time frames might not allow a State and SSA a sufficient amount of time to correct the State's problems and permit it to continue to participate in the disability program. One form of technical and management assistance would allow SSA to assume a portion of the State's workload until the State is able to meet the performance standards. Likewise, within the limits of our resources, we will provide assistance which a State determines it needs to promote the objectives of effective and uniform administration.

We are revising the regulations to show when we will provide assistance. (See §§ 404.1660 and 416.1060.)

The State's responsibilities to provide management, personnel, facilities, medical consultant services, and quality assurance are set forth in §§ 404.1603(c) and 416.1003(c) of these regulations. We will make every effort in the budget

process to insure that States have adequate funds to meet these responsibilities.

Substantial Failure in Meeting the Standards

Issues

One commenter stated that because of the consequences of finding a State agency in substantial failure, we should consider the State agency's performance on all the cases it handles, and not only on initial cases. This commenter said that other types of cases, especially reconsideration and continuing disability claims, account for up to one-fourth of the State agency's workload. Thus, it is possible that a State agency may be below the threshold based on its performance on initial claims only but could be above the threshold if all the State agency's work is considered. Another commenter said that, while the threshold levels appear reasonable, a State agency should not be threatened with substantial failure if it falls below a threshold because the volume of work the State agency receives exceeds our predictions of the work it would get. This commenter explained that the State agency's ability to prepare for work depends upon the accuracy of SSA predictions and if these predictions are too low, the State agency may be unable to meet the thresholds through no fault of its own.

Several commenters said that failure to meet the threshold for either performance accuracy or processing time should result in sanctions such as mandatory technical assistance and, if necessary, a finding of substantial failure. They said that a standard for processing time is as important as accuracy in measuring State performance. One writer said that since sanctions are imposed only if a State agency falls below two thresholds, one of which must be performance accuracy, we cannot compel a State agency to meet processing time standards. Another commenter said that since a State agency must fall below two thresholds before sanctions are imposed, a State agency may avoid the sanctions simply by making decisions faster to meet the processing time threshold at the expense of accuracy.

One writer said that the provisions for finding that a State agency had good cause for falling below the performance thresholds are too broad. This person also said that we should establish a mechanism for notifying State agencies when they can expect increased workloads.

Response

We agree that it is desirable to base a determination of whether a State agency is in substantial failure on the State agency's performance on all cases it handles. As soon as we can collect and study sufficient data, we may propose adding standards of performance for reconsideration and continuing disability cases to the regulations. Until then, we must measure a State agency's performance on the basis of the accuracy and timeliness of its initial disability determinations.

We have not adopted the suggestion that we find a State agency in substantial failure if it falls below one or both of the processing time thresholds. As we have noted, the thrust of the legislation which these provisions are intended to reflect is the enhancement of the accuracy and consistency of SSA's determinations with respect to disability. Hence, we consider that we are obliged to place more emphasis on accuracy than processing time to best achieve the statutory purpose. Even so, we are very concerned with processing time and we believe that all cases must be processed as quickly as practicable. However, we do not want any State agency, in order to meet a processing time standard to take short cuts that may keep it from properly developing the evidence and making the right decision in the claims it handles.

We do not believe that the good cause provisions for failing to meet the performance standards are too broad. These provisions ensure only that a State agency will not be found in substantial failure for reasons wholly beyond its control. For example, we routinely advise State agencies of their expected annual workloads and of any changes to these estimates as they occur. The State agency's budget is based on these estimates. If sudden and unanticipated changes make our estimates of a State agency's workload so inaccurate that it is unable to obtain and train adequate staff to meet the workload, we will consider whether this is a factor beyond its control and therefore good cause for not meeting the thresholds.

Hearings and Appeals

Issue

One writer asked that we allow for hearings to permit the State to discuss the differences between the State budget submittal and the budget amount we approve. This writer considered this "essential for sound fiscal management and planning for the State agency."

Response

Sections 404.1626 and 416.1026 require us to "provide funds to the State agency for the necessary cost of performing the disability determination function." The costs are negotiated with the State before they are approved or funds made available. The State has ample opportunity to justify its budget submittal during these negotiations. An additional opportunity to present these issues at a hearing would not seem to further the States' fiscal management and planning.

Assumption of Disability Determination Function

Issues

Several writers commented on potential personnel problems relating to the Federal assumption of a disability determination function. One said that we should set a deadline for the State to make fair and equitable arrangements for displaced State employees who are not hired by us because a State might deliberately fail to make acceptable arrangements for these employees to keep us from assuming its functions. Another commenter asked how we will determine which State employees are capable of performing the disability determination function for us. One writer said that we should further review the negative impact upon our ability to hire State employees because there is no provision in the law for a transfer of State benefits such as seniority, accrued sick and annual leave, and retirement benefits. One commenter said that under a Federal assumption, the State agency's administrator and deputy administrator would not be protected and would not obtain Federal employment. This person also said that a freeze on Federal hiring will preclude the Federal assumption of a State agency function.

One writer said that the regulations should contain a provision that assures that vocational rehabilitation referrals will continue to be made during and after a Federal assumption of the State agency function. Finally, one writer said that there should be a provision that requires us to meet the threshold level of performance if a State agency function is assumed by us.

Response

We do not believe that we need to put in the regulations a specific deadline by which a State agency must make suitable arrangements for its displaced employees before we can assume the State agency's functions. If it is found that we must assume a State agency's

functions, we will notify the Secretary of Labor that an assumption is in progress and that a determination is to be made that the State has made fair and equitable arrangements to protect the interests of displaced employees. If a State, for whatever reasons, does not make fair and equitable arrangements for displaced employees in a timely manner or if the Secretary of Labor cannot determine that proper arrangements have been made, we must accept applications for disability benefits and fully process those applications. This includes making the disability determinations and notifying the claimants of the decisions. We must do this to prevent disruption of services to a State's residents while an assumption of the State's functions is in progress. As required by law, we sent a report to Congress on how we expect to assume the functions and operations of a State agency. That report reflects the approach just described.

We have not yet established criteria for determining which State employees are capable of performing the disability determination function. We are considering State criteria. We must also consider basic and standard requirements which the U.S. Office of Personnel Management will set for each Federal disability determination service job position approved.

We do not yet know what the full effects upon a Federal assumption will be if State employees cannot transfer accrued benefits. We will study this further. Legislation, however, would be required for such benefits to be carried over to a Federal position. It is true that in filling positions under a Federal assumption, the law does not require us to give the State agency administrator and deputy administrator the hiring preference which we must give to other capable State agency employees. Instead it gives us a choice of whether they too should be given the hiring preference. We do not believe that a Federal hiring freeze will preclude a Federal assumption of the State agency's function. If we must assume a State agency's function while under a Federal hiring freeze, we will have to perform the function with existing SSA personnel.

The Social Security Act requires referral for vocational rehabilitation services. We therefore must continue this service. If we assume a State agency's functions, we will make every effort to achieve the highest practicable level of performance.

Additional Changes

Audits, Property and Confidentiality

We have revised §§ 404.1627 and 416.1027 to clarify that the purpose of an audit includes inspecting the work and activities required by the regulations to ensure compliance with pertinent Federal statutes and regulations as well as determining that funds were properly expended.

We have revised §§ 404.1628 and 416.1028 to establish what the disposition would be of a State agency's property and equipment if the State agency's relationship is terminated. The ownership and use of this property may be important if we are required to assume a State's function or we are notified that the State is terminating the relationship. Should assumption of the State's disability determination function become necessary or should the State end the relationship, ownership of all property and equipment acquired with SSA funds will transfer to SSA on the date the State is notified that we are assuming the disability determination function or we are notified that the State is terminating the relationship.

Systems Security

We have amended the language of §§ 404.1631 and 416.1031 which already address the issue of confidentiality of information and records to include the "security of systems" as an area where State agencies are required to adhere to Federal privacy rules.

Hearings and Appeals

According to the rules (45 CFR Part 16) of the Health and Human Services Departmental Grant Appeals Board, "a hearing may be requested within 30 days from the date notice is received rather than within 30 days from the date of the notice," as shown in our Notice of Proposed Rulemaking. Therefore, we have changed §§ 404.1627, 404.1680, 416.1027 and 416.1080 to conform with the Board's rules. Also, since the Board will only provide a hearing on final decisions, we have added language to §§ 404.1683 and 416.1083 to make it clear that a notice of "substantial failure" under §§ 404.1680 and 416.1080 will be considered a "final written decision" for purposes of Board review. We have also eliminated the terms "grantee," "grant" and "termination" in §§ 404.1683 and 416.1083, because under the Board's new procedures, these terms are no longer necessary. We have also added language to §§ 404.1694 and 416.1094 to make it clear that disputes concerning final accounting issues which cannot be resolved between the State and us will be resolved in proceedings before the Grant Appeals Board.

We also revised §§ 404.1681 and 416.1081 to clarify that the Grant Appeals Board will not resolve disputes on matters other than substantial failure that relate to nonfiscal issues. All disputes on nonfiscal issues (i.e., audit determinations relating to management or administrative matters) may be appealed only to the Commissioner of Social Security. Since these nonfiscal matters are generally related to other disability program concerns and interests, we believe it is appropriate that nonfiscal disputes be ultimately decided by the Commissioner as the highest official of the Social Security Administration.

Conclusion

We believe these regulations carry out the intent of Congress, in enacting Pub. L. 96–265, that we improve our administration of the title II and title XVI disability benefits programs while preserving the basic Federal/State structure. Our objective is to place the right person in benefit status in a timely manner, wherever in the country he or she may be living, and to pay the proper amount of benefits as long as that person is entitled to benefits. In our opinion, the regulations foster these objectives by encouraging improvement in the quality of State agency performance which will contribute to assuring that claimants are accorded fair treatment and provided with correct and equitable decisions under uniform national standards. The regulations should help accomplish these goals without adding undue administrative burdens or costs to the adjudicative process.

While Pub. L. 96–265 requires that we issue regulations to implement section 304, our policy is that we should *not* over-regulate the States. We intend to give the States maximum control over the management of their operations in making disability determinations as long as performance is adequate under the standards which we have set. These regulations permit more Federal involvement in the State's activities only if a State's performance becomes unacceptable under the standards. Under these circumstances, our primary objective is not to interfere in the State's operation, but to help the State to improve its performance with the ultimate goal of withdrawing our assistance and allowing the State to resume its own management of the program. Under these regulations, we may take action to take over the disability program from the State only

after clearly establishing that the State has substantially failed to meet its commitment to properly administer the disability determination function in the State and after determining that the State cannot reasonably be expected to effectively carry out these functions in the future. We have the obligation under the law for seeing that the title II and title XVI disability programs are efficiently and equitably administered and intend to make every effort to meet this obligation within the structure of the existing Federal-State partnership.

We certify in accordance with the Regulatory Flexibility Act of 1980 that these regulations do not have an adverse impact on small entities because these rules affect only the States.

(Catalog of Federal Domestic Assistance, Program No. 13.802, Disability Insurance; No. 13.807, Supplemental Security Income Program)

Dated: April 22, 1981.

Herbert R. Doggette, Jr.,

Acting Commissioner of Social Security.

Approved: May 15, 1981.

Richard S. Schweiker,

Secretary of Health and Human Services.

For the reasons set out in the preamble, Chapter III, Title 20 of the *Code of Federal Regulations* is amended as shown.

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950-)

Part 404 of Chapter III of Title 20 of the Code of Federal Regulations is amended as follows:

1. Section 404.1502 is revised to read as follows:

§ 404.1502 General definitions and terms for this subpart.

As used in the subpart—

"Secretary" means the Secretary of Health and Human Services.

"State agency" means that agency of a State which has been designated by the State to carry out the disability determination function.

"We" or "us" refers to either the Social Security Administration or the State agency making the disability or blindness determination.

"You" refers to the person who has applied for benefits or for a period of disability or is receiving benefits based on disability or blindness.

2. Section 404.1503 is revised to read as follows:

§ 404.1503 Who makes disability and blindness determinations.

(a) *State agencies.* State agencies make disability and blindness determinations for the Secretary for most persons living in the State. State agencies make these disability and blindness determinations under regulations containing performance standards and other administrative requirements relating to the disability and blindness determination function. States have the option of turning the function over to the Federal Government if they no longer want to make disability determinations. Also, the Secretary may take the function away from any State which has substantially failed to make disability and blindness determinations in accordance with these regulations. Subpart Q of this Part contains the rules the States must follow in making disability and blindness determinations.

(b) *Social Security Administration.* The Social Security Administration will make disability and blindness determinations for the Secretary for—

(1) Any person living in a State which is not making for the Secretary any disability and blindness determinations or which is not making those determinations for the class of claimants to which that person belongs; and

(2) Any person living outside the United States.

(c) *What determinations are authorized.* The Secretary has authorized the State agencies and the Social Security Administration to make determinations about—

(1) Whether you are disabled or blind;

(2) The date your disability or blindness began; and

(3) The date your disability or blindness stopped.

(d) *Review of State Agency determinations.* On review of a State agency determination or redetermination of disability or blindness we may find that—

(1) You are, or are not, disabled or blind, regardless of what the State agency found;

(2) Your disability or blindness began earlier or later than the date found by the State agency; and

(3) Your disability or blindness stopped earlier or later than the date found by the State agency.

§§ 404.1601–404.1610 (Subpart Q) [Redesignated as §§ 404.2001–404.2010 (Subpart U)]

3. The headings and text of §§ 404.1601–404.1610 (Subpart Q) are redesignated as §§ 404.2001–404.2010 (Subpart U) respectively. The heading for Subpart U is "Representative Payee". (A proposed revision of present Subpart Q has been published in the **Federal Register.** These regulations will be redesignated when adopted as final).

4. A new Subpart Q is added to Part 404 to read as follows:

Subpart Q—Determinations of Disability

General Provisions

Sec.
404.1601 Purpose and scope.
404.1602 Definitions.
404.1603 Basic responsibilities for us and the State.

Responsibilities for Performing the Disability Determination Function

404.1610 How a State notifies us that it wishes to perform the disability determination function.
404.1611 How we notify a State whether it may perform the disability determination function.
404.1613 Disability determinations the State makes.
404.1614 Responsibilities for obtaining evidence to make disability determinations.
404.1615 Making disability determinations.
404.1618 Notifying claimants of the disability determination.

Administrative Responsibilities and Requirements

404.1620 Organization.
404.1621 Personnel.
404.1622 Training.
404.1623 Facilities.
404.1624 Medical and other purchased services.
404.1625 Records and reports.
404.1626 Fiscal.
404.1627 Audits.
404.1628 Property.
404.1629 Participation in research and demonstration projects.
404.1630 Coordination with other agencies.
404.1631 Confidentiality of information and records.
404.1632 Other Federal laws and regulations.
404.1633 Policies and operating instructions.

Performance Standards

404.1640 General.
404.1641 Standards of performance.
404.1642 Processing time standard.
404.1643 Performance accuracy standard.
404.1644 How and when we determine whether the processing time standards are met.
404.1645 How and when we determine whether the performance accuracy standard is met.
404.1650 If a State agency is not meeting the standards.

Technical and Management Assistance

404.1660 When we will provide assistance.
404.1661 What assistance we will provide.

Substantial Failure

404.1670 General.
404.1671 Good cause for not meeting the established threshold levels.
404.1675 Finding of substantial failure.

Hearings and Appeals

404.1680 Notice of right to hearing on proposed finding of substantial failure.
404.1681 Disputes on other matters.
404.1682 Who conducts the hearings.
404.1683 Hearings and appeals process.

Assumption of Disability Determination Function

404.1690 Assumption when we make a finding of substantial failure.
404.1691 Assumption when State no longer wishes to perform the disability determination function.
404.1692 Protection of State employees.
404.1693 Limitation on State expenditures after notice.
404.1694 Final accounting by the State.

Authority: Issued under secs. 205, 221 and 1102 of the Social Security Act, as amended; 53 Stat. 1368, as amended; 66 Stat. 1081, as amended; 49 Stat. 647, as amended; 42 U.S.C. 405, 421 and 1302.

Subpart Q—Determinations of Disability

General Provisions

§ 404.1601 Purpose and scope.

This subpart describes the standards of performance and administrative requirements and procedures for States making determinations of disability for the Secretary under title II of the Act. It also establishes the Secretary's responsibilities in carrying out the disability determination function.

(a) Sections 404.1601–404.1603 describe the purpose of the regulations and the meaning of terms frequently used in the regulations. They also briefly set forth the responsibilities of the Secretary and the States covered in detail in other sections.

(b) Sections 404.1610–404.1618 describe the Secretary's and the State's responsibilities in performing the disability determination function.

(c) Sections 404.1620–404.1633 describe the administrative responsibilities and requirements of the States. The corresponding role of the Secretary is also set out.

(d) Sections 404.1640–404.1650 describe the performance accuracy and processing time standards for measuring State agency performance.

(e) Sections 404.1660–404.1661 describe when and what kind of assistance the Secretary will provide State agencies to help them improve performance.

(f) Sections 404.1670–404.1675 describe the level of performance below which the Secretary will consider a State agency to be substantially failing to make disability determinations consistent with the regulations and other written guidelines and the resulting action the Secretary will take.

(g) Sections 404.1680–404.1683 describe the rules for resolving disputes concerning fiscal issues and providing hearings when we propose to find that a State is in substantial failure.

(h) Sections 404.1690–404.1694 describe when and what action the Secretary will take and what action the State will be expected to take if the Secretary assumes the disability determination function from a State agency.

§ 404.1602 Definitions.

For purposes of this subpart:

"Act" means the Social Security Act, as amended.

"Class or classes of cases" means the categories into which disability claims are divided according to their characteristics.

"Determination of disability" or "disability determination" means one or more of the following decisions:

(a) Whether or not a person is under a disability;

(b) The date a person's disability began; or

(c) The date a person's disability ended.

"Disability" means "disability" or "blindness" as defined in sections 216(i) and 223 of the Act or as defined in title IV of the Federal Mine Safety and Health Act of 1977, as amended.

"Disability determination function" means making determinations as to disability and carrying out related administrative and other responsibilities.

"Disability program" means, as appropriate, the Federal programs for providing disability insurance benefits under title II of the Act and disability benefits under title IV of the Federal Mine Safety and Health Act of 1977, as amended.

"Initial" means the first level of disability adjudication.

"Other written guidelines" means the policies, procedures, guides, and operating instructions in the Disability Insurance section of the Program Operations Manual System that are not designated as advisory or discretionary.

"Regulations" means regulations in this subpart issued under §§ 205(a), 221 and 1102 of the Act, unless otherwise indicated.

"Secretary" means the Secretary of the Department of Health and Human Services or the Secretary's delegate.

"State" means any of the 50 States of the United States, the Commonwealth of Puerto Rico, the District of Columbia, or Guam. It includes the State agency.

"State agency" means that agency of a State which has been designated by the State to carry out the disability determination function.

"We", "us," and "our" refers to the Social Security Administration (SSA) or the Secretary, as appropriate.

§ 404.1603 Basic responsibilities for us and the State.

(a) *General.* We will work with the State to provide and maintain an effective system for processing claims of those who apply for and who are receiving benefits under the disability program. We will provide program standards, leadership, and oversight. We do not intend to become involved in the State's ongoing management of the program except as is necessary and in accordance with these regulations. The State will comply with our regulations and other written guidelines.

(b) *Our responsibilities.* We will:

(1) Periodically review the regulations and other written guidelines to determine whether they insure effective and uniform administration of the disability program. To the extent feasible, we will consult with and take into consideration the experience of the States in issuing regulations and guidelines necessary to insure effective and uniform administration of the disability program;

(2) Provide training materials or in some instances conduct or specify training, see § 404.1622;

(3) Provide funds to the State agency for the necessary cost of performing the disability determination function, see § 404.1626;

(4) Monitor and evaluate the performance of the State agency under the established standards, see §§404.1644 and 404.1645; and

(5) Maintain liaison with the medical profession nationally and with national organizations and agencies whose interests or activities may affect the disability program.

(c) *Responsibilities of the State.* The State will:

(1) Provide management needed to insure that the State agency carries out the disability determination function so that disability determinations are made accurately and promptly;

(2) Provide an organizational structure, adequate facilities, qualified personnel, medical consultant services, and a quality assurance function (§§ 404.1620–404.1624);

(3) Furnish reports and records relating to the administration of the disability program (§ 404.1625);

(4) Submit budgets (§ 404.1626);

(5) Cooperate with audits (§ 404.1627);

(6) Insure that all applicants for and recipients of disability benefits are treated equally and courteously;

(7) Be responsible for property used for disability program purposes (§ 404.1628);

(8) Take part in the research and demonstration projects (§ 404.1629);

(9) Coordinate with other agencies (§ 404.1630);

(10) Safeguard the records created by the State in performing the disability determination function (§ 404.1631);

(11) Comply with other provisions of the Federal law and regulations that apply to the State in performing the disability determination function;

(12) Comply with other written guidelines (§ 404.1633);

(13) Maintain liaison with the medical profession and organizations that may facilitate performing the disability determination function; and

(14) Assist us in other ways that we determine may promote the objectives of effective and uniform administration.

Responsibilities for Performing the Disability Determination Function

§ 404.1610 How a State notifies us that it wishes to perform the disability determination function.

(a) *Deemed notice.* Any State that has in effect as of June 1, 1981, an agreement with us to make disability determinations will be deemed to have given us notice that it wishes to perform the disability determination function, in lieu of continuing the agreement in effect after June 1, 1981.

(b) *Written notice.* After June 1, 1981, a State not making disability determinations that wishes to perform the disability determination function under these regulations must notify us in writing. The notice must be from an official authorized to act for the State for this purpose. The State will provide an opinion from the State's Attorney General verifying the authority of the official who sent the notice to act for the State.

§ 404.1611 How we notify a State whether it may perform the disability determination function.

(a) If a State notifies us in writing that it wishes to perform the disability determination function, we will notify the State in writing whether or not it may perform the function. The State will begin performing the disability determination function beginning with the month we and the State agree upon.

(b) If we have previously found that a State agency has substantially failed to make disability determinations in accordance with the law or these regulations and other written guidelines or if the State has previously notified us in writing that it does not wish to make disability determinations, the notice will advise the State whether the State agency may again make the disability determinations and, if so, the date and the conditions under which the State may again make them.

§ 404.1613 Disability determinations the State makes.

(a) *General rule.* A State agency will make determinations of disability with respect to all persons in the State except those individuals whose cases are in a class specifically excluded by our written guidelines. A determination of disability made by the State is the determination of the Secretary, except as described in § 404.1503(d)(1).

(b) *New classes of cases.* Where any new class or classes of cases arise requiring determinations of disability, we will determine the conditions under which a State may choose not to make the disability determinations. We will provide the State with the necessary funding to do the additional work.

(c) *Temporary transfer of classes of cases.* We will make disability determinations for classes of cases temporarily transferred to us by the State agency if the State agency asks us to do so and we agree. The State agency will make written arrangements with us which will specify the period of time and the class or classes of cases we will do.

§ 404.1614 Responsibilities for obtaining evidence to make disability determinations.

(a) The State agency will secure from the claimant, or other sources, any evidence it needs to make a disability determination.

(b) We will secure from the claimant or other special arrangement sources, any evidence we can obtain as adequately and more readily than the State agency. We will furnish the evidence to the State agency for use in making a disability determination.

(c) At our request, the State agency will obtain and furnish medical or other evidence and provide assistance as may be necessary for us to carry out our responsibilities—

(1) For making disability determinations in those classes of cases described in the written guidelines for which the State agency does not make the determination; or

(2) Under international agreements with respect to social security benefits payable under section 233 of the Act.

§ 404.1615 Making disability determinations.

(a) When making a disability determination, the State agency will apply subpart P, Part 404 of our regulations.

(b) The State agency will make disability determinations based only on the medical and nonmedical evidence in its files.

(c) Disability determinations will be made by a State agency medical consultant and a State agency disability examiner. The State agency disability examiner must be qualified to interpret and evaluate medical reports and other evidence relating to the claimant's physical or mental impairments and as necessary to determine the capacities of the claimant to perform substantial gainful activity. (See § 404.1572 of this part for what we mean by "substantial gainful activity".)

(d) The State agency will certify each determination of disability to us on forms we provide.

(e) The State agency will furnish us with all the evidence it considered in making its determination.

(f) The State agency will not be responsible for defending in court any determination made, or any procedure for making determinations, under these regulations.

§ 404.1618 Notifying claimants of the disability determination.

The State agency will prepare denial notices in accordance with subpart J of this Part whenever it makes a disability determination which is wholly or partly unfavorable to the claimant.

Administrative Responsibilities and Requirements

§ 404.1620 Organization.

(a) The State will provide the organizational structure, sufficient qualified personnel, medical consultant services, and a quality assurance function to insure disability determinations are made accurately and promptly. We may impose specific organizational requirements on the State, but only in the course of mandatory technical and management assistance as described in § 404.1660.

(b) The State is responsible for making accurate and prompt disability determinations.

§ 404.1621 Personnel.

(a) *Equal Employment Opportunity.* The State will comply with all applicable Federal statutes, executive orders and regulations concerned with equal employment opportunities.

(b) *Selection, tenure, and compensation.* The State agency will, except as may be inconsistent with paragraph (a) of this section, adhere to applicable State approved personnel

standards in the selection, tenure, and compensation of any individual employed in the disability program.

(c) *Travel.* The State will make personnel available to attend meetings or workshops as may be sponsored or approved by us for furthering the purposes of the disability program.

(d) *Restrictions.* Subject to appropriate Federal funding, the State will, to the best of its ability, facilitate the processing of disability claims by avoiding personnel freezes, restrictions against overtime work, or curtailment of facilities or activities.

§ 404.1622 Training.

The State will insure that all employees have an acceptable level of competence. We will provide training and other instructional materials to facilitate basic and advanced technical proficiency of disability staff in order to insure uniformity and effectiveness in the administration of the disability program. We will conduct or specify training, as appropriate, but only if:

(a) a State agency's performance approaches unacceptable levels; or

(b) the material required for the training is complex or the capacity of the State to deliver the training is in doubt and uniformity of the training is essential.

§ 404.1623 Facilities.

(a) *Space, equipment, supplies, and other services.* Subject to appropriate Federal funding, the State will provide adequate space, equipment, supplies, and other services to facilitate making accurate and prompt disability determinations.

(b) *Location of facilities.* Subject to appropriate Federal funding, the State will determine the location where the disability determination function is to be performed so that disability determinations are made accurately and promptly.

(c) *Access.* The State will permit us access to the premises where the disability determination function is performed for the purposes of inspecting the work and activities required by the regulations and assuring compliance with pertinent Federal statutes and regulations. We will contact the State and give reasonable prior notice of the times and purposes of any visit.

§ 404.1624 Medical and other purchased services.

The State will determine the rates of payment to be used for purchasing medical or other services necessary to make determinations of disability. The rates may not exceed the highest rate paid by Federal or other agencies in the State for the same or similar type of service. The State will maintain documentation to support the rates of payment it uses.

§ 404.1625 Records and reports.

(a) The State will establish and maintain the records and furnish the schedules, financial, cost, and other reports relating to the administration of the disability programs as we may require.

(b) The State will permit us and the Comptroller General of the United States (including duly authorized representatives) access to and the right to examine records relating to the work which the State performs under these regulations. These records will be retained by the State for the periods of time specified for retention of records in the Federal Procurement Regulations (41 CFR Parts 1–20).

§ 404.1626 Fiscal.

(a) We will give the State funds, in advance or by way of reimbursement, for necessary costs in making disability determinations under these regulations. Necessary costs mean direct as well as indirect costs as defined in title 41 CFR subpart 1–15.7 and in Federal Management Circular 74–4, as amended or superseded.

(b) The State will submit estimates of anticipated costs in the form of a budget at the time and in the manner we require.

(c) We will notify the State of the amount which will be made available to it as well as what anticipated costs are being approved.

(d) The State may not incur or make expenditures for items of cost not approved by us or in excess of the amount we make available to the State.

(e) After the close of a period for which funds have been made available to the State, the State will submit a report of its actual expenditures. We will give the State an audit report showing whether the expenditures were consistent with cost principles described in subpart 1–15.7 of part 1–15 of the Federal Procurement Regulations (41 CFR 1–15.7) and in written guidelines in effect at the time the expenditures were made or incurred.

(f) Any monies paid to the State which are used for purposes not within the scope of these regulations will be paid back to the Treasury of the United States.

§ 404.1627 Audits.

As soon as practicable after the close of each budgetary period, or at other times as necessary, the books of account and records in each State pertaining to the administration of the disability program under the Act will be audited by our Inspector General's office. These audits are conducted to determine whether the expenditures were made for the purposes intended and in amounts necessary for the proper and efficient administration of the disability program. Audits will also be made to inspect the work and activities required by the regulations to ensure compliance with pertinent Federal statutes and regulations. The State will make every effort to act upon and resolve any items questioned in an audit.

(a) *Questioned items.* Expenditures of State agencies will be audited on the basis of cost principles and written guidelines in effect at the time the expenditures were made or incurred. Both the State and the State agency will be informed and given a full explanation of any questioned items. They will be given reasonable time to explain questioned items or expenditures. Any explanation furnished by the State or State agency will be given full consideration before a final determination is made on questioned items in the audit report.

(b) *State appeal of audit determinations.* The appropriate SSA regional commissioner will notify the State of his or her determination on the audit report. If the State disagrees with that determination, the State may request reconsideration in writing within 30 days of the date of the regional commissioner's notice of the determination. The written request may be made, through the Associate Commissioner, Office of Operational Policy and Procedures, to the Commissioner of Social Security, Room 900, Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235. The Commissioner will make a determination and notify the State of that decision in writing no later than 45 days from the date of the State's appeal. The decision by the Commissioner will be final and conclusive upon the State unless the State appeals that decision in writing to the Department of Health and Human Services, Departmental Grant Appeals Board within 30 days after receiving the Commissioner's decision. See § 404.1683.

§ 404.1628 Property.

The State will have title to equipment purchased for disability program purposes. The State will be responsible for maintaining all property it acquires or which we furnish to it for performing the disability determination function. The State will identify the equipment by labeling and by inventory and will

credit the SSA account with the fair market value of disposed property.

In the event we assume the disability determination function from a State, ownership of all property and equipment acquired with SSA funds will be transferred to us effective on the date the State is notified that we are assuming the disability determination function or we are notified that the State is terminating the relationship.

§ 404.1629 Participation in research and demonstration projects.

We will invite State participation in federally funded research and demonstration projects to assess the effectiveness of the disability program and to ascertain the effect of program policy changes. Where we determine that State participation is necessary for the project to be complete, for example, to provide national uniformity in a claims process, State participation is mandatory.

§ 404.1630 Coordination with other agencies.

(a) The State will establish cooperative working relationships with other agencies concerned with serving the disabled and, insofar as practicable, use their services, facilities, and records to:

(1) Assist the State in developing evidence and making determinations of disability; and

(2) Insure that referral of disabled or blind persons for rehabilitation services will be carried out effectively.

(b) The State may pay these agencies for the services, facilities, or records they provide. The State will include these costs in its estimates of anticipated costs and reports of actual expenditures.

§ 404.1631 Confidentiality of information and records.

The State will comply with the confidentiality of information, including the security of systems, and records requirements described in 20 CFR Part 401 and pertinent written guidelines (see § 404.1633).

§ 404.1632 Other Federal laws and regulations.

The State will comply with the provisions of other Federal laws and regulations that directly affect its responsibilities in carrying out the disability determination function; for example, Treasury Department regulations on letters of credit (31 CFR Part 205).

§ 404.1633 Policies and operating instructions.

(a) We will provide the State agency with written guidelines necessary for it to carry out its responsibilities in performing the disability determination function.

(b) The State agency making determinations of disability will comply with the written guidelines in the Disability Insurance section of the Program Operations Manual System. This manual will also include certain policies, procedures, guides and operating instructions designated as advisory or discretionary.

(c) A representative group of State agencies will be given an opportunity to participate in formulating disability program policies that have an affect on their role in carrying out the disability determination function. State agencies will also be given an opportunity to comment before changes are made in written guidelines unless delay in issuing a change may impair service to the public.

Performance Standards

§ 404.1640 General.

The following sections provide the procedures and guidelines we use to determine whether the State agency meets established national performance standards. We use these performance standards to help assure effective and uniform administration of our disability programs throughout the United States and to measure whether each State agency's performance of the disability determination function is acceptable. Also, the standards are designed to improve overall State agency performance in the disability determination process. We measure the State agency performance in two areas—processing time and performance accuracy.

§ 404.1641 Standards of performance.

(a) *General.* The performance standards include both a target level of performance and a threshold level of performance for the State agency. The target level represents a level of performance that we and the States will work to attain in the future. The threshold level is the minimum acceptable level of performance. Performance below the threshold level will be the basis for the Secretary's taking from the State agency partial or complete responsibility for performing the disability determination function. Intermediate State agency goals are designed to help each State agency move from its current performance levels to the target levels.

(b) *The target level.* The target level is the optimum level of performance. There are three targets—one for combined title II and title XVI initial performance accuracy, one for title II initial processing time, and one for title XVI initial processing time.

(c) *The threshold level.* The threshold level is the minimum acceptable level of performance. There are three thresholds—one for combined title II and title XVI initial performance accuracy, one for title II initial processing time, and one for title XVI initial processing time.

(d) *Intermediate goals.* Intermediate goals are levels of performance between the threshold levels and the target levels established by SSA's regional commissioner after negotiation with each State agency. The intermediate goals are stepping stones designed to help the State agencies reach the target levels. Failure to meet these goals is not a cause for considering the State agency to be substantially failing to comply with the performance standards. However, failure to meet the intermediate goals may result in consultation and an offer of optional technical and management assistance depending on the availability of SSA resources.

§ 404.1642 Processing time standards.

(a) *General.* Title II processing time refers to the average number of days (including Saturday, Sunday and holidays) it takes a State agency to process an initial disability claim from the day it is received in the State agency until the day it is released by the State agency. Title XVI processing time refers to the average number of days (including Saturday, Sunday and holidays) from release of the initial disability claim by the SSA district office until systems input of the disability determination.

(b) *Target levels.* The processing time target levels are:

(1) 37 days for title II initial claims.

(2) 43 days for title XVI initial claims.

(c) *Threshold levels.* The processing time threshold levels are:

(1) 49.5 days for title II initial claims.

(2) 57.9 days for title XVI initial claims.

§ 404.1643 Performance accuracy standard.

(a) *General.* Performance accuracy refers to the percentage of cases that do not have to be returned to State agencies for further development or correction of decisions based on evidence in the files and as such represents the reliability of State agency

adjudication. The definition of performance accuracy includes the measurement of factors that have a potential for affecting a decision, as well as the correctness of the decision. For example, if a particular item of medical evidence should have been in the file but was not included, even though its inclusion does not change the result in the case, that is a performance error. Performance accuracy, therefore, is a higher standard than decisional accuracy. As a result, the percentage of correct decisions is significantly higher than what is reflected in the error rate established by SSA's quality assurance system.

(b) *Target level.* The State agency initial performance accuracy target level for combined title II and title XVI cases is 97 percent with a corresponding decision accuracy rate of 99 percent.

(c) *Intermediate Goals.* These goals will be established annually by SSA's regional commissioner after negotiation with the State and should be used as stepping stones to progress towards our targeted level of performance.

(d) *Threshold levels.* The State agency initial performance accuracy threshold level for combined title II and title XVI cases is 90.6 percent.

§ 404.1644 How and when we determine whether the processing time standards are met.

(a) *How we determine processing times.* For all initial title II cases, we calculate the mean number of days (including Saturday, Sunday and holidays) from the time the case folder is received in the State agency until it is released to us by the State agency. For initial title XVI cases, we calculate a mean number of days (including Saturday, Sunday and holidays) from the release of the case folder by the social security district office until systems input of the disability determination.

(b) *Frequency of review.* Title II processing times and title XVI processing times are monitored separately on a quarterly basis. The determination as to whether or not the processing time thresholds have been met is made at the end of each quarter each year. Quarterly State-by-State mean processing times are compared with the threshold levels for both title II and title XVI.

§ 404.1645 How and when we determine whether the performance accuracy standard is met.

(a) *How we determine performance accuracy.* We determine a State agency's performance accuracy rate on the basis of decision and documentation errors identified in our review of the sample cases.

(b) *Frequency of review.* Title II and title XVI initial performance accuracy are monitored together on a quarterly basis. The determinations as to whether the performance accuracy threshold has been met is made at the end of each quarter each year. Quarterly State-by-State combined initial performance accuracy rates are compared to the established threshold level.

§ 404.1650 If a State agency is not meeting the standards.

If a State agency falls below 2 of the 3 established threshold levels (one of which must be performance accuracy) for 2 or more consecutive quarters, we will notify the State agency in writing that it is not meeting the standards. Following our notification we will as soon as practicable provide the State agency appropriate technical and management assistance described in §§ 404.1660 and 404.1661 of these regulations for a period of up to 12 months.

Technical and Management Assistance

§ 404.1660 When we will provide assistance.

(a) *General.* We will maintain a regular monitoring program to evaluate State agency performance of combined title II and title XVI initial performance accuracy, title II initial processing time and title XVI initial processing time. This regular monitoring program will allow us to determine the type of technical and management assistance a State agency may need to improve its performance. In addition, the results of this monitoring will show whether we will give a State agency mandatory or optional technical and management assistance.

(b) *Mandatory assistance.* (1) We will provide a State agency technical and management assistance if it fails to meet two of three threshold levels (one being performance accuracy) for two consecutive quarters. These levels are—

(i) Combined title II and title XVI initial performance accuracy—90.6 percent

(ii) Title II initial processing time—49.5 days

(iii) Title XVI initial processing time—57.9 days

(2) Failure to meet any one of the threshold levels for two consecutive quarters may result in technical and management assistance being provided depending on available resources.

(c) *Optional assistance.* We may offer a State agency technical and management assistance when regular monitoring reveals that performance has significantly declined or that intermediate goals have not been met. We will offer this technical and management assistance at our discretion based on available resources.

§ 404.1661 What assistance we will provide.

We will initiate a program of technical and management assistance in order to improve performance in those State agencies where it has been determined that such help is necessary. This program will include any or all of the following—

(a) An onsite review of cases processed by the State agency emphasizing adherence to written guidelines.

(b) A fiscal and administrative management review (FAMR) to:

(1) Identify particular aspects of State agency operations which can receive immediate help and thus improve performance accuracy or processing time; and

(2) Develop a long-range plan based on the FAMR results to help the State agency prevent its performance from falling below the threshold levels in the future.

(c) A request that necessary administrative measures be implemented (e.g., filling staffing vacancies, using overtime, assisting with training activities, etc.).

(d) Provisions for Federal personnel to perform onsite reviews, conduct training, or perform other functions needed to improve performance.

(e) Provisions for fiscal aid to allow for overtime, temporary hiring of additional staff, etc., above the authorized budget.

Substantial Failure

§ 404.1670 General.

After a State agency falls below 2 of 3 established threshold levels, one being performance accuracy, for 2 consecutive quarters, and after the mandatory technical and management assistance period, we will give the State agency a 3-month adjustment period. During this 3-month period we will not require the State agency to meet the threshold levels. Following the adjustment period, if the State agency again falls below 2 of 3 threshold levels, one being performance accuracy, in 2 consecutive quarters during the next 12 months, we will notify the State that we propose to find the State agency to be in substantial failure and advise it that it may request a hearing on that issue. After giving the State notice and an opportunity for a hearing, if it is found that a State agency has substantially

failed to make disability determinations consistent with the regulations and other written guidelines, we will assume partial or complete responsibility for performing the disability determination function after we have complied with § 404.1690 and § 404.1692.

§ 404.1671 Good cause for not meeting the established threshold levels.

If we find that a State agency did not meet the threshold levels because of factors beyond its control, we will not find the State agency to be in substantial failure. Some of the factors we will consider are:

(a) Disasters such as fire, flood, or civil disorder, that—

(1) Require the diversion of significant personnel normally assigned the disability determination function, or

(2) Destroyed or delayed access to significant records needed to make accurate disability determinations;

(b) Strikes of State agency staff or other government or private personnel necessary to the performance of the disability determination function; or

(c) Sudden and unanticipated workload changes which result from changes in Federal law, regulation, or written guidelines, systems modifications or systems malfunctions, or rapid, unpredictable caseload growth for a 6-month period or longer.

§ 404.1675 Finding of substantial failure.

A finding of substantial failure with respect to a State may not be made unless and until the State is afforded an opportunity for a hearing.

Hearings and Appeals

§ 404.1680 Notice of right to hearing on proposed finding of substantial failure.

If, following the mandatory technical and management assistance period and the 3-month adjustment period, a State agency again falls below 2 of 3 threshold levels (one being performance accuracy) in 2 consecutive quarters in the succeeding 12 months, we will notify the State in writing that we will find the State agency in substantial failure unless the State submits a written request for a hearing with the Health and Human Services Departmental Grant Appeals Board within 30 days after receiving the notice. The notice will identify the threshold levels that were not met by the State agency, the period during which the thresholds were not met, and the accuracy and processing time levels attained by the State agency during this period. If a hearing is not requested, the State agency will be found in substantial failure and we will implement our plans to assume the disability determination function.

§ 404.1681 Disputes on other matters.

Disputes concerning fiscal issues will be resolved in proceedings before the Health and Human Services Departmental Grant Appeals Board if the issue cannot be resolved between us and the State. Disputes concerning nonfiscal issues will be resolved through an appeal to the Commissioner of Social Security, who will make the final decision. (See § 404.1627.)

§ 404.1682 Who conducts the hearings.

If a hearing is required, it will be conducted by the Health and Human Services Departmental Grant Appeals Board (the Board).

§ 404.1683 Hearings and appeals process.

The rules for hearings and appeals before the Board are provided in 45 CFR Part 16. A notice under § 404.1680 of this subpart will be considered a "final written decision" for purposes of Board review.

Assumption of Disability Determination Function

§ 404.1690 Assumption when we make a finding of substantial failure.

(a) *Notice to State.* When we find that substantial failure exists, we will notify the State in writing that we will assume responsibility for performing the disability determination function from the State agency, whether the assumption will be partial or complete, and the date on which the assumption will be effective.

(b) *Effective date of assumption.* The date of any partial or complete assumption of the disability determination function from a State agency may not be earlier than 180 days after our finding of substantial failure, and not before compliance with the requirements of § 404.1692.

§ 404.1691 Assumption when State no longer wishes to perform the disability determination function.

(a) *Notice to the Secretary.* If a State no longer wishes to perform the disability determination function, it will notify us in writing. The notice must be from an official authorized to act for the State for this purpose. The State will provide an opinion from the State's Attorney General verifying the authority of the official who gave the notice.

(b) *Effective date of assumption.* The State agency will continue to perform whatever activities of the disability determination function it is performing at the time the notice referred to in paragraph (a) of this section is given for not less than 180 days or, if later, until we have complied with the requirements of § 404.1692. For example, if the State is not making disability determinations (because we previously assumed responsibility for making them) but is performing other activities related to the disability determination function at the time it gives notice, the State will continue to do these activities until the requirements of this paragraph are met. Thereafter, we will assume complete responsibility for performing the disability determination function.

§ 404.1692. Protection of State employees.

(a) *Hiring preference.* We will develop and initiate procedures to implement a plan to partially or completely assume the disability determination function from the State agency under § 404.1690 or § 404.1691, as appropriate. Except for the State agency's administrator, deputy administrator, or assistant administrator (or his equivalent), we will give employees of the State agency who are capable of performing duties in the disability determination function preference over any other persons in filling positions with us for which they are qualified. We may also give a preference in hiring to the State agency's administrator, deputy administrator, or assistant administrator (or his equivalent). We will establish a system for determining the hiring priority among the affected State agency employees in those instances where we are not hiring all of them.

(b) *Determination by Secretary of Labor.* We will not assume responsibility for performing the disability determination function from a State until the Secretary of Labor determines that the State has made fair and equitable arrangements under applicable Federal, State and local law to protect the interests of employees who will be displaced from their employment because of the assumption and who we will not hire.

§ 404.1693 Limitation on State expenditures after notice.

The State agency may not, after it receives the notice referred to in § 404.1690, or gives the notice referred to in § 404.1691, make any new commitments to spend funds allocated to it for performing the disability determination function without the approval of the appropriate SSA regional commissioner. The State will make every effort to close out as soon as possible all existing commitments that relate to performing the disability determination function.

§ 404.1694 Final accounting by the State.

The State will submit its final claims to us as soon as possible, but in no event later than 1 year from the effective date of our assumption of the disability determination function unless we grant an extension of time. When the final claim(s) is submitted, a final accounting will be made by the State of any funds paid to the State under § 404.1626 which have not been spent or committed prior to the effective date of our assumption of the disability determination function. Disputes concerning final accounting issues which cannot be resolved between the State and us will be resolved in proceedings before the Grant Appeals Board as described in 45 CFR Part 16.

PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

Part 416 of Chapter III of Title 20 of the Code of Federal Regulations is amended as follows:

1. Section 416.902 is revised to read as follows:

§ 416.902 General definitions and terms for this subpart.

As used in the subpart—

"Secretary" means the Secretary of Health and Human Services.

"State agency" means that agency of a State which has been designated by the State to carry out the disability determination function.

"We" or "us" refers to either the Social Security Administration or the State agency making the disability or blindness determination.

"You" refers to the person who has applied for or is receiving benefits based on disability or blindness.

2. Section 416.903 is revised to read as follows:

§ 416.903 Who makes disability and blindness determinations.

(a) *State agencies.* State agencies make disability and blindness determinations for the Secretary for most persons living in the State. State agencies make these disability and blindness determinations under regulations containing performance standards and other administrative requirements relating to the disability and blindness determination function. States have the option of turning the function over to the Federal Government if they no longer want to make disability determinations. Also, the Secretary may take the function away from any State which has substantially failed to make disability and blindness determinations in accordance with these regulations. Subpart J of this Part contains the rules the States must follow in making disability and blindness determinations.

(b) *Social Security Administration.* The Social Security Administration will make disability and blindness determinations for the Secretary for—

(1) Any person living in a State which is not making for the Secretary any disability and blindness determinations or which is not making those determinations for the class of claimants to which that person belongs; and

(2) Any person living outside the United States.

(c) *What determinations are authorized.* The Secretary has authorized the State agencies and the Social Security Administration to make determinations about—

(1) Whether you are disabled or blind;

(2) The date your disability or blindness began; and

(3) The date your disability or blindness stopped.

(d) *Review of State Agency determinations.* On review of a State agency determination or redetermination of disability or blindness we may find that—

(1) You are, or are not, disabled or blind, regardless of what the State agency found;

(2) Your disability or blindness began earlier or later than the date found by the State agency; and

(3) Your disability or blindness stopped earlier or later than the date found by the State agency.

§§ 416.1001–416.1078 [Redesignated as §§416.1801–416.1878 (Subpart R)]

3. The section headings and the text of §§ 416.1001–416.1078 are redesignated as §§ 416.1801–416.1878 (Subpart R). The title of Subpart R is "Relationship".

4. A new Subpart J is added to Part 416 to read as follows:

Subpart J—Determinations of Disability

General Provisions

Sec.

416.1001 Purpose and scope.
416.1002 Definitions.
416.1003 Basic responsibilities for us and the State.

Responsibilities for Performing the Disability Determination Function

416.1010 How a State notifies us that it wishes to perform the disability determination function.
416.1011 How we notify a State whether it may perform the disability determination function.
416.1013 Disability determinations the State makes.
416.1014 Responsibilities for obtaining evidence to make disability determinations.
416.1015 Making disability determinations.
416.1018 Notifying claimants of the disability determination.

Administrative Responsibilities and Requirements

416.1020 Organization.
416.1021 Personnel.
416.1022 Training.
416.1023 Facilities.
416.1024 Medical and other purchased services.
416.1025 Records and reports.
416.1026 Fiscal.
416.1027 Audits.
416.1028 Property.
416.1029 Participation in research and demonstration projects.
416.1030 Coordination with other agencies.
416.1031 Confidentiality of information and records.
416.1032 Other Federal laws and regulations.
416.1033 Policies and operating instructions.

Performance Standards

416.1040 General.
416.1041 Standards of performance.
416.1042 Processing time standard.
416.1043 Performance accuracy standard.
416.1044 How and when we determine whether the processing time standards are met.
416.1045 How and when we determine whether the performance accuracy standard is met.
416.1050 If a State agency is not meeting the standards.

Technical and Management Assistance

416.1060 When we will provide assistance.
416.1061 What assistance we will provide.

Substantial Failure

416.1070 General.
416.1071 Good cause for not meeting the established threshold levels.
416.1075 Finding of substantial failure.

Hearings and Appeals

416.1080 Notice of right to hearing on proposed finding of substantial failure.
416.1081 Disputes on other matters.
416.1082 Who conducts the hearings.
416.1083 Hearings and appeals process.

Assumption of Disability Determination Function

416.1090 Assumption when we make a finding of substantial failure.
416.1091 Assumption when State no longer wishes to perform the disability determination function.
416.1092 Protection of State employees.
416.1093 Limitation on State expenditures after notice.
416.1094 Final accounting by the State.

Authority: Issued under secs. 1102, 1614, and 1631 of the Social Security Act, as amended; 49 Stat. 647, as amended; 86 Stat. 1471, as amended by 88 Stat. 52; 86 Stat. 1475; 42 U.S.C. 1302, 1382c, and 1383.

Subpart J—Determinations of Disability

General Provisions

§ 416.1001 Purpose and scope.

This subpart describes the standards of performance and administrative requirements and procedures for States making determinations of disability for the Secretary under title XVI of the Act. It also establishes the Secretary's responsibilities in carrying out the disability determination function.

(a) Sections 416.1001–416.1003 describe the purpose of the regulations and the meaning of terms frequently used in the regulations. They also briefly set forth the responsibilities of the Secretary and the States covered in detail in other sections.

(b) Sections 416.1010–416.1018 describe the Secretary's and the State's responsibilities in performing the disability determination function.

(c) Sections 416.1020–416.1033 describe the administrative responsibilities and requirements of the States. The corresponding role of the Secretary is also set out.

(d) Sections 416.1040–416.1050 describe the performance accuracy and processing time standards for measuring State agency performance.

(e) Sections 416.1060–416.1061 describe when and what kind of assistance the Secretary will provide State agencies to help them improve performance.

(f) Sections 416.1070–416.1075 describe the level of performance below which the Secretary will consider a State agency to be substantially failing to make disability determinations consistent with the regulations and other written guidelines and the resulting action the Secretary will take.

(g) Sections 416.1080–416.1083 describe the rules for resolving disputes concerning fiscal issues and providing hearings when we propose to find that a State is in substantial failure.

(h) Sections 416.1090–416.1094 describe when and what action the Secretary will take and what action the State will be expected to take if the Secretary assumes the disability determination function from a State agency.

§ 416.1002 Definitions.

For purposes of this subpart:

"Act" means the Social Security Act, as amended.

"Class or classes of cases" means the categories into which disability claims are divided according to their characteristics.

"Determination of disability" or "disability determination" means one or more of the following decisions:

(a) Whether or not a person is under a disability;

(b) The date a person's disability began; or

(c) The date a person's disability ended.

"Disability" means "disability" or "blindness" as defined in sections 1614(a) (2) and (3) of the Act.

"Disability determination function" means making determinations as to disability or blindness and carrying out related administrative and other responsibilities.

"Disability program" means the Federal program for providing supplemental security income benefits for the blind and disabled under title XVI of the Act, as amended.

"Initial" means the first level of disability or blindness adjudication.

"Other written guidelines" means the policies, procedures, guides, and operating instructions in the Disability Insurance section of the Program Operations Manual System that are not designated as advisory or discretionary.

"Regulations" means regulations in this subpart issued under §§ 1102, 1631(c) and 1633(a) of the Act, unless otherwise indicated.

"Secretary" means the Secretary of the Department of Health and Human Services or the Secretary's delegate.

"State" means any of the 50 States of the United States and the District of Columbia. It includes the State agency.

"State agency" means that agency of a State which has been designated by the State to carry out the disability determination function.

"We," "us," and "our" refers to the Social Security Administration (SSA) or the Secretary, as appropriate.

§ 416.1003 Basic responsibilities for us and the State.

(a) *General.* We will work with the State to provide and maintain an effective system for processing claims of those who apply for and who are receiving benefits under the disability program. We will provide program standards, leadership, and oversight. We do not intend to become involved in the State's ongoing management of the program except as is necessary and in accordance with these regulations. The State will comply with our regulations and other written guidelines.

(b) *Our responsibilities.* We will:

(1) Periodically review the regulations and other written guidelines to determine whether they insure effective and uniform administration of the disability program. To the extent feasible, we will consult with and take into consideration the experience of the States in issuing regulations and guidelines necessary to insure effective and uniform administration of the disability program;

(2) Provide training materials or in some instances conduct or specify training (see § 416.1022);

(3) Provide funds to the State agency for the necessary cost of performing the disability determination function (see § 416.1026);

(4) Monitor and evaluate the performance of the State agency under the established standards (see §§ 416.1044 and 416.1045); and

(5) Maintain liaison with the medical profession nationally and with national organizations and agencies whose interests or activities may affect the disability program.

(c) *Responsibilities of the State.* The State will:

(1) Provide management needed to insure that the State agency carries out the disability determination function so that disability determinations are made accurately and promptly;

(2) Provide an organizational structure, adequate facilities, qualified personnel, medical consultant services, and a quality assurance function (§§ 416.1020–416.1024);

(3) Furnish reports and records relating to the administration of the disability program (§ 416.1025);

(4) Submit budgets (§ 416.1026);

(5) Cooperate with audits (§ 416.1027);

(6) Insure that all applicants for and recipients of disability benefits are treated equally and courteously;

(7) Be responsible for property used for disability program purposes (§ 416.1028);

(8) Take part in the research and demonstration projects (§ 416.1029);

(9) Coordinate with other agencies (§ 416.1030);

(10) Safeguard the records created by the State in performing the disability determination function (§ 416.1031);

(11) Comply with other provisions of the Federal law and regulations that apply to the State in performing the disability determination function;

(12) Comply with other written guidelines (§ 416.1033);

(13) Maintain liaison with the medical profession and organizations that may facilitate performing the disability determination function; and

(14) Assist us in other ways that we determine may promote the objectives of effective and uniform administration.

Responsibilities for Performing the Disability Determination Function

§ 416.1010 How a State notifies us that it wishes to perform the disability determination function.

(a) *Deemed notice.* Any State that has in effect as of June 1, 1981, an agreement with us to make disability determinations will be deemed to have given us notice that it wishes to perform the disability determination function, in lieu of continuing the agreement in effect after June 1, 1981.

(b) *Written notice.* After June 1, 1981, a State not making disability determinations that wishes to perform the disability determination function under these regulations must notify us in writing. The notice must be from an official authorized to act for the State for this purpose. The State will provide an opinion from the State's Attorney General verifying the authority of the official who sent the notice to act for the State.

§ 416.1011 How we notify a State whether it may perform the disability determination function.

(a) If a State notifies us in writing that it wishes to perform the disability determination function, we will notify the State in writing whether or not it may perform the function. The State will begin performing the disability determination function beginning with the month we and the State agree upon.

(b) If we have previously found that a State agency has substantially failed to make disability determinations in accordance with the law or these regulations and other written guidelines or if the State has previously notified us in writing that it does not wish to make disability determinations, the notice will advise the State whether the State agency may again make the disability determinations and, if so, the date and the conditions under which the State may again make them.

§ 416.1013 Disability determinations the State makes.

(a) *General rule.* A State agency will make determinations of disability with respect to all persons in the State except those individuals whose cases are in a class specifically excluded by our written guidelines. A determination of disability made by the State is the determination of the Secretary, except as described in § 416.903(d)(1).

(b) *New classes of cases.* Where any new class or classes of cases arise requiring determinations of disability, we will determine the conditions under which a State may choose not to make the disability determinations. We will provide the State with the necessary funding to do the additional work.

(c) *Temporary transfer of classes of cases.* We will make disability determinations for classes of cases temporarily transferred to us by the State agency if the State agency asks us to do so and we agree. The State agency will make written arrangements with us which will specify the period of time and the class or classes of cases we will do.

§ 416.1014 Responsibilities for obtaining evidence to make disability determinations.

(a) The State agency will secure from the claimant, or other sources, any evidence it needs to make a disability determination.

(b) We will secure from the claimant or other special arrangement sources, any evidence we can obtain as adequately and more readily than the State agency. We will furnish the evidence to the State agency for use in making a disability determination

(c) At our request, the State agency will obtain and furnish medical or other evidence and provide assistance as may be necessary for us to carry out our responsibility for making disability determinations in those classes of cases described in the written guidelines for which the State agency does not make the determination.

§ 416.1015 Making disability determinations.

(a) When making a disability determination, the State agency will apply subpart I, Part 416 of our regulations.

(b) The State agency will make disability determinations based only on the medical and nonmedical evidence in its files.

(c) Disability determinations will be made by a State agency medical consultant and a State agency disability examiner. The State agency disability examiner must be qualified to interpret and evaluate medical reports and other evidence relating to the claimant's physical or mental impairments and as necessary to determine the capacities of the claimant to perform substantial gainful activity. (See § 416.1072 of this part for what we mean by "substantial gainful activity".)

(d) The State agency will certify each determination of disability to us on forms we provide.

(e) The State agency will furnish us with all the evidence it considered in making its determination.

(f) The State agency will not be responsible for defending in court any determination made, or any procedure for making determinations, under these regulations.

§ 416.1018 Notifying claimant of the disability determination.

The State agency will prepare denial notices in accordance with subpart N of this Part whenever it makes a disability determination which is wholly or partly unfavorable to the claimant.

Administrative Responsibilities and Requirements

§ 416.1020 Organization.

(a) The State will provide the organizational structure, sufficient qualified personnel, medical consultant services, and a quality assurance function to insure disability determinations are made accurately and promptly. We may impose specific organizational requirements on the State, but only in the course of mandatory technical and management assistance as described in § 416.1060.

(b) The State is responsible for making accurate and prompt disability determinations.

§ 416.1021 Personnel.

(a) *Equal Employment Opportunity.* The State will comply with all applicable Federal statutes, executive orders and regulations concerned with equal employment opportunities.

(b) *Selection, tenure, and compensation.* The State agency will, except as may be inconsistent with paragraph (a) of this section, adhere to applicable State approved personnel standards in the selection, tenure, and compensation of any individual employed in the disability program.

(c) *Travel.* The State will make personnel available to attend meetings or workshops as may be sponsored or approved by us for furthering the purposes of the disability program.

(d) *Restrictions.* Subject to appropriate Federal funding, the State will, to the best of its ability, facilitate the processing of disability claims by avoiding personnel freezes, restrictions against overtime work, or curtailment of facilities or activities.

§ 416.1022 Training.

The State will insure that all employees have an acceptable level of competence. We will provide training and other instructional materials to facilitate basic and advanced technical proficiency of disability staff in order to insure uniformity and effectiveness in the administration of the disability program. We will conduct or specify training, as appropriate but only if:

(a) a State agency's performance approaches unacceptable levels or

(b) the material required for the training is complex or the capacity of the State to deliver the training is in doubt and uniformity of the training is essential.

§ 416.1023 Facilities.

(a) *Space, equipment, supplies, and other services.* Subject to appropriate Federal funding, the State will provide adequate space, equipment, supplies, and other services to facilitate making accurate and prompt disability determinations.

(b) *Location of facilities.* Subject to appropriate Federal funding, the State will determine the location where the disability determination function is to be performed so that disability determinations are made accurately and promptly.

(c) *Access.* The State will permit us access to the premises where the disability determination function is performed for the purposes of inspecting the work and activities required by the regulations and assuring compliance with pertinent Federal statutes and regulations. We will contact the State and give reasonable prior notice of the times and purposes of any visit.

§ 416.1024 Medical and other purchased services.

The State will determine the rates of payment to be used for purchasing medical or other services necessary to make determinations of disability. The rates may not exceed the highest rate paid by Federal or other agencies in the State for the same or similar type of service. The State will maintain documentation to support the rates of payment it uses.

§ 416.1025 Records and reports.

(a) The State will establish and maintain the records and furnish the schedules, financial, cost, and other reports relating to the administration of the disability programs as we may require.

(b) The State will permit us and the Comptroller General of the United States (including duly authorized representatives) access to and the right to examine records relating to the work which the State performs under these regulations. These records will be retained by the State for the periods of time specified for retention of records in the Federal Procurement Regulations (41 CFR parts 1–20).

§ 416.1026 Fiscal.

(a) We will give the State funds, in advance or by way of reimbursement, for necessary costs in making disability determinations under these regulations. Necessary costs mean direct as well as indirect costs as defined in title 41 CFR subpart 1–15.7 and in Federal Management Circular 74–4, as amended or superseded.

(b) The State will submit estimates of anticipated costs in the form of a budget at the time and in the manner we require.

(c) We will notify the State of the amount which will be made available to it as well as what anticipated costs are being approved.

(d) The State may not incur or make expenditures for items of cost not approved by us or in excess of the amount we make available to the State.

(e) After the close of a period for which funds have been made available to the State, the State will submit a report of its actual expenditures. We will give the State an audit report showing whether the expenditures were consistent with cost principles described in subpart 1–15.7 of part 1–15 of the Federal Procurement Regulations (41 CFR 1–15.7) and in written guidelines in effect at the time the expenditures were made or incurred.

(f) Any monies paid to the State which are used for purposes not within the scope of these regulations will be paid back to the Treasury of the United States.

§ 416.1027 Audits.

As soon as practicable after the close of each budgetary period, or at other times as necessary, the books of account and records in each State pertaining to the administration of the disability program under the Act will be audited by our Inspector General's office. These audits are conducted to determine whether the expenditures were made for the purposes intended and in amounts necessary for the proper and efficient administration of the disability program. Audits also will be made to inspect the work and activities required by the regulations to ensure compliance with pertinent Federal statutes and regulations. The State will make every effort to act upon and resolve any items questioned in an audit.

(a) *Questioned items.* Expenditures of State agencies will be audited on the basis of cost principles and written guidelines in effect at the time the expenditures were made or incurred. Both the State and the State agency will be informed and given a full explanation of any questioned items. They will be given reasonable time to explain questioned items or expenditures. Any explanation furnished by the State or State agency will be given full consideration before a final determination is made on questioned items in the audit report.

(b) *State appeal of audit determinations.* The appropriate SSA regional commissioner will notify the State of his or her determination on the audit report. If the State disagrees with that determination, the State may request reconsideration in writing within 30 days of the date of the regional commissioner's notice of the determination. The written request may be made, through the Associate Commissioner, Office of Operational Policy and Procedures, to the Commissioner of Social Security, Room 900 Altmeyer Building, 6401 Security Boulevard, Baltimore, Maryland 21235. The Commissioner will make a determination and notify the State of that decision in writing no later than 45 days from the date of the State's appeal. The decision by the Commissioner will be final and conclusive upon the State unless the State appeals that decision in writing within 30 days of the date of the decision by the Commissioner to the Department of Health and Human Services Departmental Grant Appeals Board (the Board) within 30 days after receiving the Commissioner's decision. See § 416.1083.

§ 416.1028 Property.

The State will have title to equipment purchased for disability program purposes. The State will be responsible for maintaining all property it acquires or which we furnish to it for performing the disability determination function. The State will identify the equipment by labeling and by inventory and will credit the SSA account with the fair market value of disposed property. In the event we assume the disability determination function from a State, ownership of all property and equipment acquired with SSA funds will be transferred to us effective on the date the State is notified that we are assuming the disability determination function or we are notified that the State is terminating the relationship.

§ 416.1029 Participation in research and demonstration projects.

We will invite State participation in federally funded research and demonstration projects to assess the effectiveness of the disability program and to ascertain the effect of program policy changes. Where we determine that State participation is necessary for the project to be complete, for example, to provide national uniformity in a claims process, State participation is mandatory.

§ 416.1030 Coordination with other agencies.

(a) The State will establish cooperative working relationships with other agencies concerned with serving the disabled and, insofar as practicable, use their services, facilities, and records to:

(1) Assist the State in developing evidence and making determinations of disability; and

(2) Insure that referral of disabled or blind persons for rehabilitation services will be carried out effectively.

(b) The State may pay these agencies for the services, facilities, or records they provide. The State will include these costs in its estimates of anticipated costs and reports of actual expenditures.

§ 416.1031 Confidentiality of information and records.

The State will comply with the confidentiality of information, including the security of systems, and records requirements described in 20 CFR Part 401 and pertinent written guidelines (see § 416.1033).

§ 416.1032 Other Federal laws and regulations.

The State will comply with the provisions of other Federal laws and regulations that directly affect its responsibilities in carrying out the disability determination function; for example, Treasury Department regulations on letters of credit (31 CFR Part 205).

§ 416.1033 Policies and operating instructions.

(a) We will provide the State agency with written guidelines necessary for it to carry out its responsibilities in performing the disability determination function.

(b) The State agency making determinations of disability will comply with the written guidelines in the Disability Insurance section of the Program Operations Manual System. This manual will also include certain policies, procedures, guides and operating instructions designated as advisory or discretionary.

(c) A representative group of State agencies will be given an opportunity to participate in formulating disability program policies that have an effect on their role in carrying out the disability determination function. State agencies will also be given an opportunity to comment before changes are made in written guidelines unless delay in issuing a change may impair service to the public.

Performance Standards

§ 416.1040 General.

The following sections provide the procedures and guidelines we use to determine whether the State agency meets established national performance standards. We use these performance standards to help assure effective and uniform administration of our disability programs throughout the United States and to measure whether each State agency's performance of the disability determination function is acceptable. Also, the standards are designed to improve overall State agency performance in the disability determination process. We measure the State agency performance in two areas—processing time and performance accuracy.

§ 416.1041 Standards of performance.

(a) *General.* The performance standards include both a target level of performance and a threshold level of performance for the State agency. The target level represents a level of performance that we and the States will work to attain in the future. The threshold level is the minimum acceptable level of performance. Performance below the threshold level will be the basis for the Secretary's taking from the State agency partial or complete responsibility for performing the disability determination function. Intermediate State agency goals are designed to help each State agency move from its current performance levels to the target levels.

(b) *The target level.* The target level is the optimum level of performance. There are three targets—one for combined title II and title XVI initial performance accuracy, one for title II initial processing time, and one for title XVI initial processing time.

(c) *The threshold level.* The threshold level is the minimum acceptable level of performance. There are three thresholds—one for combined title II and title XVI initial performance accuracy, one for title II initial processing time, and one for title XVI initial processing time.

(d) *Intermediate goals.* Intermediate goals are levels of performance between the threshold levels and the target levels established by SSA's regional commissioner after negotiation with each State agency. The intermediate goals are stepping stones designed to help the State agencies reach the target levels. Failure to meet these goals is not a cause for considering the State agency to be substantially failing to comply with the performance standards. However, failure to meet the intermediate goals may result in consultation and an offer of optional technical and management assistance depending on the availability of SSA resources.

§ 416.1042 Processing time standards.

(a) *General.* Title II processing time refers to the average number of days (including Saturday, Sunday and holidays) it takes a State agency to process an initial disability claim from the day it is received in the State agency until the day it is released by the State agency. Title XVI processing time refers to the average number of days (including Saturday, Sunday and holidays) from release of the initial disability claim by the SSA district office until systems input of the disability determination.

(b) *Target levels.* The processing time target levels are:

(1) 37 days for title II initial claims.

(2) 43 days for title XVI initial claims.

(c) *Threshold levels.* The processing time threshold levels are:

(1) 49.5 days for title II initial claims.

(2) 57.9 days for title XVI initial claims.

§ 416.1043 Performance accuracy standard.

(a) *General.* Performance accuracy refers to the percentage of cases that do not have to be returned to State agencies for further development or correction of decisions based on evidence in the files and as such represents the reliability of State agency adjudication. The definition of performance accuracy includes the measurement of factors that have a potential for affecting a decision, as well as the correctness of the decision. For example, if a particular item of medical evidence should have been in the file but was not included, even though its inclusion does not change the result in the case, that is a performance error. Performance accuracy, therefore, is a higher standard than decisional accuracy. As a result, the percentage of correct decisions is significantly higher than what is reflected in the error rate established by SSA's quality assurance system.

(b) *Target level.* The State agency initial performance accuracy target level for combined title II and title XVI cases is 97 percent with a corresponding decision accuracy rate of 99 percent.

(c) *Intermediate goals.* These goals will be established annually by SSA's regional commissioner after negotiation with the State and should be used as stepping stones to progress towards our targeted level of performance.

(d) *Threshold levels.* The State agency initial performance accuracy threshold level for combined title II and title XVI cases is 90.6 percent.

§ 416.1044 How and when we determine whether the processing time standards are met.

(a) *How we determine processing times.* For all initial title II cases, we calculate the mean number of days (including Saturday, Sunday and holidays) from the time the case folder is received in the State agency until it is released to us by the State agency. For initial title XVI cases, we calculate a mean number of days (including Saturday, Sunday and holidays) from the release of the case folder by the social security district office until systems input of the disability determination.

(b) *Frequency of review.* Title II processing times and title XVI processing times are monitored separately on a quarterly basis. The determination as to whether or not the processing time thresholds have been met is made at the end of each quarter each year. Quarterly State-by-State mean processing times are compared with the threshold levels for both title II and title XVI.

§ 416.1045 How and when we determine whether the performance accuracy standard is met.

(a) *How we determine performance accuracy.* We determine a State agency's performance accuracy rate on the basis of decision and documentation errors identified in our review of the sample cases.

(b) *Frequency of review.* Title II and title XVI initial performance accuracy are monitored together on a quarterly basis. The determinations as to whether the performance accuracy threshold has been met is made at the end of each quarter each year. Quarterly State-by-State combined initial performance accuracy rates are compared to the established threshold level.

§ 416.1050 If a State agency is not meeting the standards.

If a State agency falls below two of the three established threshold levels (one of which must be performance accuracy) for two or more consecutive quarters, we will notify the State agency in writing that it is not meeting the standards. Following our notification we will as soon as practicable provide the State agency appropriate technical and management assistance described in §§ 416.1060 and 416.1061 of these regulations for a period of up to 12 months.

Technical and Management Assistance

§ 416.1060 When we will provide assistance.

(a) *General.* We will maintain a regular monitoring program to evaluate State agency performance of combined title II and title XVI initial performance accuracy, title II initial processing time and title XVI initial processing time. This regular monitoring program will allow us to determine the type of technical and management assistance a State agency may need to improve its performance. In addition, the results of this monitoring will show whether we will give a State agency mandatory or optional technical and management assistance.

(b) *Mandatory assistance.* (1) We will provide a State agency technical and management assistance if it fails to meet two of three threshold levels (one being performance accuracy) for two consecutive quarters. These levels are—

(i) Combined title II and title XVI initial performance accuracy—90.6 percent.

(ii) Title II initial processing time—49.5 days.

(iii) Title XVI initial processing time—57.9 days.

(2) Failure to meet any one of the threshold levels for two consecutive quarters may result in technical and management assistance being provided depending on available resources.

(c) *Optional assistance.* We may offer a State agency technical and management assistance when regular monitoring reveals that performance has significantly declined or that intermediate goals have not been met. We will offer this technical and management assistance at our discretion based on available resources.

§ 416.1061 What assistance we will provide.

We will initiate a program of technical and management assistance in order to improve performance in those State agencies where it has been determined that such help is necessary. This program will include any or all of the following—

(a) An onsite review of cases processed by the State agency emphasizing adherence to written guidelines.

(b) A fiscal and administrative management review (FAMR) to:

(1) Identify particular aspects of State agency operations which can receive immediate help and thus improve performance accuracy or processing time; and

(2) Develop a long-range plan based on the FAMR results to help the State agency prevent its performance from falling below the threshold levels in the future.

(c) A request that necessary administrative measures be implemented (e.g., filling staffing vacancies, using overtime, assisting with training activities, etc.).

(d) Provisions for Federal personnel to perform onsite reviews, conduct training, or perform other functions needed to improve performance.

(e) Provisions for fiscal aid to allow for overtime, temporary hiring of additional staff, etc., above the authorized budget.

Substantial Failure

§ 416.1070 General.

After a State agency falls below 2 of 3 established threshold levels, one being performance accuracy, for 2 consecutive quarters, and after the mandatory technical and management assistance period, we will give the State agency a 3-month adjustment period. During this 3-month period we will not require the State agency to meet the threshold levels. Following the adjustment period, if the State agency again falls below 2 of 3 threshold levels, one being performance accuracy, in 2 consecutive quarters during the next 12 months, we will notify the State that we propose to find the State agency to be in substantial failure and advise it that it may request a hearing on that issue. After giving the State notice and an opportunity for a hearing, if it is found that a State agency has substantially failed to make disability determinations consistent with the regulations and other written guidelines, we will assume partial or complete responsibility for performing the disability determination function after we have complied with § 416.1090 and § 416.1092

§ 416.1071 Good cause for not meeting the established threshold levels.

If we find that a State agency did not meet the threshold levels because of factors beyond its control, we will not find the State agency to be in substantial failure. Some of the factors we will consider are:

(a) Disasters such as fire, flood, or civil disorder, that—

(1) Require the diversion of significant personnel normally assigned the disability determination function, or

(2) Destroyed or delayed access to significant records needed to make accurate disability determinations;

(b) Strikes of State agency staff or other government or private personnel necessary to the performance of the disability determination function; or

(c) Sudden and unanticipated workload changes which result from changes in Federal law, regulation, or written guidelines, systems modifications or systems malfunctions, or rapid, unpredictable caseload growth for a 6-month period or longer.

§ 416.1075 Finding of substantial failure.

A finding of substantial failure with respect to a State may not be made unless and until the State is afforded an opportunity for a hearing.

Hearings and Appeals

§ 416.1080 Notice of right to hearing on proposed finding of substantial failure.

If, following the mandatory technical and management assistance period and the 3-month adjustment period, a State agency again falls below 2 of 3 threshold levels (one being performance accuracy) in 2 consecutive quarters in the succeeding 12 months, we will notify the State in writing that we will find the State agency in substantial failure unless the State submits a written request for a hearing with the Health and Human Services Departmental Grant Appeals Board within 30 days after receiving the notice. The notice will identify the threshold levels that were not met by the State agency, the period during which the thresholds were not met, and the accuracy and processing time levels attained by the State agency during this period. If a hearing is not requested, the State agency will be found in substantial failure and we will implement our plans to assume the disability determination function.

§ 416.1081 Disputes on other matters.

Disputes concerning fiscal issues will be resolved in proceedings before the Health and Human Services Departmental Grant Appeals Board if the issue cannot be resolved between us and the State. Disputes concerning nonfiscal issues will be resolved through an appeal to the Commissioner of Social Security, who will make the final decision. (See § 416.1027.)

§ 416.1082 Who conducts the hearings.

If a hearing is required, it will be conducted by the Health and Human Services Departmental Grant Appeals Board (the Board).

§ 416.1083 Hearings and appeals process.

The rules for hearings and appeals before the Board are provided in 45 CFR Part 16. A notice under § 416.1080 of this subpart will be considered a "final written decision" for purposes of Board review.

Assumption of Disability Determination Function

§ 416.1090 Assumption when we make a finding of substantial failure.

(a) *Notice to State.* When we find that substantial failure exists, we will notify the State in writing that we will assume responsibility for performing the disability determination function from the State agency, whether the assumption will be partial or complete, and the date on which the assumption will be effective.

(b) *Effective date of assumption.* The date of any partial or complete assumption of the disability determination function from a State agency may not be earlier than 180 days after our finding of substantial failure, and not before compliance with the requirements of § 416.1092.

§ 416.1091 Assumption when State no longer wishes to perform the disability determination function.

(a) *Notice to the Secretary.* If a State no longer wishes to perform the disability determination function, it will notify us in writing. The notice must be from an official authorized to act for the State for this purpose. The State will provide an opinion from the State's Attorney General verifying the authority of the official who gave the notice.

(b) *Effective date of assumption.* The State agency will continue to perform whatever activities of the disability determination function it is performing at the time the notice referred to in paragraph (a) of this section is given for not less than 180 days or, if later, until we have complied with the requirements of § 416.1092. For example, if the State is not making disability determinations (because we previously assumed responsibility for making them) but is performing other activities related to the disability determination function at the time it gives notice, the State will continue to do these activities until the requirements of this paragraph are met. Thereafter, we will assume complete responsibility for performing the disability determination function.

§ 416.1092 Protection of State employees.

(a) *Hiring preference.* We will develop and initiate procedures to implement a plan to partially or completely assume the disability determination function from the State agency under § 416.1090 or § 416.1091, as appropriate. Except for the State agency's administrator, deputy administrator, or assistant administrator (or his equivalent), we will give employees of the State agency who are capable of performing duties in the disability determination function preference over any other persons in filling positions with us for which they are qualified. We may also give a preference in hiring to the State agency's administrator, deputy administrator, or assistant administrator (or his equivalent). We will establish a system for determining the hiring priority among the affected State agency employees in those instances where we are not hiring all of them.

(b) *Determination by Secretary of Labor.* We will not assume responsibility for performing the disability determination function from a State until the Secretary of Labor determines that the State has made fair and equitable arrangements under applicable Federal, State and local law to protect the interests of employees who will be displaced from their employment because of the assumption and who we will not hire.

§ 416.1093 Limitation on State expenditures after notice.

The State agency may not, after it receives the notice referred to in § 416.1090, or gives the notice referred to in § 416.1091, make any new commitments to spend funds allocated to it for performing the disability determination function without the approval of the appropriate SSA regional commissioner. The State will make every effort to close out as soon as possible all existing commitments that relate to performing the disability determination function.

§ 416.1094 Final accounting by the State.

The State will submit its final claims to us as soon as possible, but in no event later than 1 year from the effective date of our assumption of the disability determination function unless we grant an extension of time. When the final claim(s) is submitted, a final accounting will be made by the State of any funds paid to the State under § 416.1026 which have not been spent or committed prior to the effective date of our assumption of the disability determination function. Disputes concerning final accounting issues which cannot be resolved between the State and us will be resolved in proceedings before the Grant Appeals Board as described in 45 CFR Part 416.

[FR Doc. 81-16049 Filed 5-28-81; 8:45 am]
BILLING CODE 4110-07-M

federal register

Friday
May 29, 1981

Part VI

Office of the Federal Register

Incorporations by Reference; Approval and Corrections in Titles 21 and 24

Title 21 Chapter I—Food and Drug Administration, Department of Health and Human Services

Title 24 Chapter II—Office of Assistant Secretary for Housing—Federal Housing Commissioner (Federal Housing Administration), Department of Housing and Urban Development

Chapter XX—Office of Assistant Secretary for neighborhoods, Voluntary Associations and Consumer Protection, Department of Housing and Urban Development

OFFICE OF THE FEDERAL REGISTER

1 CFR Part 51

Incorporation by Reference

AGENCY: Office of the Federal Register.

ACTION: Approval of incorporations by reference and corrections.

SUMMARY: This document announces the final approval for incorporation by reference of certain publications that were given extensions of approval by the Director of the Federal Register on March 31, 1981 (46 FR 19660). The March 31 document listed materials approved by the Director for incorporation by reference into Title 17–27 of the *Code of Federal Regulations*. Material that is approved for incorporation by reference has the same legal status as if it were published in full in the **Federal Register**. This document also makes corrections to the March 31 document.

EFFECTIVE DATE: The Director approves the following incorporations by reference for one year effective April 1, 1981.

FOR FURTHER INFORMATION CONTACT: Rose Anne Lawson at (202) 523–4534.

Dated: May 26, 1981.

John E. Byrne,

Director of the Federal Register.

1. The following correction is made to the issue for March 31, 1981:

21 CFR Part 701—Food and Drug Administration

On page 19663, correct the address for The Cosmetic, Toiletry, and Fragrance Association, Inc. to read as follows:

1110 Vermont Avenue, NW., Suite 800, Washington, DC 20005

2. Final approval for incorporation by reference is granted to the following publications:

BILLING CODE 1505-02-M

24 CFR Subtitle B, Chapter II (Parts 200–299)—Department of Housing and Urban Development, Office of Assistant Secretary for Housing—Federal Housing Commissioner

CFR Citation

(The following publications are incorporated by reference in the HUD Minimum Property Standards (MPS). The MPS are in turn incorporated by reference in 24 CFR Part 200, Subpart S. The MPS may be purchased from the U.S. Government Printing Office, Washington, DC 20402. It is available for public inspection at the HUD Information Center, Room 1202, 451 Seventh St., SW, Washington, DC, at each HUD Regional, Area, and Insuring Office, and at the Office of the Federal Register, 1100 L St., NW, Washington, DC. The individual standards referenced in the MPS are available at the addresses contained in the following table. They are available for public inspection at the HUD Office of Technical and Credit Standards, Room 6156, 451 Seventh St., SW, Washington, DC, each Regional and Area Office, and the Office of the Federal Register.)

Air Conditioning and Refrigeration Institute (ARI)—
1815 North Fort Myer Drive, Arlington, Virginia 22209
ARI 210–74 Unitary Air Conditioning Equipment
ARI 240–75 Unitary Heat Pump Equipment

Air Conditioning Contractors of America (ACCA)—
1228 17 St., N.W., Washington, DC 20036
Manual J—Load Calculation for Residential Winter and Summer Air Conditioning—1975

American Concrete Institute (ACI)—
P.O. Box 19150, Redford Station, Detroit Michigan 48219
ACI 531–79 and ACI 531R Building Code Requirements for Concrete Masonry Structures and Commentary

American Gas Association (AGA)
1515 Wilson Boulevard, Arlington, Virginia 22209
Directory of Certified Appliances and Accessories, January 1, 1981

American Institute of Steel Construction (AISC)
400 N. Michigan Avenue, Chicago, Illinois 60611
Specification for the Design, Fabrication and Erection of Structural Steel for Buildings—1978

American Institute of Timber Construction (AITC)
333 W. Hampden Avenue, Englewood, Colorado 80110
Timber Construction Manual—1974

American Iron and Steel Institute (AISI)
1000 16th St., NW., Washington, DC 20036
Specification for the Design of Cold-Formed Steel Structural Members—1980
Specification for the Design of Cold-Formed Stainless Steel Structural Members—1974
Design Manual for Structural Steel Tubing—1976

American National Standards Institute (ANSI)
1430 Broadway, New York, New York 10018
A 42.3–71 Lathing and Furring for Portland Cement-Lime Plastering, Exterior (Stucco) and Interior
A 58.1–72 Minimum Design Loads in Buildings and Other Structures
A 108.1–76 Installation of Glazed Wall Tile, Ceramic Mosaic Tile, Quarry Tile and Paver Tile with Portland Cement Mortar
A 108.4–76 Installation of Ceramic Tile with Water-Resistant Organic Adhesives
A 108.5–76 Installation of Ceramic Tile with Dry-Set Portland Cement Mortar or Latex-Portland Cement Mortar
A 108.6–76 Installation of Ceramic Tile with Chemical Resistant, Water Cleanable Tile-Setting and Grouting Epoxy
A 112.19.2–73 Vitreous China Plumbing Fixtures
A 117.1–80 Specifications for Making Buildings and Facilities Accessible to and Usable by Physically Handicapped People

24 CFR Subtitle B, Chapter II (Parts 200–299)—Department of Housing and Urban Development, Office of Assistant Secretary for Housing—Federal Housing Commissioner— Continued

CFR Citation

A 118.1–76 Specifications For Dry-Set Portland Cement Mortar
A 118.3–76 Specifications For Chemical Resistant Water Cleanable Tile-Setting and Grouting Epoxy of Ceramic Tile
A 136.1–72 Standard for Organic Adhesives for Installation of Ceramic Tile
A 208.1–79 Mat Formed Wood Particleboard
O 10.2–75 Laminated Hardwood Block Flooring
Z 21.10.1–75 Gas Automatic Storage Type Water Heaters
Z 21.40.1–74 Gas Fired Absorbtion Summer Air Conditioning Appliances
Z 34.1–47 American Standard Practice For Certification Procedures

American Plywood Association (APA)
P.O. Box 1170, Tacoma, Washington 98411
APA AFG–01 Adhesives For Field-Gluing Plywood to Wood Framing—1974
APA C50 Plywood Floor Systems—1979
APA E30 Plywood Construction Guide—Residential and Commercial—1980
APA S811 Design and Fabrication of Plywood Curved Panels—1979
APA S812 Design and Fabrication of Plywood-Lumber Beams—1979
APA U310 Plywood Diaphragm Construction—1978
APA V450 Glued Floor System—1980
APA U813 Design of Plywood Stressed Skin Panels—1976
APA U814 Design and Fabrication of Plywood Sandwich Panels—1978
APA V340 Fabrication of Plywood Stressed Skin Panels—1974
APA Y510 Plywood Design Specification—1980

American Society for Testing and Materials (ASTM)
1916 Race Street, Philadelphia, Pennsylvania 19103
A 27–79 Mild- to Medium-Strength Carbon-Steel Castings for General Application
A 36–77a Structural Steel
A 53–79 Pipe, Steel, Black and Hot-Dipped, Zinc-Coated Welded and Seamless
A 74–75 Cast Iron Soil Pipe and Fittings
A 82–79 Cold-Drawn Steel Wire for Concrete Reinforcement
A 116–73 Zinc-Coated (Galvanized) Iron or Steel Farm-Field and Railroad Right-of-Way Wire Fencing
A 148–73 High-Strength Steel Castings for Structural Purposes
A 167–77 Stainless and Heat-Resisting Chromium-Nickel Steel Plate, Sheet and Strip
A 184–79 Fabricated Deformed Steel Bar Mats for Concrete Reinforcement
A 242–79 High-Strength Low-Alloy Structural Steel
A 268–79a Seamless and Welded Ferritic Stainless Steel Tubing for General Service
A 307–78 Carbon Steel Externally Threaded Standard Fasteners
A 325–79 High-Strength Bolts for Structural Steel Joints
A 361–76 Steel Sheet, Zinc-Coated (Galvanized) by the Hot-Dip Process for Roofing and Siding
A 412–75 Stainless and Heat-Resisting Chromium Nickel-Manganese Steel Plate, Sheet, and Strip
A 416–74 Uncoated Seven-Wire Stress-Relieved Strand for Prestressed Concrete
A 421–78 Uncoated Stress-Relieved Wire for Prestressed Concrete

24 CFR Subtitle B, Chapter II (Parts 200–299)—Department of Housing and Urban Development, Office of Assistant Secretary for Housing—Federal Housing Commissioner— Continued

CFR Citation

A 441–79 High-Strength Low-Alloy Structural Manganese Vanadium Steel
A 446–76 Steel Sheet, Zinc-Coated (Galvanized) by the Hot-Dip Process, Structural (Physical) Quality
A 449–78a Quenched and Tempered Steel Bolts and Studs
A 490–79 Quenched and Tempered Alloy Steel Bolts for Structural Steel Joints
A 500–78 Cold-Formed Welded and Seamless Carbon Steel Structural Tubing in Rounds and Shapes
A 501–76 Hot-Formed Welded and Seamless Carbon Steel Structural Tubing
A 502–76 Steel Structural Rivets
A 514–77 High-Yield Strength, Quenched and Tempered Alloy Steel Plate, Suitable for Welding
A 525–76 Steel Sheet, Zinc-Coated (Galvanized) by the Hot-Dip Process, General Requirements
A 529–75 Structural Steel with 42,000 PSI (290 MPa) Minimum Yield Point (½ in. (12.7mm) Maximum Thickness)
A 570–79 Hot-Rolled Carbon Steel Sheet and Strip, Structural Quality
A 572–79 High-Strength Low-Alloy Columbium-Vanadium Steels of Structural Quality
A 588–79a High-Strength Low-Alloy Structural Steel with 50,000 PSI Minimum Yield Point to 4 in. Thick
A 606–75 Steel Sheet and Strip, Hot-Rolled and Cold-Rolled High Strength, Low-Alloy, with Improved Corrosion Resistance
A 607–75 Steel Sheet and Strip, Hot-Rolled and Cold-Rolled, High Strength, Low-Alloy Columbium and/or Vanadium
A 611–72 Steel, Cold-Rolled Sheet, Carbon, Structural
A 615–79 Deformed and Plain Billet-Steel Bars for Concrete Reinforcement
A 616–79 Rail-Steel Deformed and Plain Bars for Concrete Reinforcement
A 617–79 Axle-Steel Deformed and Plain Bars for Concrete Reinforcement
A 618–74 Hot-Formed Welded and Seamless High-Strength Low-Alloy Structural Tubing
A 668–79a Steel Forgings, Carbon and Alloy, for General Industrial Use
B 88–80 Seamless Copper Water Tube
B 227–70 Hard-Drawn Copper-Clad Steel Wire
B 370–77 Copper Sheet and Strip for Building Construction
B 587–80 Welded Brass Tube
C 4–62 Clay Drain Tile
C 5–79 Quicklime for Structural Purposes
C 12–77 Installing Vitrified Clay Pipe Lines
C 14–79 Concrete Sewer, Storm Drain, and Culvert Pipe
C 22–77 Gypsum
C 28–80 Gypsum Plasters
C 32–73 Sewer and Manhole Brick (Made from Clay or Shale)
C 33–80 Concrete Aggregates
C 34–62 Structural Clay Load-Bearing Wall Tile
C 35–76 Inorganic Aggregates for Use in Gypsum Plaster
C 36–80 Gypsum Wallboard
C 37–80 Gypsum Lath
C 52–54 Gypsum Partition Tile or Block
C 55–75 Concrete Building Brick
C 56–71 Structural Clay Non-Load Bearing Tile
C 57–57 Structural Clay Floor Tile
C 61–76 Gypsum Keene's Cement
C 62–75a Building Brick (Solid Masonry Units Made From Clay or Shale)
C 64–72 Refractories for Incinerators and Boilers
C 73–75 Calcium Silicate Face Brick (Sand-Lime Brick)
C 76–79 Reinforced Concrete Culvert, Storm Drain, and Sewer Pipe
C 79–78 Gypsum Sheathing Board

24 CFR Subtitle B, Chapter II (Parts 200–299)—Department of Housing and Urban Development, Office of Assistant Secretary for Housing—Federal Housing Commissioner— Continued

CFR Citation

C 88–76 Soundness of Aggregates by Use of Sodium Sulfate or Manganese Sulfate
C 90–78 Hollow Load-Bearing Concrete Masonry Units
C 91–78 Masonry Cement
C 94–80 Ready-Mixed Concrete
C 126–71 Ceramic Glazed Structural Clay Facing Tile, Facing Brick, and Solid Masonry Units
C 129–75 Non-Load Bearing Concrete Masonry Units
C 139–73 Concrete Masonry Units for Construction of Catch Basins and Manholes
C 143–78 Slump of Portland Cement Concrete
C 144–76 Aggregate for Masonry Mortar
C 145–75 Solid Load-Bearing Concrete Masonry Units
C 150–80 Portland Cement
C 157–75 Length Change of Hardened Cement Mortar and Concrete
C 206–79 Finishing Hydrated Lime
C 207–79 Hydrated Lime for Masonry Purposes
C 208–72 Insulating Board (Celluosic Fiber), Structural and Decorative
C 209–72 Insulating Board (Cellulosic Fiber), Structural and Decorative
C 212–75 Structural Clay Facing Tile
C 216–79 Facing Brick (Solid Masonry Units Made from Clay or Shale)
C 220–77 Flat Asbestos-Cement Sheets
C 221–77 Corrugated Asbestos-Cement Sheets
C 222–78 Asbestos-Cement Roofing Shingles
C 223–76 Asbestos-Cement Siding
C 260–77 Air-Entraining Admixtures for Concrete
C 270–80a Mortar for Unit Masonry
C 315–78c Clay Flue Linings
C 317–76 Gypsum Concrete
C 330–79 Lightweight Aggregates for Structural Concrete
C 332–77a Lightweight Aggregates for Insulating Concrete
C 355–64 Water Vapor Transmission of Thick Materials
C 377–77 Precast Reinforced Gypsum Slabs
C 412–79 Concrete Drain Tile
C 425–77 Compression Joints for Vitrified Clay Pipe and Fittings
C 428–78 Asbestos-Cement Nonpressure Sewer Pipe
C 444–79 Perforated Concrete Pipe
C 475–64 Joint Treatment Materials for Gypsum Wallboard Construction
C 476–71 Mortar and Grout for Reinforced Masonry
C 494–79 Chemical Admixtures for Concrete
C 495–77a Compressive Strength of Lightweight Insulating Concrete
C 508–78a Asbestos-Cement Underdrain Pipe
C 509–79 Cellular Elastomeric Preformed Gasket and Sealing Material
C 514–77 Nails for the Application of Gypsum Wallboard
C 516–75 Vermiculite Loose Fill Insulation
C 530–75 Structural Clay Non-Load Bearing Screen Tile
C 549–73 Perlite Loose Fill Insulation
C 564–76 Rubber Gaskets for Cast Iron Soil Pipe and Fittings
C 587–68 Gypsum Veneer Plaster
C 588–80 Gypsum Base for Veneer Plasters
C 595–79 Blended Hydraulic Cements
C 618–78 Fly Ash and Raw or Calcined Natural Pozzolan for Use as a Mineral Admixture in Portland Cement Concrete
C 630–78 Water-Resistant Gypsum Backing Board
C 652–77 Hollow Brick (Hollow Masonry Units Made from Clay or Shale)
C 654–79 Porous Concrete Pipe
C 655–77 Reinforced Concrete D-Load Culvert, Storm Drain and Sewer Pipe
C 666–77 Resistance of Concrete to Rapid Freezing and Thawing
C 700–78a Vitrified Clay Pipe, Extra Strength, Standard Strength, and Perforated
C 803–79 Penetration Resistance of Hardened Concrete
C 840–79 Application and Finishing of Gypsum Board

24 CFR Subtitle B, Chapter II (Parts 200–299)—Department of Housing and Urban Development, Office of Assistant Secretary for Housing—Federal Housing Commissioner— Continued

CFR Citation

C 841–80 Installation of Interior Lathing and Furring
C 842–79 Application of Interior Gypsum Plaster
C 846–76 Application of Structural Insulating Board (Fiberboard) Sheathing
C 902–79 Pedestrian and Light Traffic Paving Brick
D 173–80 Woven Cotton Fabrics Saturated with Bituminous Substances for Use in Waterproofing
D 224–75 Smooth-Surfaced Asphalt Roll Roofing (Organic Felt)
D 225–78 Asphalt Shingles Surfaced with Mineral Granules
D 226–77 Asphalt-Saturated Organic Roofing Felt for Use in Membrane Waterproofing and Built-Up Roofing
D 227–78 Coal-Tar Saturated Roofing Felt for Use in Waterproofing and Constructing Built-Up Roofs
D 250–77 Asphalt-Saturated Asbestos Felts for Use in Waterproofing and in Constructing Built-Up Roofs
D 312–78 Asphalt Used In Roofing
D 371–58 Wide-Selvage Asphalt Roll Roofing Surfaced with Mineral Granules
D 449–73 Asphalt Used in Damproofing and Waterproofing
D 450–78 Coal-Tar Bitumen Used in Roofing Damproofing, and Waterproofing
D 994–71 Preformed Expansion Joint Filler for Concrete (Bituminous Type)
D 1037–78 Wood-Base Fiber and Particle Panel Materials
D 1143–74 Piles Under Axial Compression Load
D 1194–72 Bearing Capacity of Soil for Static Load on Spread Footings
D1557–78 Moisture-Unit Weight Relations of Soils, and Soil-Aggregate Mixtures Using 10–lb (4.5 kg) Rammer and 18-in. (457-mm) Drop
D 1593–61 Nonrigid Vinyl Chloride Plastic Sheeting
D 1751–78 Preformed Expansion Joint Fillers for Concrete Paving and Structural Construction (Nonextruding and Resilient Bituminous Types)
D 1752–67 Preformed Sponge Rubber and Cork Expansion Joint Fillers for Concrete Paving and Structural Construction
D 1861–77 Homogeneous Bituminized Fiber Drain and Sewer Pipe
D 1862–77 Laminated-Wall Bituminized Fiber Drain and Sewer Pipe
D 1863–77 Mineral Aggregate Used On Built-Up Roofs
D 2103–73 Polyethylene Film and Sheeting
D 2216–71 Moisture Content of Soil
D 2311–77 Perforated Homogeneous Bituminized Fiber Pipe for General Drainage
D 2316–75 Installing Bituminized Fiber Drain and Sewer Pipe
D 2321–74 Underground Installation of Flexible Thermoplastic Sewer Pipe
D 2417–77 Laminated-Wall Bituminized Fiber Perforated Pipe for Agricultural, Land, and General Drainage
D 2487–69 Soils for Engineering Purposes
D 2488–69 Soils (Visual-Manual Procedure)
D 2661–78 Acrylonitrile-Butadiene-Styrene (ABS) Plastic Drain, Waste, and Vent Pipe and Fittings
D 2665–78 Poly (Vinyl Chloride) (PVC) Plastic Drain, Waste and Vent Pipe and Fittings
D 2729–78 Poly(Vinyl Chloride) (PVC) Sewer Pipe and Fittings
D 2751–77a Acrylonitrile-Butadiene-Styrene (ABS) Sewer Pipe and Fittings
D 2898–77 Accelerated Weathering of Fire-Retardant Treated Wood for Fire Testing
D 2949–78 3-in. Thin Wall Poly(Vinyl Chloride) (PVC) Plastic Drain, Waste, and Vent Pipe and Fittings
D 3110–72 Adhesives Used in Nonstructural Glued Lumber Products
D 3462–76 Asphalt Shingles Made From Glass Mat and Surfaced With Mineral Granules
D 3656–78 Insect Screening and Louver Cloth Woven From Vinyl-Coated Glass Fiber Yarn
D 3679–79 Rigid Polyvinyl Chloride (PVC) Siding
E 72–77 Strength Tests of Panels for Building Construction

24 CFR Subtitle B, Chapter II (Parts 200–299)—Department of Housing and Urban Development, Office of Assistant Secretary for Housing—Federal Housing Commissioner— Continued

CFR Citation

E 84–80 Surface Burning Characteristics of Building Materials
E 90–75 Airborne-Sound Transmission Loss of Building Partitions
E 96–66 Water Vapor Transmission of Materials in Sheet Form
E 108–80a Fire Tests of Roof Coverings (NFPA 256)
E 119–80 Fire Tests of Building Construction and Materials
E 136–79 Behavior of Materials in a Vertical Tube Furnace at 750° C
E 149–76 Bond Strength of Mortar to Masonry Units
E 154–68 Materials for Use as Vapor Barriers Under Concrete Slabs and as Ground Cover in Crawl Spaces
E 162–79 Surface Flammability of Materials Using a Radiant Heat Energy Source
E 163–80 Fire Tests of Window Assemblies
E 283–73 Rate of Air Leakage Through Exterior Windows, Curtain Walls, and Doors
E 330–79 Structural Performance of Exterior Windows, Curtain Walls, and Doors by Uniform Static Air Pressure Difference
E 331–70 Water Penetration of Exterior Windows, Curtain Walls, and Doors by Uniform Static Air Pressure Difference
E 380–79 Metric Practice
E 413–73 Sound Transmission Class
E 447–74 Compressive Strength of Masonry Prisms
E 492–77 Impact Sound Transmission Through Floor-Ceiling Assemblies Using the Tapping Machine
F 405–77a Corrugated Polyethylene (PE) Tubing and Fittings
F 462–79 Slip-Resistant Bathing Facilities
F 628–79 Acrylonitrile-Butadiene Styrene (ABS) Plastic Drain, Waste, & Vent Pipe Having a Foam Core

American Society of Heating, Refrigerating and Air Conditioning Engineers, Inc.
345 East 47th Street, New York, New York 10017
ASHRAE Handbooks-Fundamentals 1977
ASHRAE GRP 158–1979 Cooling and Heating Load Calculations Manual—1979

American Society of Sanitary Engineers, Inc.
P.O. Box 9712, Bay Village, Ohio 44140
ASSE 1001–80 Pipe Applied Atmospheric Type Vacuum Breakers (ANSI A 112.1.1)
ASSE 1002–77 Water Closet Flush Tank Ball Cocks
ASSE 1003–70 Water Pressure Reducing Valves (ANSI A 112.26.2)
ASSE 1006–79 Household Dishwashers (ANSI A 197.1) (ANSI/AHAM DW–2PR)
ASSE 1007–79 Home Laundry Equipment (ANSI A 197.2) (ANSI/AHAM HLW–2PR)
ASSE 1008–79 Household Food Waste Disposer Units (ANSI A 197.3) (ANSI/AHAM FWD–2PR)
ASSE 1011–70 Hose Connection Vacuum Breakers (ANSI A 112.1.3)
ASSE 1014–79 Hand Held Showers
ASSE 1016–79 Individual Shower Control Valves, Anti-Scald Type
ASSE 1017–79 Thermostatic Mixing Valves, Self Actuated for Primary Domestic Use
ASSE 1018–78 Trap Seal Primer Valves
ASSE 1019–78 Wall Hydrants, Frost Proof Automatic Draining, Anti-Backflow Types
ASSE 1020–74 Vacuum Breakers, Anti-Siphon, Pressure Type (ANSI A 112.1.7–76)
ASSE 1023–79 Hot Water Dispensers, Household Storage Type, Electrical
ASSE 1025–78 Diverters for Plumbing Faucets with Hose Spray, Anti-Siphon Type, Residential Applications

Architectural Aluminum Manufacturers Association
35 East Wacker Dr., Chicago, Illinois 60601
AAMA 302.9–77 Aluminum Prime Windows (ANSI A 134.1)
AAMA 1102.7–77 Aluminum Storm Doors and Frames (ANSI A 134.4)

24 CFR Subtitle B, Chapter II (Parts 200–299)—Department of Housing and Urban Development, Office of Assistant Secretary for Housing—Federal Housing Commissioner— Continued

CFR Citation

AAMA 809.2–1976 Non Drying Sealants for use with Architectural Aluminum

AAMA 804.1–1976 Ductile Back Bedding Glazing Tape for use with Architectural Aluminum

AAMA 807.1–1976 Cured Rubber Back Bedding Glazing Tape

AAMA 1402.3–1975 Specifications for Aluminum Siding and High Performance Coating for Aluminum Siding

AAMA 1403.2–1975 Installation Specifications for Residential Aluminum Siding

AAMA 1502.6–77Residential Insulating Windows and Sliding Glass Doors

Asphalt Institute, The

Asphalt Institute Building, College Park, Maryland 20740

MS–1 Thickness Design—Full-Depth Asphalt Pavement Structures for Highways and Streets—8th Edition 1970

Asphalt Roofing Manufacturers Association

1800 Massachusetts Avenue, N.W., Washington, D.C. 20036

Residential Asphalt Roofing Manual—1980

Association of Home Appliance Manufacturers

20 North Wacker Drive, Chicago, Illinois 60606

AHAM RAC–1–72 Room Air Conditioner Standard (ANSI Z 234.1)

Brick Institute of America

1750 Old Meadow Road, McLean, Virginia 22102

Recommended Practices and Guide Specifications for Cold Weather Masonry—1973

Construction Building Code Requirements for Engineered Brick Masonry—1969

Building Research Advisory Board

National Academy of Sciences, 2101 Constitution Ave., N.W., Washington, DC 20006

Foundations for Residential Structures in Seismic Areas, National Academy of Sciences—National Research Council—1969

Criteria for Selection and Design of Residential Slabs-on-Ground, National Academy of Sciences #1571—1968

Canadian Wood Council

85 Albert Street, Ottawa, Ontario K1P 6A4

Canadian Dimension Lumber—Data Book—1979

Cast-Iron Soil Pipe Institute

1499 Chain Bridge Road, Suite 203, McLean, Virginia 22101

CISPI HS 74 Specifications for Cast-Iron Soil Pipe and Fittings For Hub and Spigot Sanitary System—1978

CISPI HSN Specifications for Neoprine Rubber Gaskets for Hub and Spigot Cast Iron Soil Pipe Fittings—1978

CISPI 301 Standard Specification for Cast Iron Soil Pipe and Fittings For Hubless Cast Iron Sanitary Systems—1978

CISPI 310 Specifications for Cast Iron Soil Pipe Institute's Patented Joint For Use In Connection With Hubless Cast Iron Sanitary Systems—1978

CISPI Cast Iron Soil Pipe and Fittings Handbook—Vol. 1—1976

Ceramic Tile Institute

700 North Virgil Avenue, Los Angeles, California 90029

CTI R8–103–62 Standard Specifications for the Installation of Tile Lined Shower Receptors—1969

Commercial Standard

National Bureau of Standards, Washington, DC 20234

CS 242–62 1¾" Thick Steel Doors and Frames

Federal Specifications (FS)

Naval Publication and Forms Center, 5801 Tabor Road, Philadelphia, PA 19120

24 CFR Subtitle B, Chapter II (Parts 200–299)—Department of Housing and Urban Development, Office of Assistant Secretary for Housing—Federal Housing Commissioner— Continued

CFR Citation

L–P–375C Plastic Film, Flexible, Vinyl Chloride
FF–N–105B Nails, Brads, Staples and Spikes: Wire, Cut, and Wrought
HH–I–515D Insulation Thermal (Loose Fill For Pneumatic Or Poured Application) Cellulosic or Wood Fiber
HH–I–545B Insulation, Thermal and Acoustical (Mineral Fiber, Duct Lining Material)
HH–I–558B Insulation Blocks, Boards, Blankets, Felts Sleeving (Pipe and Tube Covering), and Pipe Fitting Covering, Thermal (Mineral Fiber, Insulation Type)
HH–I–574B Insulation, Thermal (Perlite)
HH–I–585C Insulation, Thermal (Vermiculite)
HH–I–1030A Insulation, Thermal (Mineral Fiber, For Pneumatic or Poured Application)
HH–I–1252B Insulation, Thermal, Reflective (Aluminum Foil)
TT–C–598B Calking Compound, Oil and Resin Base Type (For Masonry and Other Structures)
TT–S–1543A Sealing Compound: Silicone Rubber Base (For Calking, Sealing, and Glazing in Buildings and Other Structures)

Fir and Hemlock Door Association
Yeon Building, Portland, Oregon 97204
FHDA–7–79 Fir and Hemlock Door Association Standard

National Association of Home Builders—
Research Foundation, 627 Southlawn Lane, Rockville, Maryland 20850
Insulation Manual for Homes and Apartments—1979

National Bureau of Standards
Technology Building B166, VPS Program, Washington, DC 20234
NBS SP 330 The International System of Units—1977
NBS Dust Spot Method of Testing Air Filters—1957
NBS 211 Building Code Requirements for Masonry (ANSI A 41.1)—1960
NBS Handbook 74 Building Code Requirements for Reinforced Masonry (ANSI A 41.2)—1960

National Concrete Masonry Association
P.O. Box 781, Herndon, Virginia 22070
Specifications for the Design and Construction of Load Bearing Concrete Masonry—August 1979

National Fire Protection Association
470 Atlantic Avenue, Boston, Massachusetts 02210
NFPA 10–78 Installation of Portable Fire Extinguishers (ANSI Z 112.1)
NFPA 13–75 Standard for the Installation of Sprinkler Systems (ANSI A 54.3)
NFPA 14–78 Standard for the Installation of Standpipe and Hose Systems (ANSI Z 273.1)
NFPA 31–78 Standard for the Installation of Oil Burning Equipment (ANSI/NFPA 31) (ANSI Z 95.1)
NFPA 54–80 National Fuel Gas Code (ANSI Z 223.1)
NFPA 58–79 Liquefied Petroleum Gases, Storage and Handling (ANSI/NFPA 58) (ANSI Z 106.1)
NFPA 70–81 National Electric Code (ANSI/NFPA 70)
NFPA 72 A–79 Installation, Maintenance and Use of Local Protective Signaling Systems for Guard's Tour, Fire Alarm and Supervisory Service (ANSI SE 3.3)
NFPA 72 B–79 Installation, Maintenance and Use of Auxiliary Protective Signaling Systems for Fire Alarm Service (ANSI SE 3.4)
NFPA 72 C–75 Installation, Maintenance and Use of Remote Station Protective Signaling Systems (ANSI SE 3.5)
NFPA 72 D–79 Installation, Maintenance and Use of Proprietary Protective Signaling Systems (ANSI SE 3.6)
NFPA 72 E–78 Standard on Automatic Fire Detectors (ANSI SE 3.13)
NFPA 80–77 Standard for Installation of Fire Doors and Windows (ANSI A 2.7)
NFPA 82–77 Incinerators, Rubbish Handling (ANSI/NFPA 82)
NFPA 90 A–76 Air Conditioning and Ventilating Systems (ANSI NFPA 90 A) (ANSI B 144.2)

24 CFR Subtitle B, Chapter II (Parts 200–299)—Department of Housing and Urban Development, Office of Assistant Secretary for Housing—Federal Housing Commissioner— Continued

CFR Citation

NFPA 90 B–80 Warm Air Heating and Air Conditioning (ANSI/NFPA 90B) (ANSI B 144.3)
NFPA 101–76 Life Safety Code (ANSI A 9.1)
NFPA 211–80 Chimneys, Fireplaces & Vents (ANSI/NFPA 211) (ANSI A 52.1)
NFPA 252–79 Standard Methods of Fire Tests of Door Assemblies
NFPA 253–78 Standard Methods of Test for Critical Radiant Flux of Floor Covering Systems Using a Radiant Heat Energy Source
NFPA 701–77 Standard Methods of Test for Flame-Resistant Textiles and Films

National Forest Products Association ((N)FPA)
1619 Massachusetts Ave., N.W., Washington, DC 20036
Span Tables for Joists and Rafters—1977
National Design Specifications for Wood Construction—1977
Technical Report #7—All Weather Wood Foundation System—1979

National Oak Flooring Manufacturers Association (NOFMA)
804 Sterick Building, Memphis, Tennessee 38103
Official Grading Rules for Oak, Beech, Birch, Hard Maple and Pecan (OFGR/Vol. 1, No. 1/March 1977)
Hardboard Flooring Installation Manual
Hardboard Flooring Finishing/Refinishing Manual

National Terrazzo & Mosaic Association, Inc. (NTMA)
Suite 15, 3166 Des Plaines Avenue, Des Plaines, Illinois 60018
NTMA Terrazzo Specifications, Details and Technical Data—1981

National Woodwork Manufacturers Association, Inc. (NWMA)
400 West Madison Street, Chicago, Illinois 60606
IS 1–80 Industry Standard for Wood Flush Doors
IS 2–80 Industry Standard for Wood Window Units (ANSI A 200.1)
IS 3–70 Industry Standard for Wood Sliding Patio Doors (ANSI A 200.4)
IS 4–70 Industry Standard for Water-Repellent Preservative Non-Pressure Treatment of Millwork
IS 5–73 Industry Standard for Ponderosa Pine Doors (ANSI A 200.2)

Prestressed Concrete Institute (PCI)
20 North Wacker Drive, Chicago, Illinois 60606
PCI MNL 116 Manual for Quality Control for Plants and Production of Precast Prestressed Concrete Products—1977
PCI MNL 117 Manual of Quality Control for Plants and Production of Architectural Precast Concrete Products—1977
PCI MNL 121 Manual for Structural Design of Architectural Precast Concrete—1977

Product Standard (PS)
National Bureau of Standards Washington, D.C. 20234
PS 1–74 Construction and Industrial Plywood
PS 20–70 American Softwood Lumber Standard
PS 27–70 Mosaic-Parquet Hardwood Slat Flooring
PS 51–71 Hardwood and Decorative Plywood
PS 56–73 Structural Glued Laminated Timber (ANSI A 190.1)
PS 57–73 Cellulosic Fiber Insulation Board (ANSI A 194.1)
PS 58–73 Basic Hardboard (ANSI A 135.4)
PS 59–73 Prefinished Hardboard Paneling (ANSI 135.5)
PS 60–73 Hardboard Siding (ANSI A 135.6)

Safety Glazing Certification Council (SGCC)
1640 West 32nd Avenue, Hialeah, Florida 33012
Certified Products Directory—Safety Glazing Materials—1981

Southern California Association of Cabinet Manufacturers (SCACM)
1933 S. Broadway, L. 39, Los Angeles, California 90007
Certified Construction Standards and Specifications, Guide for Uniform Cabinet Specifications—1973

Southern Forest Products Association (SFPA)
P.O. Box 52468, New Orleans, Louisiana 70152
Southern Pine Maximum Span for Joists and Rafters—1978

24 CFR Subtitle B, Chapter II (Parts 200–299)—Department of Housing and Urban Development, Office of Assistant Secretary for Housing—Federal Housing Commissioner— Continued

CFR Citation

Structural Engineers Association of California (SEAOC)
171 Second Street, San Francisco, California 94105
Recommended Lateral Force Requirements and Commentary—1980

Sump Pump Manufacturers Association
221 North LaSalle St., Chicago, Illinois 60601
1976 Domestic Sump Pump Standards

Tile Council of America, Inc.
Box 326, Princeton, New Jersey 08540
Standard Specifications for Ceramic Tile (ANSI A 137.1)—1980
Handbook for Ceramic Tile Installation—1981

Underwriters Laboratories
333 Pfingsten Road, Northbrook, Illinois 60062
UL 58–81 Steel Underground Tanks for Flammable and Combustible Liquids (ANSI B 137.1)
UL 70–79 Bituminous Coated Metal Septic Tanks (ANSI A 162.1)
UL 80–80 Steel Inside Tanks for Oil-Burner Fuel (ANSI B 110.1)
UL 127–71 Factory Built Fireplaces (ANSI A 131.3)
UL 142–72 Steel Above Ground Tanks for Flammable and Combustible Liquids
UL 174–79 Household Electric Storage Tank Water Heater (ANSI C 33.87)
UL 217–80 Single and Multiple Station Smoke Detectors
UL 296–80 Oil Burners (ANSI Z 96.2)
UL 465–78 Central Cooling & Air Conditioners (ANSI B 144.1)
UL 484–72 Room Air Conditioners (ANSI C 33.14)
UL 559–75 Heat Pumps (ANSI B 191.1)
UL 726–75 Oil-Fired Boiler Assemblies (ANSI Z 96.3)
UL 727–80 Oil-Fired Central Furnaces (ANSI Z 96.1)
UL 729–76 Oil-Fired Floor Furnaces (ANSI Z 96.4)
UL 730–74 Oil-Fired Wall Furnaces (ANSI Z 96.5)
UL 732–74 Oil-Fired Storage Tank Water Heaters (ANSI Z 95.3)
UL 737–78 Fireplace Stoves (ANSI A 163.1)
UL 790–78 Tests for Fire Resistance of Roof Covering Materials
UL 1042–79 Electric Baseboard Heating Equipment (ANSI C 33.95)
UL 1096–81 Electrical Central Air Heating Equipment (ANSI C 33.104)
UL 1482–79 Room Heaters, Solid Fuel Type
Electrical Applicance and Utilization Equipment Directory—1980

International Conference of Building Officials
5360 S. Workman Mill Road, Whittier, California 90601
Uniform Building Code (UBC)—1979

U.S. Department of Agriculture
Publications Division, Office of Governmental Affairs, 14th & Independence Avenue, S.W., Washington, D.C. 20050
Home and Garden Bulletin #64—Subterranean Termites—1979
Home and Garden Bulletin #73—Wood Decay in Houses—How to Prevent and Control It—1977
Agriculture Handbook #72—Wood Handbook—1974

U.S. Department of Army
HDQA, DAEN: MPE–8, 20 Massachusetts Avenue, N.W., Washington, D.C. 20314
Technical Manual TM 5–809–10—Seismic Design for Buildings—1973

U.S. Department of Health and Human Services
300 Independence Avenue, S.W., Washington, D.C. 20204
Public Health Service No. (HRA) 79–14500, Minimum Requirements of Construction and Equipment for Hospitals and Medical Facilities—August 1979

U.S. Department of Housing and Urban Development
451 7th Street, S.W., Washington, D.C. 20410
Handbooks:
4075.5 Soil Sampling and Testing for Residential Development—5/73
4075.6 Criteria for Compacted Fills—5/73
4075.7 Slope Protection for Residential Developments—5/73

24 CFR Subtitle B, Chapter II (Parts 200–299)—Department of Housing and Urban Development, Office of Assistant Secretary for Housing—Federal Housing Commissioner— Continued

CFR Citation

4075.8 Engineering Soil Classification for Residential Developments—6/74

4135.1 REV–1 Procedures for Approval of Single Family Proposed Construction Applications in New Subdivisions—10/79

4145.1 Architectural Processing and Inspections for Home Mortgage Insurance—9/72

4150.1 Valuation Analysis for Home Mortgage Insurance—4/73

4900.1 Minimum Property Standards for One- and Two-Family Dwellings—November 1980

4905.1 Requirements for Existing Housing—One to Four Family Living Units—9/79

4910.1 Minimum Property Standards for Multifamily Housing—1973 Rev.

4920.1 Minimum Property Standards for Care-Type Housing—1973 Rev.

4930.1 Manual of Acceptable Practices—1973 Rev.

4930.2 Intermediate Minimum Property Standards Supplement for Solar Heating and Domestic Hot Water Systems—1977

4940.1 Minimum Property Standards for Semi-Private Swimming Pools and Wading Pools—10/72

4940.2 Minimum Property Standards for Community Water Supply Systems—8/73

4940.3 Minimum Design Standards for Community Sewerage Systems—11/72

4940.4 Minimum Design Standard for Rehabilitation for Residential Properties—8/78

4950.1 REV–1 Technical Suitability of Products Program—Processing Procedure—8/79

4950.2 Design Criteria for Trussed Rafters—12/72

Guide HM–G–7482.2 HUD Assisted Housing Maintenance Guide on Seamless Coating System—12/13/71

Use of Materials Bulletins:

17E Concrete Roofing Tile—7/17/74

25D Power Driven, Mechanically Driven, and Manually Driven Fasteners—9/5/73

28A Mat-Formed Wood Particle Board for Floor Underlayment—1/26/67

38H Grademarking of Lumber—7/31/79

39Labels of Independent Programs for Certifying Aluminum Windows and Sliding Glass Doors—9/15/64

40B Grademarking of Plywood—6/5/75

44C HUD/FHA Standard for Carpet and Carpet Certification Program—2/22/78 (Plus Addendum 1 & 2)

48 Labels of Independent Programs for Certifying Pressure-Treated Lumber and Plywood—11/15/67 (Plus 4 Supplements)

52A Quality Certification and Labelling for Wood Flush Doors—10/7/75

57A Combination Subfloor/Underlayment Particleboard for Factory Built Modular Housing Units—11/27/73

58A Acrylic Plastic Sheets for Glazing—9/2/75

59A Labels Identifying Independent Certification of Wood Windows—7/16/74

60 Field Glued Plywood & Wood Frame Structural Floor Systems—12/9/70 (Plus 2 Supplements)

62A Factory-Applied Laminated Roofing Systems Based on Chlorosulfonated Polyethylene (CSPE)—11.16/72

64B Textured Plywood Panel Siding—8/13/75

65 Controlled Density Cellular Concrete Floor Fill—10/11/73

66A Plywood Combination Subfloor/Underlayment Floor Panels—12/6/78

67 Polycarbonate Plastic Sheets for Glazing—9/3/75

69 Self Adhering Vinyl Asbestos Floor Tile—1/6/77

70 Particleboard Interior Stair Treads—8/16/76

71 Polystyrene Foam Insulation Sheathing Board—1/10/77

72 HUD Standard for Carpet Cushion—2/6/80

24 CFR Subtitle B, Chapter II (Parts 200–299)—Department of Housing and Urban Development, Office of Assistant Secretary for Housing—Federal Housing Commissioner— Continued

CFR Citation

73 Plastic Bathtubs, Plastic Shower Stalls and Receptors, and Plastic Lavatories—4/27/78
74 Thermal Insulation, Urea-Based, Foamed in Place—10/13/77
76 Chlorinated Poly (Vinyl Chloride) CPVC and Polybutylene (PB) Hot and Cold Water Distribution Piping—4/25/78
77A Cast Iron Sanitary Drainage System with Hubless Pipe and Fittings—3/28/80
78 Polyethylene (PE), Acrylonitrile-Butadiene-Styrene (ABS), Poly (Vinyl Chloride) (PVC) and Polybutylene (PB) Plastic Piping and Domestic Cold Water Service—4/25/78
79 Acrylonitrile-Butadiene-Styrene (ABS) and Poly(Vinyl Chloride) (PVC) Plastic Drain, Waste and Vent Pipe and Fittings—4/25/78
80 Spray Applied Cellulosic Thermal Insulation—10/31/79

U.S. Postal Service
475 L'Enfant Plaza, SW., Washington, DC 20024
U.S. Postal Service Requirements for Mail Boxes and Slots (Domestic Mail Manual, Sections 155, 156 & 157)—1979

Water Quality Association
477 East Butterfield Road, Lombard, Illinois 60148
WQA S-100 Water Softeners—1975
WQA S-200 Water Filters—1973

Wood Moulding and Millwork Producers, Inc.
P.O. Box 2578, Portland, Oregon 97225
WM 2-73 Vinyl Wrapped Interior Moulding and Millwork
WM 3-79 Exterior Wood Door Frames

24 CFR Chapter XX (Parts 3200–3299)—Department of Housing and Urban Development, Office of Assistant Secretary for Neighborhoods, Voluntary Associations and Consumer Protection

	CFR Citation
Aluminum Association, (AA)	
818 Connecticut Avenue, N.W., Washington, D.C. 20006	
AA–1971, Aluminum Construction Manual, Sec.1, Specifications for Aluminum Structures.	3280.304(b)(1)
American Institute of Steel Construction, (AISC)	
1221 Avenue of the Americas, New York, New York 10020	
AISC–1973, Specification for the Design, Fabrication, and Erection of Structural Steel for Buildings, with Supplements 1, 2 and 3.	3280.304(b)(1)
AISC–1973, Standard Specifications for Open-Web Steel Joists, J- and H-Series.	3280.304(b)(1)
American Iron and Steel Institute (AISI)	
1000 16th Street, N.W., Washington, D.C. 20036	
AISI–1968, Specification for the Design of Cold-formed Steel Structural Members, with Addendum 1.	3280.304(b)(1)
AISI–1974, Stainless Steel Cold-formed Structural Design Manual	3280.304(b)(1)
AISI–1973, Manual for Structural Applications of Steel Cables for Buildings.	3280.304(b)(1)
American Institute of Timber Construction (AITC)	
333 W. Hampden Avenue, Englewood, Colorado 80110	
AITC–100–1972, Timber Construction Standards	3280.304(b)(1)
AITC 200–1973, Timber, Structural Glued Laminated—Inspection	3280.304(b)(1)
American National Standards Institute (ANSI)	
1430 Broadway, New York, New York 10017	
ANSI–A95.1–1974, Installation of Oil Burning Equipment	3280.703
ANSI–A58.1–1972, Building Code requirements for Minimum Design Loads in Buildings and other Structures.	3280.304(b)(1)
ANSI–A112.5.1–1971, Cast Iron Soil Pipings and Fittings	3280.604(a)
ANSI–A112.14.1–1975, Backflow Valves	3280.604(a)
ANSI–A112.19.1–1973, Enameled Cast Iron Plumbing Fixtures	3280.604(a)
ANSI–A112.19.2–1973, Vitreous China Plumbing Fixtures	3280.604(a)
ANSI–A131.1–1971, Factory-built Chimneys	3280.703
ANSI–A131.2–1973, Gas Vents	3280.703
ANSI–A131.3–1971, Factory-built Fireplaces	3280.703

24 CFR Chapter XX (Parts 3200–3299)—Department of Housing and Urban Development, Office of Assistant Secretary for Neighborhoods, Voluntary Associations and Consumer Protection—Continued

	CFR Citation
ANSI–A147.1–1969, Liquid Fuel-burning Heating Appliances for Mobile Homes and Travel Trailers.	3280.703
ANSI–A200.1–1974, Wood window units	3280.304(b)(1)
ANSI–B2.1–1968, Pipe Threads (except dry seal)	3280.604(a); 3280.703; 3280.705(e)
ANSI–B16.3–1971, Malleable Iron Threaded Fittings	3280.604(a)
ANSI–B16.4–1971, Cast Iron Threaded Fittings	3280.604(a)
ANSI–B16.15–1971, Cast Bronze Threaded Fittings 125 and 250 pound	3280.604(a)
ANSI–B16.18–1972, Cast Bronze Solder-joint Pressure Fittings	3280.604(a)
ANSI–B16.22–1973, Wrought Copper and Bronze Solder-joint Pressure Fittings.	3280.604(a)
ANSI–B16.23–1969, Cast Bronze Solder-joint Drainage Fittings, DWV	3280.604(a)
ANSI–B16.26–1975, Cast Copper Alloy Fittings for Flared Copper Tubes	3280.604(a)
ANSI–B16.29–1966, Wrought Copper and Wrought Copper Alloy Solder-joint Drainage Fittings.	3280.604(a)
ANSI–B36.2–1969, Welded Wrought Iron Pipe	3280.604(a)
ANSI–B36.10–1970, Wrought Steel and Wrought Iron Pipe	3280.604(a); 3280.703; 3280.705(b)(1)
ANSI–B125.1–1972, Welded and Seamless Steel Pipe	3280.604(a)
ANSI–C72.1–1972, Household Automatic Electric Storage Type Water Heaters.	3280.707(d)
ANSI–H23.1–1973, Seamless Copper Water Tube	3280.604(a)
ANSI–H23.4–1973, Wrought Seamless Copper and Copper Alloy Tube	3280.604(a)
ANSI–H23.6–1973, Copper Drainage Tube (DWV)	3280.604(a)
ANSI–H26.1–1973, Seamless Copper, Pipe, Standard Sizes	3280.604(a)
ANSI–H27.1–1973, Seamless Red Brass Pipe, Standard Sizes	3280.604(a)
ANSI–Z21.1–1972 with addenda 1a–1974, Household Cooking Gas Appliances.	3280.703
ANSI–Z21.5.1–1972 with addenda 1a–1973 and 1b–1974, Gas Clothes Dryers.	3280.703
ANSI–Z21.10.1–1974; Z21.10.1a–1975, Automatic Storage Type Water Heaters with Input Less than 75,000 Btu/h.	3280.703; 3280.707(d)(2)
ANSI–Z21.15–1974, Manually Operated Gas Valves	3280.703
ANSI–Z21.19–1971 with addenda 19b–1973, Refrigerators Using Gas Fuel.	3280.703
ANSI–Z21.20–1971 with addenda 20a–1972 and 20b–1974, Automatic Gas Ignition Systems and Components.	3280.703
ANSI–Z21.21–1974, Automatic Valves for Gas Appliances	3280.703
ANSI–Z21.22–1971, Relief Valves and Automatic Gas Shutoff Devices for Hot Water Supply Systems.	3280.703
ANSI–Z21.23–1971 with addenda 23a–1972 and 23b–1974, Gas Appliance Thermostats.	3280.703
ANSI–Z21.24–1973, Metal Connectors for Gas Appliances	3280.702(a)(17); 3280.703
ANSI–Z21.40.1–1973 with addenda 1a–1974, Gas-Fired Absorption Summer Air Conditioning Appliances.	3280.703; 3280.714(a)(2)
ANSI–Z21.44–1973, Gas-Fired Gravity and Fan-Type Sealed Combustion System Wall Furnaces.	3280.703
ANSI–Z21.47–1973, Gas-Fired Gravity and Forced Air Central Furnaces	3280.703
ANSI–Z34.1–1947, American National Standard Practice for Certification Procedures.	3280.403(i)
ANSI–Z97.1–1972, Performance Specifications and Methods of Test for Safety Glazing Material Used in Buildings.	3280.403(i); 3280.114; 3280.304(b)(1); 3280.403(b)(3)(i); 3280.604(a); 3280.607(b)(3)(iii)
ANSI–A106.1–1974, Storage and Handling of Liquefied Petroleum Gas	3280.703; 3280.704(b)
ANSI–Z124.1–1974, Plastic Bathtub Units	3280.604(a)
ANSI–Z124.2–1967, Gal-coated Glass-fiber Reinforced Polyester Resin Shower Receptor and Shower Stall Units.	3280.604(a)
ANSI–Z223.1–1974, Installation of Gas Appliances, Gas Piping in Buildings.	3280.703
American Plywood Association, APA 1119 A Street, Tacoma, Washington 98401	
APA–1974, Design Specifications for Plywood-Lumber Components	3280.304(b)(1)

24 CFR Chapter XX (Parts 3200–3299)—Department of Housing and Urban Development, Office of Assistant Secretary for Neighborhoods, Voluntary Associations and Consumer Protection—Continued

	CFR Citation
APA–1974, Fabrication Specifications of Plywood-Lumber Components	3280.304(b)(1)
APA–1974, Plywood Residential Construction Guide	3280.304(b)(1)
APA–124–1975, All Plywood Beams for Mobile Homes	3280.304(b)(1)
Air Conditioning and Refrigeration Institute, ARI 1815 Ft. Myer Drive, Arlington, VA 22209	
Standard for Unitary Air Conditioning Equipment, 210–74	3280.714(a)(1)
Standard for Unitary Heat Pumps, 240–75	3280.714(a)(1)(ii)
American Society of Heating, Refrigeration and Air-Conditioning Engineers (ASHRAE) 345 East 47th Street, New York, New York 10017	
ASHRAE, 1972, Handbook of Fundamentals	3280.508
American Society of Mechanical Engineers (ASME) 345 East 47th Street, New York, New York 10017	
ASME Boiler and Pressure Vessel Code, Section VIII, Division 1, "Rules for Construction of Pressure Vessels"—1974.	3280.704(b)(2)
American Society for Testing and Materials (ASTM) 1916 Race Street, Philadelphia, Pennsylvania 19103	
A53–1972a, Welded and Seamless Steel Pipe	3280.604(a)
A72–1968, Welded Wrought Iron Pipe	3280.604(a)
A74–1972, Cast Iron Soil Piping and Fittings	3280.604(a)
A120–1972a, Black and Hot dipped Zinc-coated (galvanized) Welded and Seamless Steel Pipe.	3280.604(a); 3280.703
A539–1973, Electric and Resistance-Welded Coiled Steel Tubing for Gas and Fuel Oil Lines.	3280.703; 3280.705(b)(4); 3280.705(b)(3); 3280.706(b)(3)
B42–1972, Seamless Copper Pipe, Standard Sizes	3280.604(a); 3280.703
B–43–1972, Seamless Red Brass Pipe, Standard Sizes	3280.604(a)
B88–1972, Seamless Copper Water Tube	3280.604(a); 3280.703; 3280.705(b)(3); 3280.706(b)(3)
B251–1971, Wrought Seamless Copper and Copper Alloy Tube	3280.604(a); 3280.703
B280–1973, Seamless Copper Tube for Air Conditioning and Refrigeration Field Service.	3280.703; 3280.705(b)(3); 3280.706(b)(3)
B306–1973, Copper Drainage Tube (DWV)	3280.604(a)
C36–1975, Gypsum Wallboard	3280.304(b)(1)
C564–1970, Rubber Gaskets for Cast Iron Soil Pipe Fittings	3280.604(a); 3280.611(d)
D781–1968, Puncture and Stiffness of Paperboard, Corrogated and Solid Fiberboard.	3280.305(g)(4)
D2261–1973, ABS Plastic Drain, Waste, and Vent Pipe and Fittings	3280.604(a)
D2662–1973, Polybutylene (PB) Plastic Pipe (SDR–PR)	3280.604(a)
D2235–1973, Solvent Cement for ABS Plastic Pipe and Fittings	3280.604(a)
D2564a–1973, Solvent Cement for PVC Plastic Pipe and Fittings	3280.604(a)
D2665–1973, PVC Plastic Drain, Waste, and Vent Pipe and Fittings	3280.604(a)
D2846–1973, Chlorinated poly (vinyl/chloride) (CPVC) Plastic Hot Water Distribution Systems.	3280.604(a)
D3110–1972, Standard Specification for ADHESIVES Used in Nonstructural Glued Lumber Products.	3280.403(b)(1)(i)
D3309–1974, Polybutylene (PB) Plastic Hot Water Distribution Systems.	3280.604(a)
E–84–1975, Standard Method of Test for Surface Burning Characteristics of Building Materials.	3280.203(a)
E162–1975, Standard Method of Test for Surface Flammability of Materials Using a Radiant Heat Energy Source.	3280.203(a)(4); 3280.203(b)
E283–1973, Standard Method of Test for Rate of Air Leakage Through Exterior Windows, Curtain Walls, and Doors.	3280.403(c)(3); 3280.405(e)(2)(iii)
E330–1970, Standard Method of Test for Structural Performance of Exterior Windows, Curtain Walls, and Doors Under the Influence of Wind Loads.	3280.403(c)(2); 3280.405(e)(2)(ii); 3280.405(e)(2)(i)
E331–1970, Standard Method of Test for Water Penetration of Exterior Windows, Curtain Walls, and Doors by Uniform Static Air Pressure Difference.	3280.405(e)(2)(iv)
E547–1975, Standard Method of Test for Water Penetration of Exterior Windows, Curtain Walls and Doors by Cyclic Static Air Pressure Differential.	3280.403(c)(4)

24 CFR Chapter XX (Parts 3200–3299)—Department of Housing and Urban Development, Office of Assistant Secretary for Neighborhoods, Voluntary Associations and Consumer Protection—Continued

	CFR Citation
Cultured Marble Institute (CMI)	
230 North Michigan Avenue, Chicago, Ill. 60601	
CMI–LS–1–1975, Cultured Marble Lavatory	3280.604(a)
Commercial Standards (CS)	
National Bureau of Standards	
Washington, DC 20234	
CS–138–1955, Insect Wire Screening	3280.403(e)(2)
CS–236–1966, Mat-formed Wood Particleboard	3280.304(b)(1)
CS–243–1962, Stainless Steel Plumbing Fixtures-Residential Use	3280.604(a)
CS–248–1964, Vinyl-coated Glass Fiber Insect Screening and Louver Cloth.	3280.403(e)(2)
Federal Specification (FS)	
General Services Administration, Specifications Branch, Building 197, Washington Navy Yard, Washington, D.C. 20407	
L–P–320–B–1973, PVC Plastic Drain, Waste, and Vent Pipe and Fittings.	3280.604(a)
L–P–322B–1973, ABS Plastic Drain, Waste, and Vent Pipe and Fittings	3280.604(a)
L–S–125B, Screening, Insect, Non-metallic	3280.403(e)(2)
DD–G–1403B–1972, Glass, Plate (Float), Sheet, Figured, and Spandrel (Heat Strengthened and Fully Tempered).	3280.403(b)(3)
FF–N–105B, Nails, Brads, Staples and Spikes, Wire, Cut and Wrought	3280.304(b)(1)
HH–C–536A–1954 or TT–P–1536A, Plumbing Fixture Setting Compound	3280.604(a)
QQ–S–781H, Strapping, Steel, and Seals	3280.306(g)(2)
WW–N–351B, Pipe, Nipples, Threaded	3280.604(a)
WW–P–377D–1962, Seamless Copper Pipe, Standard Sizes	3280.703
WW–P–401D–1969, Cast Iron, Soil Piping and Fittings	3280.604(a)
WW–P–406D–1973, Welded and Seamless Steel Pipe for Ordinary Uses	3280.703
WW–P–541D–1971, Plumbing Fixtures for Land Use	3280.604(a)
WW–V–54D–1973, Valve, Gate Bronze, 125—150 and 200 pound	3280.604(a)
WW–V–58B–1971, Valve, Cast Iron Gate, Threaded and Flanged	3280.604(a)
ZZ–R–765B, Rubber Silicone	3280.611(d)
DD–G–451C–1968, Glass, Float or Plate, Sheet, Figured (flat, for glazing, mirrors and other uses.	3280.403(b)(3)(iii)
Gas Appliance Laboratory, (GAL)	
3138 East Olumpic Blvd., Los Angeles, CA 90023	
Standard for Fireplace Stoves for Installation in Mobile Structures	3280.703
Hardwood Plywood Manufacturers Association (HPMA)	
Box 6246, Arlington, Va. 22206	
HPMA–SG–1971, Structural Design Guide for Hardwood Plywood	3280.304(b)(1)
HUD–FHA Use of Materials Bulletin	
Department of Housing and Urban Development, Washington, D.C. 20410	
HUD–FHA Use of Materials Bulletin–UM–25d, Application and Fastening Schedule: Power Driven, Mechanically Driven and Manually Driven Fasteners.	3280.304(b)(1)
International Association of Plumbing and Mechanical Officials (IAPMO)	
5032 Alhambra Avenue, Los Angeles, California 90032	
PS–2–1966, Cast Brass and Tubing P-Traps	3280.604(a)
PS–4–1966, Drains for Prefabricated and Precast Showers	3280.604(a)
PS–5–1966, Special Cast Iron Fittings	3280.604(a)
PS–9–1966, Diversion Tees and Twin Waste Elbow	3280.604(a)
PS–14–1971, Flexible Copper Water Connectors	3280.604(a)
PS–17–1971, ABS Plastic Drain, Waste and Vent Pipe and Fittings	3280.604(a)
PS–18–1973, Cultured Marble Lavatory	3280.604(a)
PS–23–1968, Dishwater Drain Airgaps	3280.604(a)
PS–27–1969, PVC Plastic Drain, Waste, and Vent Pipe and Fittings	3280.604(a)
PS–31–1971–T, Backflow Prevention Devices	3280.604(a)
TSC–9–1972, Gas Supply Connectors for Mobile Homes	3280.604(a)
TSC–22–1972, Porcelain Enameled Formed Steel Plumbing Fixture	3280.604(a)
Military Specifications (MIL)	
Naval Publications Information Center, 5801 Tabor Rd., Philadelphia, PA. 19120	
MIL–L–10547E–1975, Liners, Case, and Sheet, Overwrap; Water-Vaporproof or Waterproof, Flexible.	3280.611(d)

24 CFR Chapter XX (Parts 3200–3299)—Department of Housing and Urban Development, Office of Assistant Secretary for Neighborhoods, Voluntary Associations and Consumer Protection—Continued

	CFR Citation
National Fire Protection Association (NFPA)	
470 Atlantic Avenue, Boston, Mass. 02110	
NFPA–31–1974, Installation of Oil Burning Equipment	3280.703
NFPA–54–1974, Installation of Gas Appliances, Gas Piping in Buildings	3280.703
NFPA–58–1974, Storage and Handling of Liquefied Petroleum Gas	3280.703; 3280.704(b)(5)
NFPA–70–1975, National Electrical Code	3280.801(b); 3280.808(a)
NFPA–90B–1973, Resident Type Warm Air Heating and Air Conditioning.	3280.703
National Forest Products Association (N)FPA	
1619 Massachusetts Avenue, N.W., Washington, D.C. 20036	
Structural Design Data—Wood (N)FPA–1970	3280.304(b)(1)
Span Tables for Joists and Rafters (PS 20–70) (N)FPA–1973	3280.304(b)(1)
Stress Grade Lumber and its Fastenings National Design Specifications for (and supplement) (N)FPA–1973.	3280.304(b)(1)
Working Stresses for Joists and Rafters (N)FPA–1974	3280.304(b)(1)
National Particleboard Association (NPA)	
2306 Perkins Place, Silver Spring, Md. 20910	
NPA–1–1973, Particleboard for Mobile Home Decking	3280.304(b)(1)
National Sanitation Foundation (NSF)	
3475 Plymouth Road, Ann Arbor, Michigan	
NSF–4–1963, Commercial Cooking and Warming Equipment	3280.703
NSF–5–1972, Hot Water Generating Equipment for Food Service Establishments Using Spray Type Dishwashers.	3280.703
NSF–14–1965, Thermoplastic Materials, Pipe Fittings, Valves, Traps, and Jointing Materials.	3280.604(a)
NSF–24–1972, Plumbing System Components for Mobile Homes and Recreational Vehicles.	3280.604(a)
National Woodwork Manufacturers Association (NWMA)	
40 West Madison Street, Chicago, Illinois 60606	
NWMA I.S. 1–1974, Wood Flush Doors (interior, exterior)	3280.304(b)(1)
NWMA I.S. 2–1973, Wood Window Units	3280.304(b)(1)
NWMA I.S. 3–1970, Wood Patio Doors	3280.304(b)(1)
NWMA I.S. 4–1970, Water Repellent Preservative Treating for Millwork.	3280.604(b)(1)
Product Standards (PS)	
Standards marked with asterisk (*) are available from: U.S. Government Printing Office, Washington, D.C. 20402	
Other standards are available from: National Bureau of Standards, Washington, D.C. 20234	
PS–1–1974, *Construction and Industrial Plywood	3280.304(b)(1)
PS–51–1971, Hardwood and Decorative Plywood	3280.304(b)(1)
PS–56–1973, Structural Glued Laminated Timber	3280.304(b)(1)
PS–58–1973, *Basic Hardboard	3280.304(b)(1)
PS–59–1973, *Prefinished Hardboard Paneling	3280.304(b)(1)
PS–60–1973, *Hardboard Siding	3280.304(a)
PS–5–1966, Porcelain Enameled Formed Steel Plumbing Fixtures	3280.604(a)
Society of Automotive Engineers (SAE)	
400 Commonwealth Drive, Warrendale, Pa. 15096	
SAE–J533b, Flares for Tubing	3280.705(f)(1) and (2)
Truss Plate Institute (TPI)	
Suite 200, 7100 Baltimore Avenue, College Park, Md. 20740	
TPI–1972, Span Tables for Light Metal Plate Connected Wooden Trusses.	3280.304(b)(1)
TPI–1974, Design Specifications for Light Metal Plate Connected Wood Trusses.	3280.304(b)(1)
Underwriters' Laboratories, Inc. (UL)	
207 East Ohio Street, Chicago, Illinois 60611	
UL–94–1974, Tests for Flammability of Plastic Materials for Parts in Devices and Appliances.	3280.703; 3280.715(e)(1)
UL–103–1971, Factory-built Chimneys	3280.703

24 CFR Chapter XX (Parts 3200–3299)—Department of Housing and Urban Development, Office of Assistant Secretary for Neighborhoods, Voluntary Associations and Consumer Protection—Continued

	CFR Citation
UL–109–1972, Tube Fittings for Flammable and Combustible Fluids and Refrigeration Service, and Marine Use.	3280.703
UL–127–1971, Factory-built Fireplaces	3280.703
UL–167–1974, Smoke Detectors, Combustion Products Type for Fire Protective Signaling Systems.	3280.208(c)
UL–168–1971, Smoke Detectors, Photoelectric Type, for Fire Protective Signaling Systems.	3280.208(c)
UL–181–1972, Factory-made Air Duct Materials and Air Duct Connectors.	3280.715(e)
UL–214–1971, Flame Tests of Flame-resistant Fabrics and Films	3280.703
UL–307a–1969, Liquid Fuel-burning Heating Appliances for Mobile Homes and Travel Trailers.	3280.703
UL–307(b)–1971, Gas-heating Appliances for Mobile Homes and Travel Trailers.	3280.703
UL–311–1971, Roof Jacks for Trailer Coaches	3280.703
UL–441–1973, Gas Vents	3280.703
UL–465–1975, Air Conditioners, Central Cooling	3280.703
UL–559–1975, Heat Pumps	3280.703
UL–569–1973, Pigtails, Expansion Coils, and Flexible Hose Connectors for Liquefied Petroleum Gas.	3280.703
UL–1025–1973, Electric Air Heater	3280.703
UL–1042–1973, Electric Baseboard Heating Equipment	3280.703
UL–1096–1973, Electric Central Air, Heating Equipment	3280.703
Steel Joist Institute (SJI)	
1703 Parthem Road, Suite 204, Richmond, VA 23229	
SJI–1973, Standard Specifications and Load Tables—Open Web Steel Joists, J and H Series.	3280.304(b)

[FR Doc. 81-16153 Filed 5-28-81; 8:45 am]

BILLING CODE 1505-02-C

Reader Aids

Federal Register

Vol. 46, No. 103

Friday, May 29, 1981

INFORMATION AND ASSISTANCE

PUBLICATIONS

Code of Federal Regulations

CFR Unit	202-523-3419 523-3517
General information, index, and finding aids	523-5227
Incorporation by reference	523-4534
Printing schedules and pricing information	523-3419

Federal Register

Corrections	523-5237
Daily Issue Unit	523-5237
General information, index, and finding aids	523-5227
Public Inspection Desk	633-6930
Scheduling of documents	523-3187

Laws

Indexes	523-5282
Law numbers and dates	523-5282 523-5266
Slip law orders (GPO)	275-3030

Presidential Documents

Executive orders and proclamations	523-5233
Public Papers of the President	523-5235
Weekly Compilation of Presidential Documents	523-5235
Privacy Act Compilation	523-3517
United States Government Manual	523-5230

SERVICES

Agency services	523-3408
Automation	523-3408
Dial-a-Reg	
Chicago, Ill.	312-663-0884
Los Angeles, Calif.	213-688-6694
Washington, D.C.	202-523-5022
Magnetic tapes of FR issues and CFR volumes (GPO)	275-2867
Public briefings: "The Federal Register—What It Is and How To Use It"	523-5235
Public Inspection Desk	633-6930
Regulations Writing Seminar	523-5240
Special Projects	523-4534
Subscription orders (GPO)	783-3238
Subscription problems (GPO)	275-3054
TTY for the deaf	523-5239

FEDERAL REGISTER PAGES AND DATES, MAY

24519-24926	1
24927-25076	4
25077-25288	5
25289-25420	6
25421-25594	7
25595-26036	8
26037-26274	11
26275-26470	12
26471-26604	13
26605-26758	14
26759-27088	15
27089-27322	18
27323-27468	19
27469-27622	20
27623-27898	21
27899-28144	22
28145-28394	26
28395-28610	27
28611-28832	28
28833-29238	29

CFR PARTS AFFECTED DURING MAY

At the end of each month, the Office of the Federal Register publishes separately a list of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

1 CFR

51 29220

Proposed Rules:

305 26487

3 CFR

Executive Orders:

March 4, 1896 (Revoked by PLO 5906) 28417
July 2, 1910 (Revoked in part by PLO 5885) 28416
July 10, 1910 (Revoked in part by PLO 5885) 28416
February 21, 1913 (Revoked in part by PLO 5938) 28854
January 24, 1914 (Revoked in part by PLO 5937) 28854
August 7, 1916 (Revoked in part by PLO 5921) 28411
September 30, 1916 (Revoked in part by PLO 5921) 28411
September 7, 1917 (Revoked by PLO 5913) 28405
February 25, 1919 (Revoked in part by PLO 5869) 28413
May 25, 1921 (Revoked in part by PLO 5870) 28164
June 14, 1921 (Revoked by PLO 5875) 28411
June 14, 1921 (Revoked in part by PLO 5924) 28857
November 26, 1921 (Revoked in part by PLO 5881) 28167
November 27, 1922 (Revoked in part by PLO 5911) 28412
February 8, 1923 (Revoked in part by PLO 5888) 28655
November 9, 1923 (Revoked in part by PLO 5872) 28414
November 9, 1923 (Revoked in part by PLO 5882) 28857
June 13, 1925 (Revoked in part by PLO 5873) 28165
June 13, 1925 (Revoked in part by PLO 5890) 28858
September 25, 1925 (Revoked by PLO 5891) 28656
April 17, 1926 (Revoked in part by PLO 5925) 28655
February 23, 1928 (Revoked in part by PLO 5928) 28652
November 18, 1938 (Revoked in part by PLO 5896) 28403
1568 (Revoked by PLO 5902) 28417
3412 (Revoked by PLO 5934) 28854
3893 (Revoked in part by PLO 5906) 28417
4181 (Revoked in part by PLO 5894) 28416
4202 (Revoked by PLO 5941) 28855
4531 (Revoked in part by PLO 5901) 28409
4654 (Revoked by PLO 5907) 28418
5105 (Revoked by PLO 5866) 27652
5327 (Revoked in part by PLO 5917) 28406
5344 (Revoked in part by 5908) 28412
5478 (Revoked in part by 5910) 28412
6019 (Revoked in part by PLO 5892) 28413
6040 (Revoked by PLO 5871) 28413
6798 (Revoked by PLO 5939) 28854
7026 (Revoked by PLO 5940) 28855
7610 (Revoked by PLO 5887) 28414
9101 (Revoked by PLO 5926) 28851
11992 (Revoked by EO 12305) 25421
12059 (Revoked by EO 12305) 25421
12064 (Revoked by EO 12305) 25421
12084 (Revoked by EO 12305) 25421
12097 (Amended by EO 12305) 25421
12258 (Amended by EO 12305) 25421
12304 24521
12305 25421

Proclamations:
4843 24519
4844 25077
4845 27899
Administrative Orders:
Presidential Determinations:
No. 81-6
of May 13, 1981 27623
No. 81-7
of May 20, 1981 28833

5 CFR
870 25595
890 25595
Proposed Rules:
2422 26488
2423 26488
2424 26488
2429 26488

7 CFR
28 24927
250 26759
273 27901
800 27070
802 28145
905 27323
907 ..... 25423, 26605, 27625, 28611
910 ..... 24523, 25596, 26759, 27902, 28835
915 27469
916 28835
918 25423
944 27469
982 26037
985 25424
1032 24927
1040 27903
1050 24927
1068 28145
1076 27904
1098 27089
1133 27625
1135 28611
1137 27626
1701 ..... 25079, 28836
1809 28330
1865 27908
1942 ..... 24523, 27909
1945 ..... 27908, 28330
1951 ..... 27908, 28330
Proposed Rules:
Ch. IX 28859
Ch. VI 28171
57 28170
271 27960
272 27960
273 27960
419 24954
930 26065
953 25625
981 27126
982 25626
993 26786
999 25626
1040 25626
1068 27501
1701 ..... 25096, 27344, 28170
1076 26337
2851 ..... 26787, 28859
2852 25097

8 CFR
100 25425

109 25079
211 25597
212 ..... 24929, 25081
214 ..... 25597, 28623
242 25597
244 25597
245 25597
248 25597
280 28624
299 28625
449 28625
Proposed Rules:
235 26653
251 26653

9 CFR
73 ..... 25425, 27627
82 ..... 24524, 25599
92 ..... 24930, 26040
303 26760
331 ..... 24524, 28837
381 26760
Proposed Rules:
92 ..... 26065, 28860
381 26350

10 CFR
Ch. II 27270
2 28627
30 ..... 26471, 27910
50 28838
51 28630
430 27324
455 27862
501 26605
1530 28395
Proposed Rules:
Ch. I 24576, 28660
50 26491
212 25315
459 25466
903 25426

12 CFR
201 27090
204 27090
217 27090
265 28398
335 25204
545 ..... 24526, 24531
584 24526
701 26275
760 26607
Proposed Rules:
Ch. III 26654
210 24576
226 28560
329 28660
545 24579
563 24579
571 24579

13 CFR
111 24931
120 25083
Proposed Rules:
Ch. I 24955

14 CFR
21 27092
39 ..... 24931-24936, 25427-25429, 26042, 26043, 26608, 27095-27098, 27628-27630, 28146-28149, 28632
71 ..... 25430-25433, 26044, 26043, 27099-27101, 27630-27632, 28150, 28151
73 ..... 26045, 27632
75 ..... 27102, 27633
95 ..... 25434, 26045
97 ..... 24937, 26609, 27634
121 28305
135 ..... 28301, 28305
159 28632
207 ..... 25417, 28378
208 ..... 25418, 28378
212 ..... 25418, 28368
214 28379
221 25418
223 25418
249 25414
375 25419
385 28379
399 28380
1206 28399
Proposed Rules:
Ch. I 25466, 27710
21 ..... 27710, 27712, 27885
39 ..... 26069, 26070, 27715, 27885
71 ..... 24957-24961, 25467, 26071, 27126-27128, 27716-27720, 28171
73 27128
75 25468
91 ..... 27885, 27889
159 ..... 26358, 26656
121 ..... 27893, 27897
135 27897
207 28383
208 28383
212 28383
218 28383
221a 25637
245 28381
246 28381
374 25321

15 CFR
373 26275
376 ..... 24532, 28637
377 ..... 24532, 28637
379 26275
385 26275
399 ..... 26275, 27103
Proposed Rules:
930 26658
1001 27501

16 CFR
0 ..... 26284, 27634
1 ..... 26284, 27634
2 ..... 26284, 27634
4 ..... 26284, 26293, 27634
5 ..... 26050, 26284, 27634
13 ..... 24940, 25289, 26611, 27634
305 25290
1145 27910
1307 27910
1500 27910
1700 ..... 26297, 27910
Proposed Rules:
Ch. I 25468
Ch. II 25478, 26262, 27721
13 ..... 25102, 25103, 25476, 28444, 28661
450 24584
1301 25638

1145 27963
1307 27963
1500 27963
1610 28665
1611 28665
1700 27963

17 CFR
1 ..... 24940, 26000, 26299, 27473
3 ..... 24940, 26299
4 ..... 26004, 26761
15 26472
16 26472
17 26472
18 26472
21 26472
140 ..... 26004, 26761
145 ..... 24940, 26299
147 ..... 24940, 26299
Proposed Rules:
1 25106
3 25106
32 ..... 25106, 25107
210 27344
229 ..... 25638, 26789
240 26789

18 CFR
2 26613
46 25084
131 25084
270 24537
271 ..... 24548-24549, 27635
281 27911
282 ..... 24549, 25599, 28839
294 24550
401 ..... 25439, 26638
Proposed Rules:
157 24585
271 ..... 25643, 25644, 27963-27966
282 ..... 26352, 28672
284 ..... 24585, 27355
292 26352

19 CFR
159 24944
355 26472-26475
Proposed Rules:
Ch. I 28172
201 28673
207 28673

20 CFR
401 24551
404 ..... 25601, 29190
416 29190
Proposed Rules:
Ch. I 26790
656 26789
676 ..... 25084, 25645, 27462
679 ..... 25645, 27462

21 CFR
5 ..... 26052, 26299
109 24551
145 28839
146 26300
193 ..... 24945, 26762
430 ..... 25602, 25605
436 ..... 25602, 25605, 25607
440 25602
442 ..... 25605, 25607

444 25607
455 25607
520 ..... 25084, 25085, 25608, 26300
522 ..... 24553, 25085, 26762, 26763, 27913
524 27914
529 27914
546 25086
558 ..... 24553, 26763, 28840
561 ..... 24945, 26764
701 29220
1301 28840
1303 28840
1304 28840
1308 28840
1311 28840
1312 28840

Proposed Rules:
1 26790
166 26790
180 24593
182 24593
351 25107
430 25651
436 25651
440 25651
444 25651
448 25651
452 25651
540 25107
1308 24593

22 CFR

41 28637
201 27104

23 CFR

Proposed Rules:
625 27722

24 CFR

200 29221
201 25609
203 ..... 25087, 27105
205 27105
207 27105
213 27105
220 27105
221 27105
232 27105
234 ..... 25087, 27105
235 ..... 27105, 28401
236 27105
241 27105
242 27105
244 27105
885 28841
888 28638
3280 29232

Proposed Rules:
235 24594
885 25107

25 CFR

5 26765
105 26475
173 26476
242 26476
700 27915-27919

Proposed Rules:
700 27967

26 CFR

1 ..... 24945, 27635
7a 25291
16A 27636
25 27642
35 24553
601 26053

Proposed Rules:
1 ..... 24594, 27723, 27968, 28677
7 28677
31 ..... 24595, 27357
32 27357
51 ..... 24595, 26660

27 CFR

240 25610

Proposed Rules:
4 24962
5 24962
7 24962

28 CFR

2 28648
503 24896
524 24896
543 24896
545 24896
547 24896

Proposed Rules:
527 24902
545 24902

29 CFR

1903 28842
1910 ..... 24556, 24558, 28845
2530 28151
2602 27328
2610 26765
2670 27330
2671 27330

Proposed Rules:
Ch. XII 25109
530 25108
1910 ..... 25653, 27358, 28864
1918a 28864

30 CFR

Proposed Rules:
221 27968
226 26661
601 25653
840 24963
841 24963
842 24963
843 24963
844 24963
845 24963

31 CFR

202 28152
203 28152
535 ..... 26476, 26478

Proposed Rules:
209 27969

32 CFR

57 25440
299 26481

Proposed Rules:
Ch. I 24596, 28865
Ch. V 24596, 28865
Ch. VI 24596, 28865
Ch. VII 24596, 28865
Ch. XVI 26498
199 24964
505 28446

33 CFR

Ch. I 28153
25 27107
66 27642
80 28153
82 27643
84 28153
85 28153
86 28153
87 28153
88 28153
90 28153
91 28153
94 28153
97 28153
98 28153
100 26638
110 28154
162 27644
163 28153
165 26055
183 27644
252 28649
264 28649
275 28649
278 28649
341 28649

Proposed Rules:
Ch. II 24596, 28865
89 26661
95 27128
165 26072
320 26792
321 26792
322 26792
323 26792
324 26792
325 26792
326 26792
327 26792
328 26792
329 26792
330 26792

34 CFR

78 27304
104 25614
300 25614
735 26056
776 26056
778 26057
797 26057

36 CFR

7 28846

Proposed Rules:
Ch. I 27723
Ch. III 24596, 28865
7 ..... 27969, 27970

37 CFR

1 29176
201 ..... 25442, 28846

38 CFR

3 27074
36 ..... 25443, 25444, 26482

Proposed Rules:
6 27361
8 27361
21 ..... 26499, 28679

39 CFR

111 ..... 25090, 25446
601 26639

Proposed Rules:
111 ..... 25109, 26792, 27970

40 CFR

Ch. I 27333
35 26301
52 ..... 24560, 24562, 24946, 25090, 25092, 25294, 25446, 26301-26304, 26484, 26640, 26641, 26767-26769, 27119, 27339, 27923-27932, 28155-28159, 28650
60 ..... 27341, 28402
61 27341
62 27342
66 27119
81 ..... 25294, 25301, 25446, 26305, 27933
86 ..... 24948, 28160
122 27473
123 ..... 28161, 28850
162 ..... 26305, 27936
173 26058
180 ..... 24950, 25615, 26770, 26771, 27480, 27936-27939, 28403
260 27473
261 27473
264 ..... 27119, 27473
265 ..... 27119, 27473
761 ..... 27614, 27615
762 27120
1501 25461
1502 25461
1508 25461

Proposed Rules:
Ch. I 24965, 28680
35 27314
50 25655
51 24596
52 ..... 24597-24602, 24966, 24967, 25110, 25322, 25323, 25481, 25483, 25485, 25659, 26074, 26353, 26499, 26793, 27129, 27501-27504, 27972, 28179, 28871
60 ..... 26501, 28180
61 25113
62 26504
65 26075
81 ..... 24604, 25324, 25325, 26355, 26504, 26506, 27131, 28872
86 ..... 26076, 26796
123 ..... 24968, 26796, 27132
180 ..... 24605, 25486, 25659, 26663, 26796, 27133, 27973-27975
192 26356
261 27363
264 28680
265 28680
267 28680
420 24606
434 28873
466 25114
761 ..... 25411, 25660, 27617-27619, 28446

41 CFR

Ch. I 26061, 26484, 27645
Ch. 101 27940
5-5 25615

5A-1 27122
5A-3 27122
5A-5 25615
5A-16 27122
8-1 28163
8-1.4 26643
8-8.2 26643
8-95 26644
9-1 25302
9-2 25303
9-3 25303
9-4 25303
9-5 25303
9-7 25303
9-9 25303
9-10 25304
9-15 25304
9-18 25304
9-23 25304
9-50 25304
14-3 25617
101-37 25618
105-735 25305

42 CFR

32 25622
401 24551
405 ..... 24564, 25093

43 CFR

Public Land Orders:
49 (Revoked by PLO 5920) 28410
431 (Amended in part by PLO 5942) 28856
554 (Revoked by PLO 5914) 28405
739 (Revoked by PLO 5879) 28166
848 (Revoked in part by PLO 5868) 28164
1095 (Revoked in part by PLO 5919) 28410
1163 (Revoked by P.L.O. 5864) 27653
1261 (Revoked by PLO 5897) 28416
1385 (Revoked by PLO 5933) 28853
1442 (Revoked by PLO 5889) 28857
1555 (Revoked by PLO 5909) 28415
1718 (Revoked in part by PLO 5898) 28407
2225 (Revoked in part by PLO 5932) 28652
2693 (*See* PLO 5896) 28403
2724 (Amended in part by PLO 5931) 28853
2920 (Revoked in part by PLO 5912) 28415
3061 (Revoked in part by PLO 5876) 28418
3292 (Revoked in part by PLO 5876) 28418
3342 (Amended in part by PLO 5927) 28852
3966 (Revoked in part by PLO 5877) 28165
4289 (Revoked in part by PLO 5886) 28411
4790 (Revoked in part by PLO 5918) 28410
5011 (Revoked by PLO 5905) 28417
5073 (Revoked in part by PLO 5900) 28409
5860 25619
5861 26061
5862 27653
5863 27651
5864 27653
5865 27651
5866 27652
5867 28163
5868 28164
5869 28413
5870 28164
5871 28413
5872 28414
5873 28165
5874 28414
5875 28411
5876 28418
5877 28165
5878 28165
5879 28166
5880 28166
5881 28167
5882 28857
5884 28415
5885 28416
5886 28411
5887 28414
5888 28655
5889 28857
5890 28858
5891 28656
5892 28413
5893 28167
5894 28416
5895 28404
5896 28403
5897 28416
5898 28407
5899 28408
5900 28409
5901 28409
5902 28417
5903 28404
5904 28404
5905 28417
5906 28417
5907 28418
5908 28412
5909 28415
5910 28412
5911 28412
5912 28415
5913 28405
5914 28405
5915 28406
5916 28406
5917 28406
5918 28410
5919 28410
5920 28410
5921 28411
5922 28406
5923 28652
5924 28857
5925 28655
5926 28851
5927 28852
5928 28652
5929 28651
5930 28852
5931 28853
5932 28652
5933 28853
5934 28854
5935 28654
5936 28655
5937 28854
5938 28854
5939 28854
5940 28855
5941 28855
5942 28856

44 CFR

9 24951
64 ..... 26305, 26772, 26774, 27123, 28443
65 ..... 26061, 26775-26777, 27941
67 ..... 26308-26355, 27942, 27943, 28418, 28656
70 ..... 26644-26648, 28431-28442

Proposed Rules:
67 ..... 26077, 26085, 26797, 26798, 27133, 27139, 27976, 28446-28456

45 CFR

500 26062
531 26062

Proposed Rules:
Ch. XI 24969
302 25660

46 CFR

33 28167
94 28167
157 27654
192 28167
502 24565
503 28858
510 24565
525 24575

Proposed Rules:
Ch. I 26086
Ch. IV 25326
148 27724

47 CFR

0 27654
2 ..... 26485, 26649
22 27655
31 28656
73 ..... 25461, 25462, 25620, 26062, 26223, 26485, 26486, 26649, 27706, 27944
74 27481
81 26485
83 ..... 25463, 26485
90 ..... 27481, 27707
94 27953
95 26778

Proposed Rules:
Ch. I 24969, 25661, 27506, 28183, 28456, 28457
2 26507
21 26507
25 26798
31 26356
33 26356
34 26356
35 26356
73 ..... 25487-25489, 25662, 26509-26515, 26663, 26798, 27725-27728, 28681, 28684
74 26507
76 25490
90 27729

48 CFR

Proposed Rules:
15 26664
47 26664

49 CFR

1 26651
171 28657
531 24952
571 25463
577 28657
639 26651
640 26651
1033 ..... 25094, 25310-25312
1034 ..... 26064, 27709
1039 27342
1048 ..... 25314, 28658
1056 25621
1064 27343
1109 28658
1244 26781

Proposed Rules:
Ch. I 25491
Ch. X 26336, 28192
171 27146
173 ..... 25492, 27146
1002 25326
1102 ..... 26087, 28457
1132 ..... 26799, 26801
1134 ..... 26799, 26801
1201 ..... 25114, 26515, 28458
1241 ..... 25114, 26515, 28458
1248 25114
1300 28457
1307 27732

50 CFR

216 27056
285 27482
611 ..... 27483, 27489
658 ..... 27483, 27959

Proposed Rules:
Ch. I 28171
13 28881
17 ..... 24607, 26464
21 28881
23 28192
651 27147
653 25327
682 28883

AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday). This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/FNS		DOT/COAST GUARD	USDA/FNS
DOT/FAA	USDA/FSQS		DOT/FAA	USDA/FSQS
DOT/FHWA	USDA/REA		DOT/FHWA	USDA/REA
DOT/FRA	MSPB/OPM		DOT/FRA	MSPB/OPM
DOT/NHTSA	LABOR		DOT/NHTSA	LABOR
DOT/RSPA	HHS/FDA		DOT/RSPA	HHS/FDA
DOT/SLSDC			DOT/SLSDC	
DOT/UMTA			DOT/UMTA	
CSA			CSA	

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.
Comments on this program are still invited.
Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws.**

Last Listing May 27, 1981



Just Released

Code of Federal Regulations

Revised as of January 1, 1981

Quantity	Volume	Price	Amount
_____	Title 7-Agriculture (Parts 900–944)	$7.00	$_____
_____	Title 7-Agriculture (Parts 945–980)	5.50	_____
		Total Order	$_____

A Cumulative checklist of CFR issuances for 1980 appears in the back of the first issue of the Federal Register each month in the Reader Aids section. In addition, a checklist of current CFR volumes, comprising a complete CFR set, appears each month in the LSA (List of CFR Sections Affected).

Please do not detach

Order Form

Mail to: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402

Enclosed find $_____. Make check or money order payable to Superintendent of Documents. (Please do not send cash or stamps). Include an additional 25% for foreign mailing.

Charge to my Deposit Account No.

☐☐☐☐☐☐☐–☐

Order No._____

VISA

MasterCard

Credit Card Orders Only

Total charges $_____ Fill in the boxes below.

Credit Card No. ☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

Expiration Date Month/Year ☐☐☐☐

Please send me the Code of Federal Regulations publications I have selected above.

Name—First, Last

Street address

Company name or additional address line

City State ZIP Code

(or Country)

PLEASE PRINT OR TYPE

For Office Use Only.

	Quantity	Charges
Enclosed		
To be mailed		
Subscriptions		
Postage		
Foreign handling		
MMOB		
OPNR		
UPNS		
Discount		
Refund		