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federal register

Thursday
July 16, 1981

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Presidential Documents

Title 3—

The President

Presidential Determination No. 81–11 of July 8, 1981

International Military Education and Training for Yugoslavia

Memorandum for the Secretary of State

By virtue of the authority vested in me by the Foreign Assistance Act of 1961, as amended (the Act):

I hereby find pursuant to section 620(f) of the Act that the furnishing of assistance to Yugoslavia under chapter 5 of part II of the Act is vital to the security of the United States, that Yugoslavia is not controlled by the international Communist conspiracy, and that such assistance will further promote the independence of Yugoslavia from international communism.

Pursuant to section 614(a)(1) of the Act—

(a) I hereby determine that the furnishing of such assistance to Yugoslavia is important to the security interests of the United States; and

(b) I hereby authorize the furnishing of such assistance to Yugoslavia without regard to section 620(f) of the Act in the amount of an additional $41,000 in the fiscal year 1981 and $130,000 in the fiscal year 1982, subject to the authorization and appropriation of the necessary funds.

This determination shall be reported to the Congress, and none of the funds provided for herein shall be furnished to Yugoslavia until fifteen days have elapsed after notifications of reprogramming of fiscal year 1981 appropriations have been furnished to the Congress in accordance with section 634A of the Act and the Joint Resolution on Continuing Appropriations (Public Law 96–536).

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

Ronald Reagan

THE WHITE HOUSE,
Washington, July 8, 1981.

[FR Doc. 81–20980
Filed 7–14–81; 4:25 pm]
Billing code 3195–01–M

Rules and Regulations

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 908

[Valencia Orange Reg. 672; Valencia Orange Reg. 671, Amdt. 1]

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

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

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

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

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

SUPPLEMENTARY INFORMATION: *Findings.* This rule has been reviewed under Secretary's Memorandum 1512–1 and Executive Order 12291 and has been designated a non-major rule. This regulation and amendment are issued under the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The action is based upon the recommendations and information submitted by the Valencia Orange Administrative Committee and upon other available information. It is hereby found that this action will tend to effectuate the declared policy of the act.

This action is consistent with the marketing policy for 1980–81. The marketing policy was recommended by the committee following discussion at a public meeting on January 27, 1981. 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 202–227–5975.

The committee met again publicly on July 14, 1981, at Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of Valencia oranges deemed advisable to be handled during the specified weeks. The committee reports the demand for Valencia oranges is improving.

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

1. § 908.922 is added as follows:

§ 908.972 Valencia Orange Regulation 672.

The quantities of Valencia oranges grown in Arizona and California which may be handled during the period July 17, 1981, through July 23, 1981, are established as follows:

(1) District 1: 400,000 cartons;
(2) District 2: 400,000 cartons;
(3) District 3: Unlimited cartons.

2. § 908.971 Valencia Orange Regulation 671 (46 FR 35629), is hereby amended to read:

§ 908.971 Valencia Orange Regulation 671.

* * * * *

(1) District 1: 450,000 cartons;
(2) District 2: 450,000 cartons;
(3) District 3: Unlimited cartons.

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

Dated: July 15, 1981

D. S. Kuryloski,

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

[FR Doc. 81–21065 Filed 7–15–81; 11:30 am]

BILLING CODE 3410–02–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 100

Statement of Organization; Designation of Port of Entry for Aliens

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This amendment adds Charleston, West Virginia to the Service list of ports of entry for aliens arriving by aircraft. United States Customs has designated Charleston, West Virginia as a port of entry for civil aircraft, listing it as a port of entry under 19 CFR 101.3(b) (1980 edition). Under the Immigration and Nationality Act the Attorney General may designate as a port of entry for aliens arriving by aircraft any port legally designated as a port of entry for civil aircraft.

EFFECTIVE DATE: July 16, 1981.

FOR FURTHER INFORMATION CONTACT:

For general information: Stanley J. Kieszkiel, Acting Instructions Officer, Immigration and Naturalization Service, 425 Eye Street, NW., Washington, DC 20536 Telephone: (202) 633–3048

For specific information: Alvin Braunstein, Immigration Inspector, Immigration and Naturalization Service, 425 Eye Street, NW., Washington, DC 20536 Telephone: (202) 633–2725

SUPPLEMENTARY INFORMATION: This amendment to 8 CFR 100.4(3) adds

Charleston, West Virginia to the Immigration and Naturalization Service's list of "Ports of entry for aliens arriving by aircraft." The United States Customs Service lists Charleston, West Virginia as a port of entry in 19 CFR 101.3(b) (1980 edition). The Secretary of the Treasury is authorized under 49 U.S.C. 1509 (b) & (c) to designate, and to apply regulations to, ports of entry to the United States for civil aircraft and the merchandise they carry. Section 239 of the Immigration and Nationality Act of 1952, 8 U.S.C. 1229, authorizes the Attorney General to designate as ports of entry for aliens any legally designated port of entry for civil aircraft.

United States Customs designated Charleston, West Virginia, as a port of entry on July 1, 1973, according landing rights to private aircraft at Kanahwa County Airport. Approximately 20 private aircraft per month arrive at that airport, transporting primarily Canadian businessmen. Consequently, the Service is designating Charleston, West Virginia, Kanahwa Airport, as a port of entry for aliens.

Compliance with the provisions of 5 U.S.C. 553 as to notice of proposed rulemaking and delayed effective date is unnecessary because this amendment is a notice of agency organization.

In accordance with 5 U.S.C. 605(b), the Commissioner certifies that this rule will not have a significant economic impact on a substantial number of small entities.

This amendment is exempt from sections 2 and 3 of Executive Order 12291 of February 17, 1981, under section 1(a)(3) of that order.

Accordingly, Chapter I of Title 8 of the Code of Federal Regulations is amended as follows:

PART 100—STATEMENT OF ORGANIZATION

In § 100.4(c)(3) add in numerical sequence:

§ 100.4 Field service.

* * * * *

District No. 4—Philadelphia, Pa.

Charleston, West Virginia, Kanahwa, Airport

* * * * *

(Secs. 103; 239; 8 U.S.C. 1103, 1229)

Dated: July 13, 1981.

Doris M. Meissner,

Acting Commissioner of Immigration and Naturalization.

[FR Doc. 81-20892 Filed 7-15-81; 8:45 am]

BILLING CODE 4410-10-M

FEDERAL HOME LOAN BANK BOARD

12 CFR Part 531

[No. 81-381]

Federal Home Loan Bank Advances

July 2, 1981.

AGENCY: Federal Home Loan Bank Board.

ACTION: Final rule.

SUMMARY: In order to provide greater flexibility to the Federal Home Loan Banks to consider advances applications from members to replace maturing borrowings from sources other than the Banks, the Board has rescinded 12 CFR 531.1(f) and instead has directed the Banks to consider such replacement advances at the Banks' discretion, with special emphasis on pricing and commitment fees, as may be necessary to discourage those advances.

EFFECTIVE DATE: July 2, 1981.

FOR FURTHER INFORMATION PLEASE CONTACT: Harold L. Levi, Associate General Counsel, Office of General Counsel, ((202) 377-6432), Federal Home Loan Bank Board, 1700 G Street, NW, Washington, D.C. 20552.

SUPPLEMENTARY INFORMATION: On May 22, 1980, in connection with amendments granting more liberal borrowing authority to insured institutions, the Board changed its prior longstanding policy prohibiting advances to refinance maturing borrowings from sources other than Federal Home Loan Banks. 45 FR 36361; May 30 1980. The policy adopted in 1980 provided that advances may be made to refinance such borrowings only if the member had obtained a prior commitment from the Bank and had paid a commitment fee for the refinancing advance. The Board has now determined that such a fixed policy is not sufficiently flexible and has rescinded it in order to provide the Banks discretion to make replacement advances. However, the Board has directed the Banks, through the adoption of a policy directive on July 2, 1981, to place special emphasis on pricing and commitment fees in order to discourage those advances.

The Board finds that observance of the notice and public comment procedures and delay of effective date required pursuant to 12 CFR 508.12 and 508.14, and 5 U.S.C. 553 (b) and (d), respectively, would be unnecessary and contrary to the public interest because this amendment pertains to a general statement of policy and relieves a current restriction.

§ 531.1 [Amended]

Accordingly, the Federal Home Loan Bank Board hereby rescinds § 531.1(f) of Part 531, Subchapter B, Chapter V of Title 12, Code of Federal Regulations.

(Sec. 17, 47 Stat. 736, as amended (12 U.S.C. 1437); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

J. J. Finn,

Secretary.

[FR Doc. 81-20854 Filed 7-15-81; 8:45 am]

BILLING CODE 6720-01-M

12 CFR Parts 545, 563 and 571

Futures Transactions

AGENCY: Federal Home Loan Bank Board.

ACTION: Final rule.

SUMMARY: The Board is amending its regulation and policy statement governing use of interest-rate futures markets by institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation, so that institutions more effectively may protect their operations against interest-rate risks. Major changes include permitting use of any futures contract designated by the Commodity Futures Trading Commission and based upon a security in which the institution has authority to invest, permitting institutions to engage in futures transactions that reduce their net interest-rate risk exposure, eliminating eligibility requirements for engaging in futures transactions, eliminating the regulatory position limit on futures transactions, extending coverage of the regulation governing futures transactions to State-chartered institutions as well as Federal associations, and providing general principles governing accounting for gains and losses on futures contracts.

EFFECTIVE DATE: July 10, 1981.

FOR FURTHER INFORMATION CONTACT: Susan Kelsey, Office of Policy and Economic Research (202-377-6914), Robert Losey, Office of Federal Savings and Loan Insurance Corporation (202-377-6620), or Peter Barnett, Office of General Counsel (202-377-6445), Federal Home Loan Bank Board, 1700 G Street, N.W., Washington, D.C. 20552.

SUPPLEMENTARY INFORMATION:

Proposed Amendments

On April 23, 1981, the Board proposed amendments to its regulation (12 CFR 545.29) and policy statement (12 CFR 571.12) governing use of interest-rate futures markets by institutions the

accounts of which are insured by the Federal Savings and Loan Insurance Corporation. *See*, Board Resolution No. 81-207; 46 FR 24579 (May 1, 1981). The Board's proposal was intended to give institutions greater flexibility in using interest-rate futures than was permitted under existing regulatory guidelines, taking into account developments in the expanding interest-rate futures markets, the deregulation of the liabilities of insured institutions and the increased volatility of interest rates.

The Board received approximately 75 comment letters from the Federal Home Loan Banks, savings and loan association trade groups, insured institutions, commodity futures exchanges, commodity futures brokers and dealers, accounting firms and other interested persons. Almost all commenters supported the liberalization of regulatory guidelines for interest-rate futures transactions; however, some commenters suggested modification of particular aspects of the Board's proposal as discussed below.

Authorized Transactions

The Board proposed to revise existing limits on the types of interest-rate futures transactions authorized for insured institutions. The existing regulations provide that institutions may engage only in GNMA futures transactions (interest-rate futures transactions based on mortgaged-backed securities guaranteed by the Government National Mortgage Association) and limit permissible transactions to those which can be matched directly against: (1) Firm commitments, which are defined as commitments to make, purchase, issue or deliver mortgage loans or mortgage-related securities; or (2) anticipated reinvestments in mortgages and mortgage-related securities of expected mortgage repayments over the forthcoming 12-month period.

The proposal would have eliminated the restriction that the only futures positions permitted were those matched directly against firm commitments or against anticipated reinvestment of mortgage repayments. Instead, insured institutions would have been permitted to engage in interest-rate futures transactions to hedge operations against the risk of unanticipated changes in interest rates. Hedging would have included interest-rate futures transactions intended as temporary substitutes for, or as opposite positions to, cash market transactions or positions, except that long positions would not have been permitted unless they were used to offset short positions.

Commenters supported liberalizing the restrictions of the existing regulations on the types of interest-rate futures transactions permitted for institutions; however, many commenters suggested that the Board permit institutions to engage in transactions that would have been prohibited under the proposal. In particular, most commenters suggested that the Board permit institutions to take various long positions.

In undertaking to amend its regulations governing interest-rate futures transactions by insured institutions, it is the intent of the Board to permit institutions to engage in futures transactions that reduce the net interest-rate risk exposure arising from an institution's asset and liability structure. Net interest-rate risk exposure is the volatility in an institution's earnings that can arise from the mismatching of the effective maturities of assets and liabilities. At the same time, the Board desires to prohibit institutions from engaging in transactions which would increase their net interest-rate risk exposure.

Upon consideration, the Board has determined not to define permitted transactions in terms of whether they "hedge" specific aspects of an institution's operations against unanticipated changes in interest rates. The matching of futures market positions and cash market positions does not, by itself, ensure that the net interest-rate risk exposure of an institution will be reduced. In addition, even though they do not lower a firm's overall risk exposure, many transactions not permitted under the final regulation are sometimes referred to as "hedges" by futures market participants. Therefore, the final regulation permits insured institutions to engage in interest-rate futures transactions that reduce the net interest-rate risk exposure of the institution. These include, but are not limited to, short futures positions used:

(i) To protect against the risk resulting from forward commitments to originate or purchase mortgages or mortgage-related securities;

(ii) To protect the value of mortgage loans or other investments held in portfolio;

(iii) To fix liability costs; and

(iv) To protect against other risks resulting from a maturity imbalance between assets and liabilities.

With regard to long positions, the Board continues to believe that the risk inherent in the typical savings and loan association's asset and liability structure would not be lessened, and most probably would be increased, by long positions in the futures market. Because the asset and liability structure of the typical insured institution exposes the institution to losses when interest rates rise unexpectedly, and because long futures positions pose similar risks, long positions normally should be viewed as compounding the interest-rate risk inherent to the savings and loan industry. However, those institutions which engage in mortgage banking operations may find it desirable to use long positions when they have contracted to sell mortgages not yet originated or to issue mortgage-related securities to be based upon mortgages not yet originated. Although the asset and liability structure of the typical insured institution reduces the risk associated with this type of mortgage banking activity, this risk reduction may not be sufficient either because of the extent of the mortgage banking activities, or because the benefits from the risk reduction may be spread over several accounting periods while the effects on earnings of the mortgage banking activity may be concentrated in one period.

Accordingly, the Board has decided to permit long futures positions to be taken in connection with forward commitments to sell mortgages not yet originated or to issue mortgage-related securities to be based upon mortgages not yet originated. However, these long futures positions are permitted and may be maintained only to the extent that an institution's short forward commitments exceed 10 percent of long-term assets. Long-term assets are those fixed interest rate assets having remaining terms to maturity in excess of five years. The 10 percent threshhold requirement is set at a level at which changes in the earnings from an institution's long-term asset portfolio approximately will offset losses on the 10 percent of short commitments which are not permitted to be covered by long futures positions under this regulation.

Many commenters who suggested that long positions be permitted did so in the context of "spreading." Spreading is the simultaneous purchase and sale of futures contracts, covering different interest-bearing securities or having different delivery dates, with the expectation that price and yield relationships between the two positions will change so as to result in a profit when the two positions are subsequently offset. The Board has determined that spreading does not come within the context of the futures activities that are being authorized under this regulation. Spreading is undertaken primarily in the expectation of a profit; it is not generally intended to

reduce, and may increase, net interest-rate risk exposure. While some spreading techniques may reduce net interest-rate risk exposure, these techniques are substitutes for the short positions permitted by the Board, and institutions may achieve the same effective risk reduction without spreading under the final regulation.

The Board notes that the provisions of this regulation arise in large part from the current asset and liability structure of the savings and loan industry. It recognizes that many institutions will be changing their operating methods and restructuring their balance sheets in the coming years, and that futures transactions not now authorized, including the use of spreading techniques, may well be appropriate in the future. The Board will monitor changes in the industry and how futures transactions can be used in connection with those changes, and will review its regulation accordingly.

Eligibility Requirements

The Board proposed to eliminate the threshhold eligibility requirements of the existing regulations which provide that an institution meet the following, unless waived by the Board, before it may engage in interest-rate futures transactions:

(1) The net-worth requirements of 12 CFR 563.13(b);

(2) A ratio of scheduled items to assets not exceeding 2.5 percent; and

(3) Appraised losses offset by specific loss reserves to the extent required under 12 CFR 563.17–2.

Commenters supported elimination of eligibility requirements, and in this respect the final regulation is adopted as proposed.

Eligibility requirements were imposed at a time when the futures market in interest rates had been recently established, and the consequences of participation by insured institutions were uncertain. The Board has determined that it is not necessary to specify these requirements as a prerequisite to engaging in futures transactions that reduce an institution's net interest-rate risk exposure. Limiting futures transactions to those appropriate for savings and loans for this purpose provides the assurance of safe and sound operations intended by the eligibility requirements and is in keeping with the current deregulation evidenced by the Depository Institutions Deregulation and Monetary Control Act of 1980, Pub. L. No. 96–221, 94 Stat. 132, and recent Board actions. Moreover, institutions most in need of the interest-rate risk protection afforded by the futures market could have been precluded from engaging in futures transactions if the eligibility requirements of the existing regulation had been retained.

Authorized Contracts

The Board proposed to permit insured institutions to use U.S. Department of the Treasury ("Treasury") bills, notes and bond futures contracts in addition to GNMA futures contracts. In response to the Board's solicitation of comments on the appropriateness of the proposed contracts and whether transactions in additional interest-rate futures contracts should be authorized, many commenters suggested that the Board not specify the particular contracts in which institutions could trade. Some commenters suggested that the Board permit futures transactions in any contract designated for trading by the Commodity Futures Trading Commission ("CFTC") to take into account newly designated contracts without amendment of the regulation. The Board agrees that the regulation should be flexible enough to avoid the need for amendment as the CFTC designates new contracts. Therefore, the final regulation permits institutions to engage in interest-rate futures transactions using any interest-rate futures contract that is designated by the CFTC and is based upon a security in which the institution is authorized to invest.

Position Limit

The existing regulations limit an institution's gross futures position to an amount equal to its net worth. To permit greater flexibility in using the interest-rate futures markets to reduce net interest-rate risk from operations, the Board proposed to permit institutions to maintain open futures positions up to an amount equal to 85 percent of assets. The Board solicited comments on alternative means of imposing position limits or whether any position limit should be imposed. While few commenters thought that a limit equal to 85 percent of assets was overly-restrictive, several commenters pointed out that hedge ratios between cash market positions and standardized futures contracts would reduce the effective futures position available under the limit in certain circumstances.

Upon consideration, the Board has decided to eliminate the position limit from the final regulation. The Board intended the position limit to be a generous check against superfluous futures transactions. However, because the final regulation limits futures transactions to those which reduce the net interest-rate exposure of institutions, and the position limit raises technical questions that, if taken into account, would complicate the regulation unnecessarily, this check has been deleted. Further, the Board believes that the extent of an institution's use of futures transactions is unique to the needs of the institution and is properly left with management as a business, rather than regulatory, decision.

Board of Directors' Authorization

The proposed regulation required specific authorization from its board of directors before an institution could engage in futures transactions. The proposal would have required the adoption of written policies and internal control procedures with respect to futures transactions and specification of the personnel authorized to engage in futures trading, along with their duties, responsibilities and position limits.

The Board continues to believe that it is essential for institutions to formulate a strategy for futures trading that relates such activity to the legitimate business of the institution and for the board of directors to endorse the strategy. The final amendments, therefore, are adopted essentially as proposed, but require additionally that the board of directors set a position limit for the institution's futures activity. In addition, the final regulation clarifies the Board's intent with respect to an institution's internal control mechanisms and requires that the board of directors review the position limit, all outstanding contract positions and unrealized gains and losses on outstanding contracts, at each regular meeting.

Recordkeeping Requirements

In a manner similar to existing regulations, the proposal specified the recordkeeping requirements for an insured institution engaging in interest-rate futures transactions. These included: (1) a register of all outstanding futures contracts; (2) for each futures contract outstanding, the purpose for which the contract was entered into and the cash market transaction(s) or position(s) matched; and (3) retention of the records specified in (1) and (2) for all closed-out futures transactions for a period of two years.

Because meaningful records are necessary to provide examiners with a basis for evaluating futures transactions, the Board is adopting this aspect of the final regulation essentially as proposed. Consistent with other changes in the final regulation, the manner in which corresponding cash and futures market records must be kept has been clarified. These clarifications are intended to assure that an institution's records

document the net interest-rate risk to which the institution is exposed and how the futures positions taken reduce this risk. The records must include a schedule of the assets and liabilities for which the institution is reducing the net interest-rate risk exposure.

Accounting

The Board proposed to allow institutions to utilize hedge, sometimes referred to as deferral, accounting for their futures transactions. This was supported by most commenters who discussed accounting. As was the case when the proposal was made, neither the American Institute of Certified Public Accountants nor the Financial Accounting Standards Board is expected to adopt guidelines in this area in the near future. Therefore, because of the need for an accounting treatment consistent with the purpose of the futures transactions permitted by the final regulations, the Board is adopting the principle of hedge accounting as proposed. The final regulations make certain clarifying amendments in the proposed accounting provisions and provide greater technical detail in stating the rules.

The purpose of the futures transactions permitted by the final regulation is to reduce the net interest-rate risk associated with an institution's cash market transactions. Hedge accounting recognizes and reflects this basic intent by relating the accounting for futures transactions to the cash market position with which it is matched. For interest-rate futures contracts matched with assets or liabilities carried at cost, gains or losses on the futures contracts shall be deferred and amortized over the expected life of the corresponding assets or liabilities rather than recognized immediately. It should be understood, and the regulation has been amended to so provide, that futures contracts matched with assets carried at the lower of cost or market are to be accounted for in the same manner as the corresponding asset, that is, the gains or losses on the futures contract are to be considered in the periodic adjustment to the carrying value of the asset. The Board intends to issue further clarification and detail with respect to accounting for futures transactions as necessary.

The Board specifically requested comment on whether an institution should be permitted to choose between a market value accounting method or hedge accounting with respect to its futures transactions. Most commenters who responded recommended not permitting this choice because of the potential for abuse. Accordingly, the final regulation requires the use of hedge accounting and does not permit the institution to choose its accounting method.

The Board intends to monitor the development by the accounting profession of accounting rules for futures contracts and will review the accounting provisions of the regulation once generally accepted accounting principles have been established.

Application to all Insured Institutions

As a result of the potential growth in the volume of interest-rate futures transactions by insured institutions, the expansion of the types of instruments traded, and the increased interest-rate risk faced by all insured institutions, the Board proposed to apply the regulation governing interest-rate futures transactions directly to all insured institutions. The Board's existing regulation governing mortgage-futures transactions (12 CFR 545.29) applies only to Federal associations. By a separate policy statement (12 CFR 571.12), the Board has urged all insured institutions to comply with the requirements applicable to Federal associations. While the legal authority of State-chartered institutions to engage in interest-rate futures transactions may be derived from State law, the Board, through the Federal Savings and Loan Insurance Corporation, has the authority to promulgate rules and regulations for insured institutions to assure that all insured institutions have safe financial policies and management. Speculative activity in interest-rate futures can pose a serious threat to the safety and soundness of insured institutions. Therefore, the final amendments apply to interest-rate futures transactions of all insured institutions to assure that such transactions are used to reduce the net interest-rate risk exposure and to provide uniformity in examination and enforcement for all insured institutions.

"Grandfathering" of Existing Positions and Transition Period

When the Board proposed to amend the regulations governing interest-rate futures transactions, it intended that the amended regulations would apply prospectively only. Two commenters suggested that the Board expressly state how outstanding positions not permitted under the amended regulation will be treated. The Board agrees with this suggestion and, in addition, desires to provide for a transition period between existing regulatory requirements and the amendments adopted today. Accordingly, the final regulation provides that until August 3, 1981, institutions may continue to engage in interest-rate futures transactions as authorized immediately prior to the effective date of the final regulation. Institutions holding interest-rate futures contracts entered into before August 3, 1981, that would not be permitted pursuant to the final regulation will be permitted to continue to hold those contracts, provided that the contracts were authorized when entered into and are not renewed.

Service Corporations

On April 23, 1981, the Board adopted final regulations governing the service corporation investments of Federal savings and loan associations. *See,* Board Resolution No. 81-208; 46 FR 24526 (May 1, 1981). These amendments clarified the authority of service corporations to engage in futures transactions without prior Board approval by expressly referencing 12 CFR 545.29 governing futures transactions by Federal associations and exempting service corporations from the eligibility and notice requirements applicable to Federal associations. Consistent with the final regulation adopted today, the Board amends 12 CFR 545.9-1 to reference expressly 12 CFR 563.17-4 and to exempt service corporations from notice requirements. The Board notes, however, that service corporations may apply to the Board for broader approval to engage in futures transactions on a case-by-case basis.

Options

A few commenters recommended that the Board include in the futures regulation authority for associations to trade on the GNMA options market currently being developed by the Chicago Board Options Exchange. While the Board agrees that options trading by insured institutions is an activity that should be considered, the Board believes that options trading would be addressed more appropriately in a separate regulation.

Final Regulatory Flexibility Analysis

Pursuant to Section 3 of the Regulatory Flexibility Act, Pub. L. No. 96-354, 94 Stat. 1164 (September 19, 1980), the Board is providing the following final regulatory flexibility analysis.

1. *Reasons and objectives underlying the rule.* These elements have been incorporated elsewhere into the supplementary information regarding the proposal.

2. *Issues raised by comments on the Initial Regulatory Flexibility Analysis.* The Board did not receive any

comments on the Initial Regulatory Flexibility Analysis.

3. *Alternatives to the rule.* The basic regulatory requirements included in the rule are limitations on the types of futures transactions permitted; a written policy endorsed by the institution's board of directors; maintenance of records of futures transactions, including the corresponding cash market positions and the purpose of the interest-rate futures transactions; establishment of internal control mechanisms; periodic review by the board of directors of the position limit and all outstanding contract positions; and providing monthly notice to the District Director-Examinations. These requirements, together with monitoring by the supervisory staff, are minimally necessary requirements to ensure that futures trading is undertaken in a safe and sound manner. It would not be possible to eliminate or modify these requirements for smaller entities and still expect them to engage in futures trading in a reasonable manner.

Information requirements contained in this regulation have been approved by the Office of Management and Budget under OMB Number 3068–0031.

Because there is a present need to afford institutions greater protection against volatile interest rates and because the proposal generally reduces regulatory burdens and relieves existing restrictions, the Board is making the final regulations effective on July 10, 1981.

Accordingly, the Federal Home Loan Bank Board hereby amends Parts 545, 563 and 571, Subchapters C and D, Chapter V of Title 12, *Code of Federal Regulations*, as set forth below.

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

PART 545—OPERATIONS

1. Revise paragraph (c)(20) of § 545.9–1 to read as follows:

§ 545.9–1 Service corporations.

* * * * *

(c) *Permitted activities.* A service corporation in which a Federal association may invest is permitted to engage in the following activities:

* * * * *

(20) Engaging in interest-rate futures transactions subject to the provisions of § 563.17–4 of this Chapter, but not subject to any notification requirements thereof;

* * * * *

2. Revise § 545.29 to read as follows:

§ 545.29 Interest-rate futures transactions.

A Federal association may engage in interest-rate futures transactions in compliance with § 563.17–4 of this Chapter.

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

PART 563—OPERATIONS

3. Add a new § 563.17–4, to read as follows:

§ 563.17–4 Futures transactions.

(a) *Definitions.* As used in this section, the following definitions apply unless the context otherwise requires:

(1) *Interest-rate futures contract.* A transferable agreement to make or take delivery of a standardized amount of an interest-bearing security, of standardized minimum quality grade, during a month specified in the agreement, under terms and conditions established by an exchange designated and regulated by the Commodity Futures Trading Commission.

(2) *Interest-rate futures transaction.* Purchase or sale of an interest-rate futures contract.

(3) *Long position.* The holding of an interest-rate futures contract to take delivery of securities.

(4) *Mortgage-related securities.* Securities based on and backed by mortgages, including mortgage-backed securities guaranteed by the Government National Mortgage Association ("GNMAs"), Mortgage Participation Certificates of the Federal Home Loan Mortgage Corporation, and similar obligations issued by the insured institution or in which the institution is authorized to invest.

(5) *Offset.* To cancel an obligation to make or take delivery of securities under an interest-rate futures contract. A futures contract to purchase securities is offset by a futures contract to sell securities of the same type for the same delivery month. A futures contract to sell securities is offset by a futures contract to purchase securities of the same type for the same delivery month.

(6) *Short position.* The holding of an interest-rate futures contract to make delivery of securities.

(b) *Permitted transactions.* To the extent that it has legal power to do so, an insured institution may engage in interest-rate futures transactions to reduce its net interest-rate risk exposure as provided in this paragraph (b). For purposes of this section, net interest-rate risk exposure is the volatility in an institution's earnings that can arise from the mismatching of the effective maturities of assets and liabilities. An insured institution may enter into short positions that are appropriate for reducing its net interest-rate risk exposure. An insured institution may enter into long positions, other than those that offset short positions, only under the following conditions:

(1) The futures position must be matched against a firm forward commitment to sell mortgages not yet originated or to issue mortgage-related securities to be based on mortgages not yet originated. For purposes of this paragraph (b), a firm forward commitment is a written commitment obligating the seller to make delivery, and the buyer to take delivery, of mortgage loans not yet originated or mortgage-related securities to be based on mortgages not yet originated, at a price and on or before a date specified in the commitment; and

(2) The futures position may be entered into and maintained only to the extent that the institution's firm forward commitments exceed 10 percent of long-term assets with fixed interest rates. For purposes of this section, long-term assets are those having remaining terms to maturity in excess of five years.

Until August 3, 1981, insured institutions may continue to engage in interest-rate futures transactions as authorized immediately prior to July 10, 1981. Institutions with interest-rate futures positions entered into before August 3, 1981, that are not permitted under this paragraph (b), will be permitted to continue to hold those futures contracts: *Provided*, That the interest-rate futures transactions were authorized when entered into and the contracts are not renewed.

(c) *Authorized contracts.* An insured institution may engage in interest-rate futures transactions using any interest-rate futures contracts designated by the Commodity Futures Trading Commission and based upon a security in which the institution has authority to invest.

(d) *Board of directors' authorization.* Prior to engaging in interest-rate futures transactions, an institution's board of directors must authorize such activity. In authorizing futures trading, the board of directors shall consider any plan to engage in interest-rate futures transactions, shall endorse specific written policies, and shall require the establishment of internal control procedures. Policy objectives must be specific enough to outline permissible contract strategies, taking into account price and yield correlations between assets or liabilities and the interest-rate futures contracts with which they are matched; the relationship of the strategies to the institution's operations; and how such strategies reduce the

institution's net interest-rate risk exposure. Internal control procedures shall include, at a minimum, periodic reports to management, segregation of duties and internal review procedures. In addition, the minutes of the meeting of the board of directors shall set forth limits applicable to futures transactions, identify personnel authorized to engage in futures transactions, and set forth the duties, responsibilities and limits of authority of such personnel. The board of directors shall review the position limit, all outstanding contract positions, and the unrealized gains or losses on those positions at each regular meeting of the board.

(e) *Notification.* An institution engaging in interest-rate futures transactions shall notify the District Director-Examinations of the Federal Home Loan Bank District in which it is located that it is engaging in such transactions. The institution shall report its gross outstanding long and short interest-rate futures positions on the Federal Home Loan Bank Board Monthly Report.

(f) *Recordkeeping requirements.* An institution engaging in interest-rate futures transactions shall maintain records of such transactions sufficient to document how the transactions reduce the net interest-rate risk exposure of the institution in accordance with the following requirements:

(1) *Contract register.* The institution shall maintain a contract register adequate to identify and control all interest-rate futures contracts and including, at a minimum, the type and amount of each contract, the maturity date of each contract, the cost of each contract, the dollar amount and description of the asset or liability with which the futures contract is matched, and the date and manner in which a contract is closed out. Such register shall be prepared in a manner sufficient to indicate at any time the institution's total outstanding long and short interest-rate futures positions.

(2) *Other documentation.* The institution shall maintain, as part of the documentation of its interest-rate futures strategy, a schedule of the assets and the liabilities for which net interest-rate risk exposure is being reduced and the purpose of each contract entered into.

(3) *Maintenance of records.* The records designated in this paragraph (f) shall be maintained for all futures transactions closed-out during the preceding two years.

(g) *Accounting.* (1) *Purchase or sale.* Upon the initial purchase or sale of an interest-rate futures contract, a memorandum entry of the information specified in subparagraph (f)(1) of this section shall be made and appropriate margin accounts shall be established.

(2) *Gains and losses.* Gains and losses on interest-rate futures contracts shall be accounted for as follows:

(i) Gains and losses on futures contracts that are matched with assets or liabilities to be carried at cost shall be deferred and included in measurement of the dollar basis of the asset acquired or the liability incurred and amortized over the estimated life of the asset or liability as an adjustment to interest income or interest expense.

(ii) Gains and losses on futures contracts that are matched with existing assets or liabilities carried at cost shall be deferred and included in measurement of the dollar basis of the asset or liability and amortized over the estimated remaining life of the asset or liability as an adjustment to interest income or interest expense. If the asset or liability is sold or otherwise disposed of, the unamortized gain or loss shall be recognized in income.

(iii) Gains and losses on futures contracts that are matched with existing asset positions carried at the lower of cost or market shall be deferred and recognized in determining the lower of cost or market adjustment of the corresponding asset at the end of each reporting period, or upon sale or disposition of the corresponding asset.

PART 571—STATEMENTS OF POLICY

4. Amend Part 571 by removing § 571.12, to read as follows:

§ 571.12 Mortgage-futures transactions. [Rescinded effective July 10, 1981]

(Sec. 5, 48 Stat. 132, as amended (12 U.S.C. 1464); Sec. 402, 403, 407, Stat. 128, 1257, 1260, as amended (12 U.S.C. 1725, 1726, 1730); Reorg. Plan No. 3 of 1947, 12 FR 4981 3 CFR, 1943–48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

J. J. Finn,

Secretary.

July 2, 1981.

[FR Doc. 81-20750 Filed 7-15-81; 8:45 am]

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NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 701

Organization and Operation of Federal Credit Unions; Share, Share Draft and Share Certificate Accounts

AGENCY: National Credit Union Administration.

ACTION: Final rule.

SUMMARY: The National Credit Union Administration Board is taking action to further deregulate share and share certificate accounts. Under its final rule, the NCUA Board is (1) removing the dividend ceiling on share certificates with maturities of 4 years or more and establishing a schedule for the phase-out of the ceilings on shorter maturities; (2) removing the 12% "cap" on the dividend ceiling on share certificates with maturities up to 4 years; and (3) permitting money market certificates to have maturities of six months or more. The changes are prospective; that is, they do not apply to existing share certificates.

EFFECTIVE DATES: The Board's actions are effective August 1, 1981, except for the removal of the 12% cap, which is effective June 29, 1981.

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

FOR FURTHER INFORMATION CONTACT: Dan Gordon, Senior Financial Economist, Office of Policy Analysis, or Robert M. Fenner, Deputy General Counsel, at the above address, or telephone (202) 357–1090 (Mr. Gordon) or 357–1030 (Mr. Fenner).

SUPPLEMENTARY INFORMATION: On April 22, 1981, the National Credit Union Administration Board issued a proposed rule to phase out dividend ceilings on share certificates beginning with maturities greater than five years and to eliminate the 12% cap that has applied to the dividend ceiling on share certificates other than money market certificates (the ceiling has been indexed to the average 2½ year yield on U.S. Treasury securities, but subject to a 12% maximum). Many of the comments received on the proposal suggested that the NCUA Board reevaluate its strategy with the objective of more rapidly phasing out the dividend rate ceilings on all accounts.

The NCUA Board agrees that if Federal credit unions are to develop a more stable source of long-term funds and avoid imbalances in their liability structure, they must have the flexibility to design share and share certificate accounts that will appeal to interest sensitive account holders. They must be able to both offer terms which are competitive with the yields available on long-term money market instruments and provide share accounts which can effectively compete with money market funds.

To accomplish these objectives, the NCUA Board has (1) removed the 12% cap, effective June 29, 1981; (2) removed the dividend ceiling altogether on share certificates with maturities of 4 years or

more, effective August 1, 1981; and (3) permitted money market certificates to have any maturity of 6 months or more, effective August 1, 1981. As has previously been the case, in no event may the maturity of a share certificate exceed 6 years.

The Board has also adopted a schedule for the phase-out of dividend ceilings on share certificates with maturities less than four years. Effective August 1, 1982, the dividend ceiling on share certificates with maturities of 3 years or more will be removed. The maximum dividend rate on share certificates with maturities of less than 3 years will equal the average 2 year yield for United States Treasury securities at the time the certificate is issued. On August 1, 1983, the dividend ceiling will be removed on all share certificates with maturities of 2 years or more, and the ceiling rate on shorter maturities will equal the 52 week Treasury bill rate at the time the certificate is issued. On August 1, 1984 all dividend ceilings on share certificates with maturities of 1 year or more will be removed, and the ceiling on shorter maturities will equal the 13 week Treasury bill rate. In the fifth stage, on August 1, 1985, all ceilings on share certificates will be removed. (The 6 year maximum maturity will remain in effect at all stages.) This schedule and other changes described above are set forth in revised § 701.35(h). Also, Section 701.35(g) has been amended to clarify that the requirement of a fixed dividend rate applies only to certificates that are subject to a dividend ceiling. Thus, when the ceiling is lifted for a particular maturity, Federal credit unions are free, if they choose, to offer floating rate certificates.

These changes will provide sufficient flexibility for a Federal credit union to compete for interest sensitive funds and provide management with an opportunity to design an intermediate term share certificate and a large share certificate which can offer an attractive alternative to money market funds. This action will also provide credit unions with the opportunity to offer competitive returns on long-term share certificates and thus attract funds to the longer maturities. This would help to offset the current trend toward further shortening of credit union liability maturities.

The increase in the dividend ceiling on share certificate accounts will permit credit unions to compete effectively for member savings and provide competitive returns for IRA/Keogh accounts and public unit accounts. Inasmuch as these accounts are simply forms of share certificate accounts, they are subject to the general provisions of § 701.35(h)(2). Therefore, subsection (h)(3) is redundant and is eliminated from the final rule.

In making the above changes, the Board has also deleted § 701.35(a)(3)(ii) which established, for notice-type share certificates, a 90 day minimum notice period and a requirement of "regular" additions. Notice-type share certificates are subject to a specified minimum period of advance notice of withdrawal; if the required notice is given, withdrawal may be made without a penalty. These certificates will continue to be permitted, but the minimum notice period will be the same as the minimum maturity for other share certificates, i.e., 14 days (see § 701.35(d)(1)). The Board views this as a technical change, inasmuch as Federal credit unions are presently permitted to offer 14 day, automatically renewing share certificates to which additions can be made at any time without extending the maturity. Such an account is not significantly different from a 14 day notice account and therefore the provisions of § 701.35(a)(3)(ii) were inconsistent and ineffectual. (Federal credit unions will remain free to establish by contract a notice period longer than 14 days and a requirement of regular additions, if they choose to offer a notice type account.)

Lastly, with respect to its final rules, the Board has amended certain references contained in §§ 701.38 and 742 to correspond to the revised § 701.35.

Concurrent with the adoption of these final rules, the NCUA Board has issued for comment certain additional, proposed changes to the share and share certificate rules. The proposed changes, which are intended to further relieve regulatory restrictions and enhance the competitive capabilities of Federal credit unions, are being published under separate cover.

It should be understood by Federal credit unions that the Board's decision in deregulating share and share certificate accounts an in proposing other actions does not compel Federal credit unions to alter the rates, terms or conditions on which they presently offer share certificates. Instead, it is the Board's intent to permit management to make its own decisions on the appropriate terms to be offered to its membership. The Board strongly recommends that management carefully evaluate the potential effects on earnings and other aspects of the credit union's financial condition prior to altering the terms offered on share certificate accounts.

Regulatory Flexibility Act

The NCUA Board certifies that these rules will not have a significant economic impact on a substantial number of small credit unions because the rules will increase management flexibility and enhance competitive position. Therefore, a regulatory flexibility analysis is not required pursuant to 5 U.S.C. 605(b).

Comment Period

The NCUA Board is providing a comment period of less than 60 days on some of the proposed changes to the existing rules since the changes would relieve regulatory burdens. In addition, a longer period is not in the public interest as it would unnecessarily delay consideration of regulatory changes to improve Federal credit union asset-liability management.

Effective Date

The final rule is being made effective in less than 30 days because it relieves restrictions.

By order of the National Credit Union Administration Board on the 10th of July, 1981.

Beatrix Fields,

Acting Secretary to the Board.

(12 U.S.C. 1757(6), 1766(a))

§ 701.35 [Amended]

1. Section 701.35(a)(3) is revised to read as follows:

(a) * * *

(3) Share Certificate Account means an account that will earn dividends at a contracted rate if held for a stated qualifying period and on which a penalty may be assessed for any premature withdrawal.

2. The introductory text of § 701.35(g)(1) is revised as follows:

* * * * *

(g) * * *

(1) For any account that is subject to a maximum dividend rate pursuant to (h) of this section, the dividend rate paid on the account, if specified or contracted for in advance, shall:

(a) * * *

3. Section 701.35 (h) is revised to read as follows:

* * * * *

(h) *Maximum Dividend Rate.*

A Federal credit union may pay a maximum dividend, expressed as an annual rate, as follows:

(1) 7% on a share or share draft account.

(2) On a share certificate account, the following schedule shall apply:

(i) Effective June 29, 1981, the maximum dividend rate shall equal the greater of 9½% or the average 2½ year yield for United States Treasury

securities as most recently announced prior to the date of issuance of the certificate. Effective August 1, 1981, there shall be no dividend ceiling for share certificates with a qualifying period of 4 years or more;

(ii) Effective August 1, 1982, there shall be no dividend ceiling on share certificates with qualifying periods of 3 years or more. For share certificates with qualifying periods of less than 3 years, the maximum dividend rate shall equal the greater of 9½% or the average 2 year yield for United States Treasury securities as most recently announced prior to the date of issuance of the certificate;

(iii) Effective August 1, 1983, there shall be no dividend ceiling on share certificates with qualifying period of 2 years or more. For share certificates with qualifying periods of less than 2 years, the maximum dividend rate shall equal the greater of 9½% or the rate on 52 week United States Treasury bills as most recently announced prior to the date of issuance of the certificate;

(iv) Effective August 1, 1984, there shall be no dividend ceiling on share certificates with qualifying period of 1 year or more. For share certificates with qualifying periods of less than 1 year, the maximum dividend rate shall equal the greater of 9½% or the rate on 13 week United States Treasury bills as most recently announced prior to the date of issuance of the certificate;

(v) Effective August 1, 1985, there shall be no dividend ceiling on share certificates.

(3) Notwithstanding subsection (h)(2) of this section, Federal credit unions may pay any rate determined by market conditions on share certificate accounts of $100,000 or more.

(4) To the extent that (h)(2) of this section would impose a lower maximum dividend rate, a Federal credit union may pay, on share certificates of $10,000 or more having a fixed term of 26 weeks or more, up to a rate equaling one quarter percent above the rate on 26 week United States Treasury bills as most recently announced prior to the date of issuance of the certificate. In the case of a rate determined pursuant to this subsection, however, compounding of dividends is not permitted and the dividend rate may be rounded off only by rounding down.

§ 701.38 [Amended]

4. Section 701.38(a)(3) is amended by removing the reference to "Section 701.35(c)(1) and Section 701.35(g)" and inserting "Section 701.35(d)(1) and 701.35(h)" in lieu thereof.

§ 742.2 [Amended]

5. Section 742.2(c)(1) is amended by removing the reference to "12 CFR 701.35(a)(2)" and inserting "12 CFR 701.35(a)(3)" in lieu thereof.

[FR Doc. 81-20775 Filed 7-15-81; 8:45 am]

BILLING CODE 7535-01-M

SMALL BUSINESS ADMINISTRATION

13 CFR Part 107

Small Business Investment Companies; Leverage for Section 301(d) Licensees

Correction

In FR Doc. 81-19284 appearing on page 34309 in the issue of Wednesday, July 1, 1981, make the following correction:

On page 34310, in the fifth and sixth lines from the bottom of column one, "* * * § 107.201 reads as follows:" and "107.201 is revised * * *" should have read "* * * 107.201(a) reads as follows:" and "107.201(a) is revised * * *" respectively.

BILLING CODE: 1505-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Airworthiness Docket No. 81-ASW-4; Amdt. 39-4161]

Airworthiness Directives; Aerospatiale Model AS350 Helicopter

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action publishes in the Federal Register and makes effective to all persons Airworthiness Directive (AD) No. 81-09-06 dated April 23, 1981, which was previously made effective to all known operators of Aerospatiale Model AS350 helicopters by individual priority mail letter. This AD required initial and repetitive inspections for wear of the vertical shaft splines of the bevel gear in the main gearbox in all Aerospatiale Model AS350 helicopters equipped with Bevel Gear Module, P/N 350A32.0300.00, -.01, or -.02. This action was needed to prevent loss of mechanical drive between the bevel gear module and the epicyclic module of the main transmission and a subsequent emergency landing. Since publication of AD 81-09-06, new information regarding applicability has been established; therefore this action further revises AD No. 81-09-06 to delete inspection requirements for certain helicopter configurations.

DATES: Effective July 23, 1981, to all persons except those persons to whom it was made immediately effective by priority mail AD No. 81-09-06 dated April 23, 1981. Compliance schedule—as prescribed in body of AD.

ADDRESSES: The applicable service document (TELEX No. 22316) may be obtained from Aerospatiale Helicopter Division, Service Department, Boite Postale 13, 13722 Marignane (France), or Aerospatiale Helicopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75051, Attention: Customer Support.

A copy of TELEX No. 22316 dated December 24, 1980, is contained in the Rules Docket, Room 916, 800 Independence Avenue, SW., Washington, D.C., or at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas.

FOR FURTHER INFORMATION CONTACT: Chris Christie, Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, Brussels, Belgium, of Wilbur F. Wells, Helicopter Policy and Procedures Staff, ASW-211, Engineering and Manufacturing Branch, Federal Aviation Administration, P.O. Box 1689, For Worth, Texas 76101, telephone (817) 624-4911, extension 502.

SUPPLEMENTARY INFORMATION: An emergency landing occurred recently which was caused by failure of the mechanical drive components between the bevel gear module and the epicyclic module of the main transmission installed on an Aerospatiale Model AS350 helicopter. It was determined that excessive wear of the splines of the vertical bevel gear in the main transmission preceded this failure. The French Official Services (DGAC) issued a telegraphic AD dated December 24, 1980, requiring initial and repetitive checks for wear of this spline. This was followed by FAA priority mail AD No. 81-01-05 dated January 2, 1981, prescribing essentially the same action effective upon receipt to all known United States operators of Aerospatiale Model AS350 helicopters. However, this inspection was subsequently found to be ineffective due to mismatch of the corresponding wear areas when check in the gound static condition. This priority mail AD was then superseded by a new priority mail AD, No. 81-09-06, dated April 23, 1981, which required initial and repetitive disassembly inspections to determine actual wear and serviceability of the vertical shaft splines. This AD was effective upon

receipt to all known United States operators of Aerospatiale Model AS350 helicopters. This condition still exists and the AD, further revised to exempt helicopters with improved transmission components, is hereby published in the **Federal Register** as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective for all persons.

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

Adoption of the Amendment

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

Societe National Industrielle Aerospatiale. Applies to Model AS350 series helicopters certificated in all categories which have Bevel Gear Module P/N 350A32.0300.00 or –.01 installed, except bevel gear modules which include nitrided shaft P/N 350A32.3107.23 or –.24. (Bevel Gear Module P/N 350A32.0300.02 includes nitrided shaft, P/N 350A32.3107.23 or –.24 and is exempt from this application.)

Compliance required as follows, unless already accomplished:

a. For bevel gear modules with 580 or more hours' time in service since new or last overhaul, comply within 20 hours' time in service after the effective date of this AD, or

b. For bevel gear modules with less than 580 hours' time in service since new or last overhaul on the effective date of this AD, comply prior to accumulation of 600 hours' time in service, and

c. Thereafter at intervals not to exceed 300 hours' time in service.

To prevent loss of mechanical drive between the bevel gear module and the epicyclic module of the main transmission gearbox, inspect the bevel gear module for wear in accordance with procedures specified in paragraph EE of Aerospatiale TELEX Service No. 05.05 (TELEX No. 22316) dated December 24, 1980, or paragraph BB of Aerospatiale TELEX Service No. 05.06 as it applies to measuring actual spline wear, or other FAA approved equivalent.

If the maximum wear depth at the level of the step on the spline exceeds 1.0 mm (0.039 inch) or if the distance between two rods of 6.35 mm (.250 inch) exceeds 72.2 mm (2.84 inches), the bevel gear module must be replaced with a serviceable module before further flight.

Report defects to the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, Brussels, Belgium. Reporting approved by the Office of Management and Budget under OMB No. 04–R0174.

Special flight permits may be issued in accordance with FAR 21.197 and FAR 21.199 to fly aircraft to a base where this AD can be accomplished.

Equivalent methods of compliance with this AD must be approved by the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, or by the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, Brussels, Belgium.

Note.—Aerospatiale TELEX 22316, paragraph EE, is as follows:

EE. Remove main rotor mast and sun gear according to Work Cards 65 13 401 and 65 30 404. Check the wear of vertical shaft splines either by mold print, [maximum wear depth at the level of the step, 1 mm (0.039 inches)] or by measurement of distance between two rods of 6.35 mm diameter. Distance between two opposite rods shall be less than 72.2 mm.

If the value obtained by either one of the above methods is out of limit, return bevel gear module to an approved repair station.

This amendment becomes effective July 23, 1981, for all persons except those to whom it was made immediately effective by priority mail AD No. 81–09–06 dated April 23, 1981.

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

Note.—The FAA has determined that this regulation is an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, when filed, may be obtained by contacting the person identified above under the caption "FOR FURTHER INFORMATION CONTACT."

This rule is a final order of the Administrator under the Federal Aviation Act of 1958, as amended. As such, it is subject to review only by the courts of appeals of the United States, or the United States Court of Appeals for the District of Columbia.

Issued in Fort Worth, Texas, on July 1, 1981.

C. R. Melugin, Jr.,

Director, Southwest Region.

[FR Doc. 81-20791 Filed 7-15-81; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Airworthiness Docket No. 80-ASW-54; Amdt. 39-4163]

Airworthiness Directives; Swearingen Models SA226-T, SA226-AT, and SA226-TC Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new Airworthiness Directive (AD). Chafing between the stiffeners riveted to the inside of the lower wing-to-fuselage aerodynamic fairing and the lower fuselage pressure vessel skin results in deterioration of the antiabrasion teflon caterpillar grommets bonded to the stiffeners, fracture of the stiffeners, and damage to the pressure vessel. The AD requires inspection, repair of damaged areas, and modification of the structure to prevent recurrence.

DATE: Effective August 15, 1981. Compliance required as prescribed in body of AD.

ADDRESSES: The applicable service information may be obtained from the Director of Product Support, Swearingen Aviation Corporation, P.O. Box 32486, San Antonio, Texas 78284.

These documents may also be examined at the Office of the Regional Counsel, Southwest Region, FAA, 4400 Blue Mound Road, Fort Worth, Texas, or Rules Docket in Room 916, FAA, 800 Independence Avenue, SW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: William A. Simmons, Airframe Section, Engineering and Manufacturing Branch, ASW-212, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, telephone number (817) 624-4911, extension 516.

SUPPLEMENTARY INFORMATION: A Notice of Proposed Rulemaking (NPRM) to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring inspection, repair of damaged areas, and modification of the structure to prevent recurrence of Swearingen Model SA226-T, SA226-AT, and SA226-TC airplanes was published in the **Federal Register** (45 FR 84075).

The AD is needed because inspection of four Swearingen Model SA226-TC airplanes revealed worn and damaged pressure vessels. Chafing between the stiffeners riveted to the inside of the lower wing-to-fuselage aerodynamic fairing and the lower fuselage pressure vessel skin resulted in deterioration of the antiabrasion teflon caterpillar grommets bonded to the stiffeners, fracture of the stiffeners, and damage to

the pressure vessel. The order in which the failures occurred is not known. On three airplanes, damaged areas up to 8 by ⅛ inches have been found on the left and right sides of the lower fuselage pressure vessel skin between F.S. 332 and 347. This unsafe condition could result in decompression and is likely to exist or develop on other airplanes of the same lower wing-to-fuselage fairing type design. The AD requires inspection, repair of damaged areas, and modification of the structure to prevent recurrence. Swearingen Service Bulletin SB53–006 issued November 24, 1980, refers to this subject.

Interested persons have been afforded an opportunity to participate in the making of the amendment. One commenter felt that the timing of the inspection was too restrictive. An engineering evaluation indicated that relief could not be granted.

Adoption of the Amendment

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

Swearingen: Applies to Swearingen Models SA226–T, S/N T201 through T275 and T277 through T291; SA226–AT, S/N AT001 through AT074; and SA226–TC, S/N TC201 through TC407 airplanes certificated in all categories. Compliance required within the next 200 hours' time in service, after the effective date of this AD, unless Swearingen Bulletin SB53–006 issued November 27, 1980, has been accomplished. (Airworthiness Docket No. 80–ASW–54.)

Inspect the lower wing-to-fuselage aerodynamic fairing stiffeners, the attached grommets, and the lower fuselage pressure vessel skin for deterioration, wear, or damage. Repair any damaged areas and modify the structure in accordance with Swearingen Service Bulletin SB53–006 issued November 24, 1980, or equivalent means approved by the Chief, Engineering and Manufacturing Branch, FAA, Southwest Region.

A special flight permit may be issued in accordance with FAR 21.197 to allow flight of the aircraft to a location where this AD can be accomplished.

This amendment becomes effective August 15, 1981.

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

Note.—The FAA has determined that this regulation is not major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979) and will not have a significant effect on a substantial number of small entities under the criteria of the Regulatory Flexibility Act since it involves a relatively low cost per aircraft. A final evaluation has been prepared for this regulation and has been placed in the docket. A copy of it may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

Issued in Fort Worth, Texas, on July 2, 1981.

F. E. Whitfield,

Acting Director, Southwest Region.

[FR Doc. 81–20787 Filed 7–15–81; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 80–GL–52]

Designation of Transition Area; Ortonville, Minn.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this Federal action is to designate controlled airspace near Ortonville, Minnesota, in order to accommodate a non-directional radio beacon (NDB) Runway 34 instrument approach procedure into the Ortonville Municipal Airport, Ortonville, Minnesota, which was established on the basis of a request from the local airport officials to provide that facility with instrument approach capability.

EFFECTIVE DATE: October 1, 1981.

FOR FURTHER INFORMATION CONTACT: Edward R. Heaps, Airspace and Procedures Branch, Air Traffic Division, AGL–530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, Telephone (312) 694–7360.

SUPPLEMENTARY INFORMATION: The intended effect of this action is to insure segregation of the aircraft using this approach procedure in instrument weather conditions from other aircraft operating under visual conditions. The floor of the controlled airspace in this area will be lowered from 1200′ above ground to 700′ above ground. The development of the proposed instrument procedure requires that the FAA lower the floor of the controlled airspace to insure that the procedure will be contained within controlled airspace. The minimum descent altitude for this procedure may be established below the floor of the 700-foot controlled airspace. In addition, aeronautical maps and charts will reflect the area of the instrument procedure, which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rule requirements.

Discussion of Comments

On page 12004 of the **Federal Register** dated February 12, 1981, the Federal Aviation Administration published a Notice of Proposed Rulemaking which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Ortonville, Minnesota. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No objections were received as a result of the Notice of Proposed Rulemaking.

Adoption of Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective October 1, 1981, as follows:

In § 71.181 (46 FR 540) the following transition area is added:

Ortonville, Minnesota

That airspace extending upward from 700′ above the surface within 6.5 miles of the Ortonville Municipal Airport (latitude 45°18′05″ N, longitude 96°25′25″ W), extending south 3 miles either side of the 182° bearing from Ortonville Municipal Airport from 6.5 to 8.5 miles, and that airspace extending upward from 1200′ above the surface from 45°57′00″ N, 97°01′00″ W counterclockwise along the 26.5 mile arc of the Wahpeton, North Dakota, Airport to the Minnesota State Line; thence south along the Minnesota State Line; to 44°33′00″ N, excluding that portion that overlies the Ortonville Municipal Airport 700-foot transition area; thence west to 44°33′00″ N, 96°45′00″ W; thence northwest to 44°41′00″ N, 96°50′00″ W, thence counterclockwise along the 26-mile arc of the Watertown, South Dakota, VOR to the Watertown 086° radial; thence west to the 14.5 mile point on the Watertown 086° radial; thence counterclockwise on the 14.5 mile arc of the Watertown VOR to the Watertown 001° radial; thence north to the point of beginning.

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

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) will not have a significant economic impact on a substantial number of small entities

under the criteria of the Regulatory Flexibility Act.

Issued in Des Plaines, Illinois, on June 26, 1981.

Wayne J. Barlow,

Director, Great Lakes Region.

[FR Doc. 81-20793 Filed 7-15-81; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 81-AWE-10]

Alteration of Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule alters the transition area for the Ely Airport—Yelland Field, Ely, Nevada so as to provide additional controlled airspace for aircraft executing an instrument approach procedure to the Ely Airport—Yelland Field Airport utilizing the Ely, Nevada VORTAC.

EFFECTIVE DATE: October 1, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. Thomas W. Binczak, Airspace and Procedures Branch, Air Traffic Division, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261; telephone: (213) 536-6182.

SUPPLEMENTARY INFORMATION:

History

On June 4, 1981, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the transition area for Ely, Nevada (46 FR 29949). Redesignation of this transition area will provide controlled airspace for protection of instrument operations at Ely Airport—Yelland Field, Ely, Nevada.

Interested persons were invited to participate in the rulemaking proceeding by submitting comments on the proposal to the FAA. No comments objecting to the proposal were received. This amendment is the same as that proposed in the notice. Section 71.181 was republished in the **Federal Register** on January 2, 1981 (46 FR 540).

The Rule

This amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) redesignates the transition area at Ely, Nevada. This transition area provides protection for instrument operations at Ely Airport—Yelland Field, Ely, Nevada, increases air traffic safety and improves flow control procedures.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Aministrator, § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (46 FR 540) is amended, effective 0901, October 1, 1981, as follows:

Ely, Nevada

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Ely, Nevada VOR, within 5 miles northeast and 9.5 miles southwest of the Ely VOR 303° radial, extending from the VOR to 18.5 miles northwest; within 3.5 miles each side of the Ely VOR 014° radial, extending from the VOR to 14.5 miles northeast; and that airspace extending upward from 1200 feet above the surface within a 22-mile radius of the Ely VOR; within 7 miles northeast and 10 miles southwest of the Ely VOR 335° radial, extending from the 22-mile radius area to 38 miles northwest of the Ely VOR; and within 5 miles east and 7.5 miles west of the Ely VOR 014° radial, extending from the 22-mile radius area to 24.5 miles north of the Ely VOR.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a), 1354(a); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69)

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Los Angeles, California on July 1, 1981.

H. C. McClure,

Acting Director, Western Region.

[FR Doc. 81-20792 Filed 7-15-81; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 80-GL-46]

Designation of Transition Area; Delaware, Ohio

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this Federal action is to designate controlled airspace near Delaware, Ohio, to accomodate a new instrument approach into Delaware Municipal Airport, Delaware, Ohio, which was established on the basis of a request from the local airport officials to provide that facility with instrument approach capability.

EFFECTIVE DATE: October 1, 1981.

FOR FURTHER INFORMATION CONTACT: Edward R. Heaps, Airspace and Procedures Branch, Air Traffic Division, AGL-530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, Telephone (312) 694-7360.

SUPPLEMENTARY INFORMATION: The intended effect of this action is to insure segregation of the aircraft using this approach procedure in instrument weather conditions from other aircraft operating under visual conditions. The floor of the controlled airspace in this area will be lowered from 1200' above ground to 700' above ground. The development of the proposed instrument procedure requires that the FAA lower the floor of the controlled airspace to insure that the procedure will be contained within controlled airspace. The minimum descent altitude for this procedure may be established below the floor of the 700-foot controlled airspace. In addition, aeronautical maps and charts will reflect the area of the instrument procedure, which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rule requirements.

Discussion of Comments

On page 932 of the **Federal Register** dated January 5, 1981, the Federal Aviation Administration published a Notice of Proposed Rulemaking which would amend Section 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Delaware, Ohio. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No objections were received as a result of the Notice of Proposed Rulemaking.

Adoption of Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective October 1, 1981, as follows:

In § 71.181 (45 FR 445) the following transition area is added:

Delaware, Ohio

That airspace extending upward from 700' above the surface within an 8-mile radius of the Delaware Municipal Airport (Latitude 40°16'46" N, Longitude 83°06'22" W) excluding that portion overlying the Maryville, Ohio, and Columbus, Ohio, transition areas.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); Sec. 6(c), Department of

Transportation Act (49 U.S.C. 1655(c)); § 11.61 of the Federal Aviation Regulations (14 CFR 11.61))

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Des Plaines, Illinois, on June 26, 1981.

Wayne J. Barlow,

Director, Great Lakes Region.

[FR Doc. 81-20790 Filed 7-15-81; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 80-GL-32]

Designation of Transition Area; Mt. Gilead, Ohio

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this Federal action is to designate controlled airspace near Mt. Gilead, Ohio, in order to accommodate a new instrument approach into Morrow County Airport, Mt. Gilead, Ohio, which was established on the basis of a request from the local airport officials to provide that facility with instrument approach capability.

EFFECTIVE DATE: October 1, 1981.

FOR FURTHER INFORMATION CONTACT: Edward R. Heaps, Airspace and Procedures Branch, Air Traffic Division, AGL-530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, Telephone (312) 694-7360.

SUPPLEMENTARY INFORMATION: The intended effect of this action is to insure segregation of the aircraft using this approach procedure in instrument weather conditions from other aircraft operating under visual conditions. The floor of the controlled airspace in this area will be lowered from 1200′ above ground to 700′ above ground. The development of the proposed instrument procedures requires that the FAA lower the floor of the controlled airspace to insure that the procedure will be contained within controlled airspace. The minimum descent altitude for this procedure may be established below the floor of the 700 foot controlled airspace. In addition, aeronautical maps and charts will reflect the area of the instrument procedure, which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rule requirements.

Discussion of Comments

On page 76693 of the **Federal Register** dated November 20, 1980, the Federal Aviation Administration published a Notice of Proposed Rulemaking which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Mt. Gilead, Ohio. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No objections were received as a result of the Notice of Proposed Rulemaking.

Adoption of Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective October 1, 1981, as follows:

In § 71.181 (45 FR 445) the following transition area is added:

Mt. Gilead, Ohio

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Morrow County Airport (Latitude 40°31′35″ N, Longitude 82°51′00″ W) excluding that portion that overlaps the Marion, Ohio, transition area.

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

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Des Plaines, Illinois, on June 26, 1981.

Wayne J. Barlow,

Director, Great Lakes Region.

[FR Doc. 81-20788 Filed 7-15-81; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 80-GL-34]

Designation of Transition Area; Norwalk, Ohio

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this Federal action is to designate controlled airspace near Norwalk, Ohio, in order to accommodate a new instrument approach into Huron County Airport, which was established on the basis of a request from the local airport officials to provide that facility with instrument approach capability.

EFFECTIVE DATE: October 1, 1981.

FOR FURTHER INFORMATION CONTACT: Edward R. Heaps, Airspace and Procedures Branch, Air Traffic Division, AGL-530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, Telephone (312) 694-7360.

SUPPLEMENTARY INFORMATION: The intended effect of this action is to insure segregation of the aircraft using this approach procedure in instrument weather conditions from other aircraft operating under visual conditions. The floor of the controlled airspace in this area will be lowered from 1200′ above ground to 700′ above ground. The development of the proposed instrument procedure requires that the FAA lower the floor of the controlled airspace to insure that the procedure will be contained within controlled airspace. The minimum descent altitude for this procedure may be established below the floor of the 700-foot controlled airspace. In addition, aeronautical maps and charts will reflect the area of the instrument procedure, which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rule requirements.

Discussion of Comments

On page 80831 of the **Federal Register** dated December 8, 1980, the Federal Aviation Administration published a Notice of Proposed Rulemaking which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Norwalk, Ohio. Interested persons were invited to participate in this rulemaking

proceeding by submitting written comments on the proposal to the FAA. No objections were received as a result of the Notice of Proposed Rule Making.

Adoption of Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective October 1, 1981, as follows:

In § 71.181 (45 FR 445) the following transition area is added:

Norwalk, Ohio

That airspace extending upward from 700' above the surface within a 6-mile radius of the center of Huron County Airport, Norwalk, Ohio (latitude 41°14'40" N. longitude 82°33'03" W).

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

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; and (4) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Des Plaines, Illinois, on June 26, 1981.

Wayne J. Barlow,

Director, Great Lakes Region.

[FR Doc. 81-20789 Filed 7-15-81; 8:45 am]

BILLING CODE 4910-13-M

FEDERAL TRADE COMMISSION

16 CFR Part 419

[Document No. 78100042]

Games of Chance in Food Retailing and Gasoline Industries; Amendment of Trade Regulation Rule To Modify Posting and Reporting Provision

AGENCY: Federal Trade Commission.

ACTION: Trade regulation rule amendment.

SUMMARY: The Federal Trade Commission issues an amendment to the Trade Regulation Rule for Games of Chance in the Food Retailing and Gasoline Industries which modifies paragraph (e), commonly known as the "Posting and Reporting Provision." As originally promulgated, the provision required each participating retail outlet to post, at the conclusion of each game, a complete list of the names and addresses of all consumers redeeming winning game pieces and the amount of each prize won. The winners list also displayed the total number of game pieces distributed, the total number of prizes in each category which were available, and the total number of prizes in each category which were awarded. Further, a copy of the winners list was required to be sent to the Federal Trade Commission.

The amendment modifies the Posting and Reporting Provision so that each participating retail outlet is required to post only those names and addresses of consumers who redeemed winning game pieces in that store. The posted information regarding the number of game pieces distributed and the number of prizes available and awarded remains unchanged. The requirement to forward a copy of a complete winners list to the Federal Trade Commission has been eliminated, but game promoters are required to retain this information for three years and make it available to the Commission upon reasonable request.

EFFECTIVE DATE: August 17, 1981.

FOR FURTHER INFORMATION CONTACT: Noble F. Jones, Consumer Protection Specialist, Federal Trade Commission, Cleveland Regional Office, Suite 500, The Mall Building, 118 St. Clair Avenue, Cleveland, Ohio 44114. Telephone: (216) 522-4207.

SUPPLEMENTARY INFORMATION: The amendment has previously been submitted to Congress for review in accordance with Section 21 of the Federal Trade Commission Improvements Act of 1980. Under that section, a rule becomes effective unless both Houses of Congress disapprove the rule within ninety (90) calendar days of continuous session after the rule is submitted. This period has now concluded. The Commission has determined that the amendment will become effective thirty (30) days after the publication of this notice. Accordingly, effective August 17, 1981, the Commission amends Subchapter D, Trade Regulation Rules of 16 CFR, Chapter I, by revising § 419.1(e) to read as follows:

§ 419.1 The Rule.

* * * * *

(e) Fail to post clearly and conspicuously at the conclusion of each game in each individual retail outlet which used the game:

(1) The names and addresses of all persons who redeemed a prize in the individual participating retail outlet, and the amount or value of each prize;

(2) The total number of game pieces distributed in all participating retail outlets;

(3) The total number of prizes in each category or denomination which were made available in all participating retail outlets; and

(4) The total number of prizes in each category or denomination which were awarded in all participating retail outlets.

The information required by paragraphs (e) (2), (3), and (4) of this section, as well as a complete list of the names and addresses of winners of a game, is required to be retained in the records of the game promoter for a period of not less than three (3) years. Upon reasonable request, such information shall be made immediately available to the Commission and its staff for inspection.

* * * * *

By direction of the Commission, dated July 6, 1981.

Carol M. Thomas,

Secretary.

[FR Doc. 81-20895 Filed 7-15-81; 8:45 am]

BILLING CODE 6750-01-M

16 CFR Part 419

[Document No. 78100041]

Games of Chance in Food Retailing and Gasoline Industries; Amendment of Trade Regulation Rule To Modify Hiatus Provision

AGENCY: Federal Trade Commission.

ACTION: Trade Regulation Rule Amendment.

SUMMARY: The Federal Trade Commission issues an amendment to the Trade Regulation Rule for Games of Chance in the Food Retailing and Gasoline Industries which will modify paragraph (f), commonly known as the "Hiatus Provision." As originally enacted, the provision required that no new game could be promoted or used without a break in time between the new game and any game previously used equivalent to the duration of the game previously used. The amendment limits the length of the hiatus to thirty (30) days or the duration of the previous game, whichever is less.

EFFECTIVE DATE: August 17, 1981.

FOR FURTHER INFORMATION CONTACT:
Noble F. Jones, Consumer Protection Specialist, Federal Trade Commission, Cleveland Regional Office, Suite 500, The Mall Building, 118 St. Clair Avenue, Cleveland, Ohio 44114. Telephone: (216) 522–4207.

SUPPLEMENTARY INFORMATION: The amendment has previously been submitted to Congress for review in accordance with Section 21 of the Federal Trade Commission Improvements Act of 1980. Under that section, a rule becomes effective unless both Houses of Congress disapprove the rule within ninety (90) calendar days of continuous session after the rule is submitted. This period has now concluded. The Commission has determined that the amendment will become effective thirty (30) days after the publication of this notice. Accordingly, effective August 17, 1981, the Commission amends, Subchapter D, Trade Regulation Rules of 16 CFR Chapter I, by revising § 419.1(f) to read as follows:

§ 419.1 The Rule.

* * * * *

(f) Promote or use any new game without a break in time between the new game and any game previously employed in the same retail establishment equivalent to the duration of the game previously employed, or 30 days, whichever is less.

By direction of the Commission dated July 6, 1981.

Carol M. Thomas,

Secretary.

[FR Doc. 81-20094 Filed 7-15-81; 8:45 am]
BILLING CODE 6750-01-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 18 and 24

[T.D. 81-185]

Acceptance of Customs Seals; New Seal Standards

AGENCY: Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations to provide new standards for car, compartment, and package seals used in sealing openings, packages, conveyances, or articles requiring the security provided by such sealing. In addition, a new, less restrictive procedure to obtain Customs acceptance of those seals has been adopted. This action is being taken to (1) establish uniform comprehensive seal standards, and (2) simplify the procedure which makes Customs-accepted seals available for use in domestic and international commerce.

EFFECTIVE DATE: August 17, 1981.

FOR FURTHER INFORMATION CONTACT:
Allard P. D'Heur, Cargo Processing Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229 (202–566–5354).

SUPPLEMENTARY INFORMATION:

Background

All imports entering the United States come under Customs custody and control. Customs assures the collection of lawful duties and taxes on imported merchandise, submission of necessary documents, and compliance with other legal requirements by requiring that Customs bonds be furnished as security by importers, carriers, and other members of the importing community. Certain merchandise imported *in bond* is required to be sealed or the package, compartment, or car in which the merchandise is entered must be sealed to protect its integrity. Various seals have been approved by Customs for that purpose.

In accord with former procedures, manufacturers wishing to have car, compartment, or package seals approved by Customs had to send an application for approval along with a sample of the seal to Customs Headquarters for examination and testing. Customs technical personnel would perform various tests to determine that the seal met Customs standards suitable to the intended use of the seal. Approved seals then were made available to qualified purchasers from either the manufacturer or any of the district directors of Customs.

Notice of Suspension of Seal Approval

Because it had been determined that Customs standards for the approval of seals for Customs use no longer reflected current security technology, by a notice published in the Federal Register on Janaury 12, 1978 (43 FR 1806), Customs announced that it would not consider new applications for the approval of seals until new standards were adopted. The notice stated that after adoption of new standards, seals which had been approved might be subject to retesting and reapproval at a later date. The notice also informed the public that Customs was reviewing its technical standards and requirements for approval of all types of Customs seals and invited public participation in establishing revised standards and requirements.

Both of the comments received in response to the notice suggested standards for Customs seals, with one comment devoted almost entirely to "high-security" seals.

Final Rule

The notice of suspension of Customs approval of new applications for seals was premised on the need for more stringent seal standards.

Since the publication of that document, however, Customs has revised its policy concerning desirable characteristics for seals. After considering various new standards, Customs has determined that its seal standards should be based upon existing international guidelines developed by the Customs Cooperation Council ("CCC").

The CCC, an intergovernmental organization made up of 89 nations with Headquarters in Brussels, Belgium, deals exclusively with customs matters. Its objective is to obtain, in the interest of international trade, the best possible degree of uniformity and harmony between the customs systems of its member nations. The CCC guidelines were set forth in the June 11, 1968, Recommendation of the Customs Cooperation Council concerning Customs Sealing Systems in connection with the International Transport of Goods, and Annex 2 of the Customs Convention on the International Transit of Goods ("ITI Convention" of June 7, 1971). The standards which are the subject of this amendment are substantially in accord with those international guidelines.

In addition, Customs future acceptance of seals will be based on a manufacturer's attestation that the seals meet or exceed the performance standards described in the amendment rather than by Customs testing of individual seals. If testing is required, it will be performed by the manufacturer or by a private laboratory. Manufacturers will be required to send Customs the seal attestation and, if deemed necessary by Customs, the test record.

Finally, all Customs approvals of seals which already have been granted will be rescinded 150 days after the date of publication of this document in the Federal Register, and no further Customs tests or direct Customs approvals of seals (as opposed to Customs acceptance of seals the standards of which are attested to by a manufacturer) will occur. Manufacturers of any seal already approved by Customs under the previous procedure will have 120 days from the effective date of this document to attest to

Customs that the seal meets or exceeds the new standards.

Inapplicability of Executive Order 12291 and Regulatory Flexibility Act

It has been determined that these amendments do not meet the criteria for a "major rule" specified in section 1(b) of E.O. 12291. Accordingly, no regulatory impact analyses were required, and none have been prepared for this regulatory project.

In addition, the provisions of section 3 of the Regulatory Flexibility Act requiring regulatory flexibility analyses (5 U.S.C. 603, 604) are not applicable to the amendments because, as noted above, a notice document was issued prior to January 1, 1981, the effective date of the Act.

Drafting Information

The principal author of this document was Todd J. Schneider, Regulations and Information Division, Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

Amendments to the Regulation

Parts 18 and 24, Customs Regulations (19 CFR Parts 18, 24), are amended as set forth below.

PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

1. Section 18.4(a)(2) is amended by removing the word "valid" in the first sentence.

2. Section 18.4(d) is revised to read as follows:

§ 18.4 Sealing conveyances and compartments; labeling packages; warning cards.

* * * * *

(d) The seals to be used in sealing conveyances, compartments, or packages must meet Customs standards provided in § 24.13a of this chapter, and may be obtained in accordance with § 24.13 of this chapter.

(R.S. 251, as amended, secs. 552, 553, 46 Stat. 742, as amended, sec. 624, 46 Stat. 759 (19 U.S.C. 66, 1552, 1553, 1624))

PART 24—CUSTOMS ACCOUNTING AND FINANCIAL PROCEDURE

1. Paragraph (a), the first sentence of paragraph (c), and paragraph (d) of § 24.13 are revised to read as follows:

§ 24.13 Car, compartment, and package seals; kind, procurement.

(a) Customs seals accepted pursuant to § 24.13a of this chapter shall be used in sealing openings, packages, conveyances, or articles requiring the security provided by such sealing.

* * * * *

(c) Carriers of merchandise or their commercial associations or comparable representatives approved by the district director of Customs (see paragraph (f) of this section) shall manufacture or purchase quantity supplies of in-bond and in-transit seals accepted by Customs pursuant to the provisions of § 24.13a of this chapter. * * *

(d) The manufacturer or supplier shall ship the seals to the consignee named in the order and shall advise the district director for the Customs district to which the seals are shipped as to the kind and quantity of seals shipped, the name of the port (where required), serial numbers, and symbol number (where required) stamped thereon, the name and address of the consignee, and the date of shipment.

2. The section heading and § 24.13a are revised to read as follows:

§ 24.13a Car, compartment, and package seals; and fastenings; standards; acceptance by Customs.

(a) *General standards.* The seals and fastenings, together, shall

(1) Be strong and durable;

(2) Be capable of being affixed easily and quickly;

(3) Be capable of being checked readily and identified by unique marks (such as a logotype) and numbers;

(4) Not permit removal or undoing without breaking, or tampering without leaving traces;

(5) Not permit use more than once; and

(6) Be made as difficult as possible to copy or counterfeit.

(b) *Seal specifications.* (1) The shape and size of the seal shall be such that any identifying marks are readily legible.

(2) Each eyelet in a seal shall be of a size corresponding to that of the fastening used, and shall be positioned so that the fastening will be held firmly in place when the seal is closed.

(3) The material used shall be sufficiently strong to prevent accidental breakage, early deterioration (due to weather conditions, chemical action, etc.) or undetectable tampering under normal usage.

(4) The material used shall be selected with reference to the sealing system used.

(c) *Fastening specifications.* (1) The fastening shall be strong and durable and resistant to weather and corrosion.

(2) The length of the fastening used shall not enable a sealed aperture to be opened or partly opened without the seal or fastening being broken or otherwise showing obvious damage.

(3) The material used shall be selected with reference to the sealing system used.

(d) *Identification marks.* (1) If the seal is to be purchased and used by U.S. Customs, the seal or fastening, as appropriate, shall be marked to show that it is a U.S. Customs seal by application of the words "U.S. Customs" and a unique identification number on the seal.

(2) If the seal is to be used by private industry (i.e., a shipper, manufacturer, or carrier), it must be clearly and legibly marked with a unique company name (or logotype) and identification number.

(e) *Customs acceptance.* Seals will be considered as acceptable for use and/or purchase by U.S. Customs as soon as the manufacturer attests that the seals have been tested and meet or exceed the standards provided in paragraphs (a) through (d) of this section, and will continue to be considered acceptable until such time as it is demonstrated that they do not meet the standards. A manufacturer may attest to the qualification of a specific seal, or to an entire product line of seals as of a certain date. Any addition of a seal to a group of seals attested to as a group would require specific acceptance of that seal by Customs.

(f) *Testing.* All testing of seals deemed necessary before Customs acceptance will be done by the manufacturer or by a private laboratory, and not by Customs. However, Customs reserves the right to test, or to have tested, seals that have been accepted by Customs.

(g) *Records.* The manufacturer's attestation that a seal meets or exceeds the standards specified in this section and, if deemed necessary by Customs, the seal test record shall be sent to the Director, Office of Inspection, Cargo Processing Division, Headquarters, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington D.C. 20229.

(R.S. 251, as amended, secs. 552, 553, 46 Stat. 742, as amended, sec. 624, 46 Stat. 759 (19 U.S.C. 66, 1552, 1553, 1624))

William T. Archey,

Commissioner of Customs.

Approved: May 27, 1981.

John P. Simpson,

Acting Assistant Secretary of the Treasury.

[FR Doc. 81-20893 Filed 7-15-81; 8:45 am]

BILLING CODE 4810-22-M

DEPARTMENT OF JUSTICE

Attorney General

28 CFR Parts 0 and 40

[Order No. 950-81]

Office of Inmate Grievance Procedure; Certification Methods for Inmate Grievance Procedures

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: On January 12, 1981, the Attorney General issued a final rule [Attorney General Order No. 924-81, FR Doc. 81-1528, appearing at 46 FR 3843, January 16, 1981] promulgating minimum standards for inmate grievance procedures, [28 CFR Part 40, Subpart A], establishing methods of certifying such procedures, and creating an Office of Inmate Grievance Procedures, [28 CFR Part 40, subpart B, and § 0.18) as required by "The Civil Rights of Institutionalized Persons Act." That rule was to become effective thirty legislative days after publication. On March 6, 1981, Attorney General Order No. 935-81 [FR Doc. No. 81-7592, appearing at 46 FR 16100, March 11, 1981] deferred to March 30, 1981 the effective dates of those parts of Attorney General Order No. 924-81 which established methods of certification and an Office of Inmate Grievance Procedures under the terms of the "Civil Rights of Institutionalized Persons Act." At the same time, Attorney General Order No. 935-81 gave notice that the minimum standards for inmate grievance procedures promulgated by Attorney General Order No. 924-81 would be subjected to further review in accordance with the President's memorandum to agency heads of January 29, 1981, and that revisions would be proposed for public comment, if necessary. Subsequently, the effective date of the portions of Attorney General Order No. 924-81 deferred until March 30, 1981 by Order No. 935-81 [28 CFR Part 40, Sub Part B, and § 0.18), were further deferred to June 30, 1981 by Attorney General Order No. 937-81 [FR Doc. 81-8993, appearing at 46 FR 19935, April 2, 1981].

The Attorney General has determined that the minimum standards for inmate grievance procedures and the methods for certification should be revised. He has consequently proposed revised standards and new procedures by a concurrent order [Attorney General Order No. 949-81 published in the Proposed Rules Section of this **Federal Register** on which he has invited public comment. By this order he withdraws the Department's regulations (which never became effective) on methods for certification and on the Office of Inmate Grievance Procedures.

EFFECTIVE DATE: June 30, 1981.

FOR FURTHER INFORMATION CONTACT: Michael Pearlman, Office of General Counsel, Bureau of Prisons, Room 706, 320 First Street, N.W., Washington, D.C. 20534 (202-724-3062).

Accordingly, to prevent the confusion which would result from permitting the Department's regulations on methods of certification from going into effect while new procedures likely to be adopted have been submitted for public comment and by the authority vested in me as Attorney General by 42 U.S.C. 1997, 28 U.S.C. 509, 510, and 5 U.S.C. 301, it is hereby ordered that the following provisions of Attorney General Order No. 924-81 are removed:

Part 40, Subpart B [Removed]

1. Part 40, Subpart B to Title 28, Code of Federal Regulations is removed.

§ 0.18 [Removed]

2. Section 0.18 to Part 0 of Title 28 Code of Federal Regulations is removed.

Dated: July 10, 1981.

William French Smith,

Attorney General.

[FR Doc. 81-20774 Filed 7-15-81; 8:45 am]

BILLING CODE 4410-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD 80-104]

Root River, Wis.; Drawbridge Operation Regulations

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of the City of Racine, Wisconsin, the Coast Guard is revising the regulations for the Main and State Street bridges across the Root River, Racine, Wisconsin. Scheduled closed periods during morning, afternoon, and evening rush hours for the Main Street bridge will be replaced by a requirement that the draws open at fixed 20 minute intervals throughout the day only if vessels are waiting to pass. Morning and afternoon closed periods on the State Street bridge will be removed during the navigation season. Also, both bridges will require a two hour advance notice to effect an opening during the winter months. This change is being made to accommodate an increase in vehicular traffic while still providing for the reasonable needs of navigation.

EFFECTIVE DATE: This amendment is effective on August 17, 1981.

FOR FURTHER INFORMATION CONTACT: Robert W. Bloom, Jr., Chief, Bridge Branch, United States Coast Guard, 1240 East Ninth Street, Cleveland, Ohio 44199 (216) 522-3993.

SUPPLEMENTARY INFORMATION: On August 25, 1980, the Coast Guard published a Proposed Rule (45 FR 56364) and on September 29, 1980, a correction (45 FR 64177), concerning this amendment. The Commander, Ninth Coast Guard District, also published these proposals as a Public Notice dated September 15, 1980. Interested persons were given until September 26, 1980 and October 15, 1980, respectively, to submit comments.

Drafting Information

The principal persons involved in drafting this rule are: Robert W. Bloom, Jr., Chief, Bridge Branch, Ninth Coast Guard District, and Project Attorney, Lt. M. E. Reeves, Assistant Legal Officer, Ninth Coast Guard District.

Discussion of Comments

Two commentors had no objection and one requested that commercial vessels be passed through the draw of the Main Street bridge, upon signal, even though the closed periods are in effect. The Coast Guard has determined that this is a reasonable request and has included commercial vessels in § 117.660(d), which lists vessels to be passed through the draws at any time.

Previously, the bridge was permitted to remain closed for up to 40 minutes during specified periods. By eliminating restriction on the passage of commercial vessels, these regulations reduce the maximum delay for non-commercial vessels during the boating season to only 20 minutes, and the advance notice requirement is limited to months when there is little vessel traffic. For these reasons, the economic impact of these regulations is expected to be minimal.

These regulations have been reviewed under the provisions of Executive Order 12291 and have been determined not to be a major rule. In addition, these regulations are considered to be nonsignificant in accordance with guidelines set out in the Policies and Procedures for Simplification, Analysis, and Review of Regulation (DOT Order 2100.5 of 5-22-80). An economic evaluation has not been conducted since, for the reasons discussed above, their impact is expected to be minimal. Because the notice of proposed rulemaking was issued before January 1,

1981, these regulations are exempt from the Regulatory Flexibility Act (94 Stat. 1164 (5 U.S.C. 601–612)). However, the requirements of the Act have been taken into consideration, and for the reasons discussed above these regulations are not expected to have significant economic impact on small entities.

In consideration of the foregoing, Part 117 of Title 33 of the Code of Federal Regulations is amended by revising paragraph (a), (d), and (e) of § 117.660 to read as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

§ 117.660 Root River, Racine, Wisconsin, Main Street and State Street Bridges.

(a) The draws shall open on signal, except as follows:

(1) Main Street Bridge.

(i) From April 1 through December 1 from 6 a.m. to 6 p.m. the draw need open only on signal every 20 minutes (on the hour, 20 minutes after the hour, and 20 minutes before the hour). The draw shall remain open long enough during these periods of time to allow all awaiting vessels to safely pass.

(ii) From December 2 through March 31 the draw shall open on signal if at least two hours notice is given.

(2) State Street Bridge. From October 16 through April 30 the draw shall open on signal if at least two hours notice is given.

* * * * *

(d) The draws shall open as soon as possible for public vessels of the United States, state or local government vessels engaged in public safety or law enforcement activities, commercial vessels and vessels in distress even though the closed periods as specified in paragraphs (a) (1) and (2) of this section are in effect.

(e) The owner of or agency controlling these bridges shall keep a copy of these regulations conspicuously posted both upstream and downstream, either on the bridges or elsewhere in such a manner that it can be easily read from an approaching vessel at all times, with instructions stating exactly how notice is to be given to the authorized representative of the bridge owner to effect an opening during the periods of closure specified in paragraphs (a) (1) and (2) of this section.

(33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05–1(g)(3))

Henry H. Bell,

Rear Admiral, Coast Guard, Commander, Ninth Coast Guard District.

[FR Doc. 81-20862 Filed 7-15-81; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 123

[SW-10-FRL-1871-8]

Hazardous Waste Management Programs: Phase I Interim Authorization for Oregon

AGENCY: Environmental Protection Agency, Region X.

ACTION: Final rule: Approval of State Program.

SUMMARY: The State of Oregon 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 Oregon to operate a hazardous waste program in lieu of Phase I of the Federal hazardous waste program in its jurisdiction. The practical effect of this decision is that generators, transporters, and owners and operators of hazardous waste management facilities in Oregon will be subject to the State of Oregon's hazardous waste program in lieu of the Federal hazardous waste program (40 CFR Parts 260–263 and 265) and will not again be subject to Phase I of the Federal Program unless: (1) The State fails to obtain final authorization by the deadline specified in Section 3006(c) of RCRA and implementing regulations, or (2) authorization is withdrawn for cause by EPA.

EFFECTIVE DATE: July 16, 1981.

FOR FURTHER INFORMATION CONTACT: David Hanline, Waste Management Branch M/S 520, U.S. Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Seattle, Washington 98101; (206) 442–1260 or FTS 399–1260.

SUPPLEMENTARY INFORMATION: The purpose of this notice is to grant Phase I Interim Authorization to the State of Oregon for its hazardous waste management program. In the May 19, 1980, **Federal Register** (45 FR 33063), the Environmental Protection Agency (EPA) promulgated regulations, pursuant to Subtitle C of the Resource Conservation and Recovery Act of 1976 (RCRA), to protect human health and the environment from the improper management of hazardous wastes. Included in these regulations, which became effective on November 19, 1980, were provisions for a transitional phase during which States could be granted interim program authorization provided that State programs were determined to be substantially equivalent to the Federal program. The interim authorization program is being implemented in two phases corresponding to the two stages in which the underlying Federal program takes effect.

On September 16, 1980, the State of Oregon applied to EPA for Phase I interim authorization of its hazardous waste management program. On October 16, 1980, EPA issued in the **Federal Register** (45 FR 68693) a notice of the public comment period on the State's application. All comments received during this period have been noted and considered, as discussed below. Continuing discussions between the State and EPA resulted in a request from the State on January 13, 1981, to extend the review period of the application in order that certain authorities and activities not documented in the September 16 application could be submitted for EPA's consideration. This material was received by EPA on February 5, 1981. An announcement of the public comment period for the additional material was published in the **Federal Register** on February 20, 1981 (46 FR 13242). However, no public comments were received on this additional material.

I. EPA's Major Concerns

In reviewing Oregon's interim authorization application, EPA raised several concerns about whether Oregon's hazardous waste management program was substantially equivalent to the Federal program. After careful consideration of these points, EPA has determined that while some of them represent discrepancies between the corresponding aspects of the State and Federal programs, none constitutes a significant gap in Oregon's ability to properly manage hazardous wastes during the interim period. Following is a discussion of these points and EPA's basis for determining that they ought not to preclude Phase I interim authorization.

1. Universe of Wastes Regulated

In considering the universe of hazardous wastes regulated under Oregon's program, three issues were highlighted as potential problem areas—Oregon's exclusion of wastes from the leather tanning industry and the primary aluminum industry from regulation; Oregon's exemption of shipments under 2,000 lbs. from manifest, recordkeeping, and reporting requirements; and Oregon's exemption from regulation under the hazardous waste program of

radioactive materials which may also be defined as "hazardous."

First, in the **Federal Register** of October 30, 1980 (45 FR 72024), EPA excluded wastes from the leather tanning industry from the hazardous waste listing (the constituent of concern being trivalent chromium). Also, the October 30 amendments suspend the listing of wastes from the primary aluminum industry from the Federal regulations, since primary aluminum reduction falls under the exclusion for "extraction, beneficiation, and processing of ores and minerals" provided by the Solid Waste Disposal Act Amendments of 1980, Pub. L. 96-482.

Second, even with the exemptions from the manifesting, recordkeeping, and reporting requirements for shipments under 2,000 lbs., Oregon's rules still require that the waste go to hazardous waste facilities. Applicable rules also specify requirements for packaging waste and labeling containers for shipment. Furthermore, waste management facilities in Oregon are required to report all receipts of hazardous waste whether or not the wastes are subject to manifest requirements.

Third, Oregon's hazardous waste management program does not control radioactive wastes, regardless of any other "hazardous" properties of the wastes. Authority for regulation of radioactive wastes rests with the State Department of Energy and the Health Division. However, EPA is not aware of any wastes in Oregon which are radioactive and would also be defined as hazardous for some other reason.

2. Interim Status Standards (ISS)—Unlicensed Facilities

With the exception of facilities utilizing surface impoundments, Oregon does not at present require hazardous waste licenses of on-site treatment and storage facilities. However, through its generator requirements, Oregon does require compliance by such facilities with standards substantially equivalent to the ISS.

Furthermore, generators cannot store hazardous waste for longer than six months without approval from the State. This approval is based on whether there is a potential for reuse or recycling within a reasonable time frame. In their interim authorization application, the State agreed to seek voluntary compliance by firms with all of the ISS. Furthermore, the State agreed to undertake compliance inspections of facilities which returned Part A permit applications, but are unlicensed in Oregon, on a bi-yearly basis.

3. Interim Status Standards—Licensed Facilities

Licenses are required of disposal facilities, offsite treatment and storage facilities, and facilities utilizing surface impoundments for management of hazardous wastes, and Oregon has sufficiently broad authority to apply the ISS to these facilities. Certain requirements included in the ISS were not specified in Oregon's rules, however, and were not included in existing licenses. In response to EPA's concerns, the State has modified these licenses to incorporate standards substantially equivalent to the ISS. Furthermore, the State has committed to include the ISS in all new, renewed, and modified licenses issued after September 1, 1980.

II. Response to Public Comments

After an announcement in the **Federal Register** on October 16, 1980 (45 FR 68693), a public hearing was held on Oregon's application in Portland on November 17, 1980. At this time, it was decided that the comment period would remain open until November 24, 1980. Comments were received from representatives of industry. Most of the commenters did not address the specific requirements for authorization of State programs, nor how Oregon's program compared to the Federal program. Rather, commenters were mainly concerned about the possibility of having duplicative State and Federal programs, which had the potential for confusion and increased burden on those regulated.

While EPA is sympathetic to these concerns, they do not get at the heart of the issue at hand—whether Oregon's program, which would operate in lieu of the Federal program, is substantially equivalent to the Federal program. In the absence of an authorized program in Oregon, EPA's approach to minimize duplication and confusion would have been to encourage the State to enter into a Cooperative Arrangement with EPA so that the State would help to administer the Federal program to the maximum extent feasible. This approach would have maximized and thus maintained direct contact between the State and regulated industry until authorization could be granted. Clearly, EPA's decision to grant Phase I authorization will go further to eliminate the potential for duplication and confusion.

Other comments focused on the problems faced by States in keeping abreast of regulatory changes at the Federal level, suggesting it would be better to allow a State program with a history of real-world application to operate during the interim authorization period until the Federal program gained greater stability. While there is merit to this argument, particularly considering the complexity of the Federal program as it has appeared in numerous issues of the **Federal Register**, it too, begs the fundamental question of whether the State's program is substantially equivalent to the Federal program.

A more pointed comment focused on a requirement in the Federal regulations that in landfilling, ignitable wastes must be treated, rendered, or mixed so that the resulting waste no longer meets the characteristic of ignitability (40 CFR 265.312). It was felt by this commenter that the principal hazardous waste disposal site in the area did not at the time have the capability to incinerate or otherwise treat ignitable waste. On-site storage would be necessary for some time, which would cause an increased potential for adverse environmental impacts and safety problems, as well as the need for a storage permit. The commenter concluded that interim authorization should therefore be granted since there is no similar requirement in effect at the State level. Consequently, the problems which were noted would not arise.

This concern is one which was brought to EPA's attention by many generators and landfill operators commenting on the Federal regulations of May 19, 1980, in which the requirement first appeared. In response to this concern, on February 20, 1981 (46 FR 13492), EPA amended this requirement, suspending it for liquid ignitable wastes in containers until May 19, 1981. The preamble to the February 20 amendment gives considerable detail on this topic. EPA extended this suspension on June 29, 1981 (46 FR 33502). As a consequence of the suspension, the issue raised relative to interim authorization in Oregon has been addressed.

Finally, two commenters in support of granting interim authorization to Oregon emphasized that in some respects the universe of hazardous wastes regulated under Oregon's program is more stringent than that regulated by the Federal program. Examples noted were a broader corrosivity characteristic and certain small generator cut-offs which are more restrictive. Such areas of relatively greater stringency do suggest a comprehensive definition of hazardous wastes in Oregon. EPA's conclusion that the discrepancies between Oregon's definition of hazardous wastes and the Federal definition of hazardous wastes do not comprise significant gaps in the universe of wastes regulated in Oregon, has led EPA to judge Oregon's definition

of hazardous waste to be substantially equivalent to the Federal universe.

III. Decision

EPA has reviewed the State of Oregon's complete application for Phase I interim authorization and has determined that the State program is "substantially equivalent" to the Phase I Federal program as defined in 40 CFR Part 123, Subpart F. In accordance with Section 3006(c) of RCRA, the State of Oregon 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 Oregon will be subject to the State of Oregon's hazardous waste program in lieu of the Federal hazardous waste program (40 CFR Parts 260–263 and 265) and will not again be subject to Phase I of the 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 case 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 Oregon'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 Oregon. In the absence of this decision, persons handling hazardous waste in Oregon would have to comply with Parts 260–263 and 265 of Title 40 of the Code of Federal Regulations in addition to all Oregon 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.

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.

Dated: May 20, 1981.

L. Edwin Coate,

Acting Regional Administrator.

[FR Doc. 81-20803 Filed 7-15-81; 8:45 am]

BILLING CODE 6560-30-M

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40 CFR Part 123

[SW-4-FRL 1872-2]

Hazardous Waste Management Program; Phase I Interim Authorization for Tennessee

AGENCY: Environmental Protection Agency, Region IV.

ACTION: Final rule: Approval of State Program.

SUMMARY: The State of Tennessee has applied for interim authorization of its hazardous waste program under Subtitle C of the Resource Conservation and Recovery Act (RCRA) 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 Tennessee to operate a hazardous waste program in lieu of Phase I of the Federal hazardous waste program in its jurisdiction. The practical effect of this decision is that generators, transporters, and owners and operators of hazardous waste management facilities in Tennessee will be subject to the State of Tennessee hazardous waste program in lieu of the Federal hazardous waste program (40 CFR Parts 260–263 and 265) and will not again be subject to Phase I of the Federal program unless: (1) The State fails to obtain final authorization by the deadline specified in section 3006(c) of RCRA and implementing regulations, or (2) authorization is withdrawn for cause by EPA.

EFFECTIVE DATE: July 16, 1981.

FOR FURTHER INFORMATION CONTACT: Douglas C. McCurry, Residuals Management Branch, U.S. EPA, Region IV, 345 Courtland Street, NE., Atlanta, Georgia 30365, Telephone (404) 881–3016.

SUPPLEMENTARY INFORMATION:

I. Background

In the May 19, 1980, **Federal Register** (45 FR 33063), the Environmental Protection Agency (EPA) promulgated regulations, pursuant to Subtitle C of the Resource Conservation and Recovery Act of 1976 (RCRA), to protect human health and the environment from the improper management of hazardous wastes. The Act (RCRA) includes provisions whereby a State agency may be authorized by EPA to administer the hazardous waste program in that State in lieu of a Federally administered program. For a State program to receive final authorization, its hazardous waste program must be fully equivalent to and consistent with the Federal program under RCRA. In order to expedite the authorization of State programs, RCRA allows EPA to grant a State agency interim authorization if its program is substantially equivalent to the Federal program. During interim authorization, a State can make whatever legislative or regulatory changes that may be needed for the State's hazardous waste program to become fully equivalent to the Federal program. The interim authorization program will be implemented in two phases corresponding to the two stages in which the underlying Federal program will take effect.

The State of Tennessee submitted its draft application for Phase I interim authorization on September 8, 1980. After detailed review, EPA identified several areas of major concern and transmitted comments to the State for its consideration. The State subsequently made revisions to its application for Phase I interim authorization in order to clarify those aspects of its program which had been questioned during the EPA review.

On October 30, 1980, Tennessee submitted to EPA a final application for Phase I interim authorization under RCRA. EPA Headquarters and Regional personnel conducted an analysis of Tennessee's hazardous waste program. The following issues were raised by the review teams:

(a) Tennessee's hazardous waste legislation limits the ability of the State program officials to inspect generators.

(b) The State statutues do not permit the State to share proprietary information with EPA.

(c) The State's universe of waste is not identical of EPA's.

(d) The State's delisting procedures are not substantially equivalent.

(e) The Attorney General does not provide assurances that the State will not oppose citizen intervention in the enforcement process on the grounds that

the State will adequately represent the interest of the citizen.

(f) The State statutes and regulations do not provide for inspection of transporter facilities.

(g) Tennessee's regulations covering Interim Status Standards are not as detailed and stringent as EPA's regulations at 40 CFR Part 265.

On February 3, 1981, the State addressed these seven issues. Issues, (c), (d), (f), and (g) were adequately resolved in the State's response as follows:

(c) The State provides adequate and effective management of clerical wastes, certain radioactive wastes, and used crankcase oil through other State standards. The permanent regulations, which remove these exclusions, are scheduled to become effective March 2, 1981. The agricultural waste exemption requires a legislative change. The State committed to seeking this change in the next legislative session.

(d) The Memorandum of Agreement will include a commitment from the State to obtain EPA's concurrence on delisting petitions until the State's permanent regulations, which revise delisting procedures, become effective.

(f) The Public Service Commission and the State DPH documented that the PSC has authority to inspect motor carrier facilities.

(g) The State committed to evaluating compliance of facilities based on permanent regulations which will be more detailed than the existing emergency regulations.

It was the position of EPA Regional and Headquarters review teams that the State program was not substantially equivalent on issues (a), (b), and (e).

(a) The State demonstrated that it could inspect only generators who (1) fail to notify, (2) notify falsely, or (3) treat, store, or dispose of hazardous waste. The State failed to provide assurance that it had authority to conduct periodic generator inspections and to inspect generator records as necessary for compliance monitoring. The State must have authority to inspect generators who have properly notified but refuse to consent to an inspection to be substantially equivalent to 40 CFR 123.128(g) (2)(i), (ii) and (3).

(b) The State agreed to take all reasonable steps to obtain the consent to release proprietary information to EPA. However, EPA did not accept this policy as substantially equivalent to 40 CFR 123.132, which requires that "any information obtained or used in the administration of the State program shall be available to EPA upon request without restriction."

(e) EPA determined that Tennessee's scheme for public participation in the State enforcement process was not substantially equivalent to the requirements of either subsections (i) or (ii) of 40 CFR 123.128(f)(2). Tennessee's law provides a conditional right to intervene in civil actions to citizens whose interests are not adequately represented by existing parties. The State Enforcement Authority did not provide assurances that efforts to intervene would not be opposed on the grounds that the State adequately represents the interest of the citizen.

On February 13, 1981, Tennessee requested that EPA stay consideration of the application submitted on October 30, 1980, so that the application may be amended to include revisions in State legislation likely to be enacted in the 1981 session of the Tennessee General Assembly.

On February 17, 1981, EPA granted the State's request for a stay of EPA's decision process until June 17, 1981. A notice was published in the **Federal Register** on February 24, 1981. This 120-day period was to allow the State 90 days to amend the application and 30 days for EPA to complete the review of Tennessee's application.

Permanent regulations to replace the expired emergency regulations were effective March 2, 1981. The Tennessee General Assembly enacted amendments to the Tennessee Hazardous Waste Management Act, Public Acts 1981, Chapter 174, which became effective on April 22, 1981. On May 28, 1981, the State submitted an amended application package to EPA.

The amended application adequately resolved all the issues raised by EPA review teams as follows:

(a) The State is authorized under TCA 53–6307, as amended April 22, 1981, to conduct periodic generator inspections and to inspect generator records as necessary for compliance monitoring in accordance with 40 CFR 123.128(g) (2)(i), (ii) and (3).

(b) The State has authority, in TCA 53–6309, as amended April 22, 1981, to provide any information obtained or used in the administration of the State program to EPA upon request without restriction in accordance with 40 CFR 123.132.

(c) The State's permanent hazardous waste regulations, which became effective on March 2, 1981, removed the exclusions of clerical waste, certain radioactive wastes, and used crankcase oil. The legislative exemption of agricultural waste was amended April 22, 1981, and is now substantially equivalent to 40 CFR 261.4 and 262.51. The State has committed in the Authorization Plan to modify their hazardous waste regulations accordingly.

(d) The State's permanent regulations, effective March 2, 1981, contain substantially equivalent delisting procedures.

(e) A hybrid procedure for public participation in the State enforcement process was provided. Tennessee Rules of Civil Procedure allow citizens to intervene unless their interests are adequately represented by the parties. The Tennessee Attorney General provided an assurance that intervention will not be opposed on that ground unless intervention would impair or impede the ability to conduct the litigation. The Authorization Plan contains a commitment to seek further legislative change clarifying the rights of private citizens to intervene in pending judicial enforcement actions.

(f) TCA 53–6307, as amended April 22, 1981, provides authority for the inspection of transporter facilities. Also, the Tennessee PSC has authority to inspect motor carrier facilities.

(g) The State's permanent regulations, effective March 2, 1981, contain Interim Status Standards that are substantially equivalent to the Federal regulations at 40 CFR Part 265.

II. Response to Public Comments

On November 28, 1980, a notice was published in the **Federal Register** (45 FR 79118), giving the public until January 5, 1981, to comment on the State's application. EPA also held a public hearing in Nashville, Tennessee, on December 29, 1980. Several requests were received to extend the comment period. A notice appeared in the **Federal Register** on January 16, 1981 (46 FR 3924), to reopen the comment period until January 30, 1981, to allow further public comment on the State's application.

The oral and written comments received at the public hearing and written comments received during the comment period are summarized below along with EPA's responses.

Seven people presented oral comments at the public hearing. Their comments and EPA's responses are presented below:

Comment: Two speakers supported the granting of interim authorization to the State.

EPA Response: No response needed.

Comment: Two speakers supported the granting of interim authorization to the State, but expressed concern with EPA's requirement that the State provide unlimited access to proprietary information because of the possible abrogation of the rights of private

organizations to protect such information. The speakers were especially concerned that RCRA does not expressly require States seeking interim authorization to submit to EPA information obtained by the State pursuant to its own statutory authority.

EPA Response: While the State must provide information to EPA upon request, all claims of confidentiality made to the State will be subject to formal decision by EPA to determine whether they are entitled to confidential treatment under Federal regulations at 40 CFR Part 2 which implements the Trade Secrets Act and the Freedom of Information Act. If EPA determines the information is not entitled to confidential treatment, EPA will notify the holder of the claim of its decision at least ten (10) days prior to release. The holder may initiate court review of that decision.

Comment: A speaker endorsed the State's application but expressed concern that the application included a commitment in the Authorization Plan to seek legislative changes regarding generator inspection authority which is presently limited to "those areas and operations which might reasonably be expected to generate hazardous waste * * *." The commenter opined that investigation should be confined to those areas of the facility which are involved with hazardous wastes.

EPA Response: At the time of the public hearing, that portion of the State's statute concerning "areas subject to inspection" was substantially equivalent to the inspection authority of EPA for interim authorization.

On April 22, 1981, the Tennessee General Assembly amended TCA 53–6307 to remove the limitation on areas of a facility that may be inspected. The amendment to TCA 53–6307 now provides authority for the State to "investigate hazardous waste generators as often as deemed necessary" without limitation.

Comment: Another speaker expressed support for the principle of State delegation but not for the principle of "paper" delegation. Specifically, the speaker was concerned that the State does not have substantially equivalent laws and regulations, adequate technical and support staff, and increased operating budget.

EPA Response: Federal law (RCRA) requires that EPA grant interim authorization only if the State's statutes and regulations provide substantially equivalent authority to carry out the program as described in 40 CFR Subpart F.

EPA agrees that at the time of the public hearing, Tennessee statutes and regulations were not substantially equivalent. Based on Public Acts 1981, Chapter 174, which amended Tennessee's Hazardous Waste Management Act, EPA has determined that the State's statutes and regulations are now substantially equivalent to the Federal program.

EPA has also determined that Tennessee's staff and budget are adequate for Phase I interim authorization.

Comment: One speaker recommended that the State receive interim authorization only with the following provisions: (1) The public have an opportunity to review and comment on the revisions to Tennessee's hazardous waste regulations that were made at the request of the Solid Waste Disposal Control Board on December 12, 1980; (2) the State obtain adequate authority to inspect generators and release proprietary information to EPA; (3) the State require testing as a delisting procedure; and (4) the State guarantee public intervention and participation in the enforcement process.

EPA Response: The Tennessee Attorney General has stated that the State's regulations have been lawfully adopted, which would include compliance with all State public hearing requirements. A copy of the revised proposed regulations is available for public review at the Division of Solid Waste Management Office in Nashville.

The issues on Tennessee's delisting, authority to inspect generators, release of information, and public participation are covered previously in this notice.

Comment: A speaker supported the State's request for interim authorization, however, expressed concern about Section 11 of the State's regulations—Standards for Treatment, Storage, and Disposal Facilities—which are being rewritten. The speaker requested that the public be allowed to review and comment on this section of Tennessee's regulations.

EPA Response: Section 5 of Tennessee's hazardous waste regulations which became effective on March 2, 1981, are substantially equivalent for Phase I. As stated in the previous comment concerning public participation, there has been Attorney General certification with State requirements for adoption of regulations which include public participation requirements.

In addition to the comments received at the public hearing, written comments were received from four (4) organizations during the comment period. These written comments and EPA's responses are summarized as follows:

Comment: One commenter questioned whether Tennessee is legally entitled to interim authorization based on the criteria that a State has to have an effective State hazardous waste program in existence as of August 17, 1980.

EPA's Response: EPA interprets the word "program" to mean enabling legislation only. (From **Federal Register** dated May 19, 1980, page 33387.) Although EPA does not require States to have more than legislative authority in place, it does require all aspects of the State program to be "substantially equivalent" to the Federal program by the time interim authorization is actually granted. Tennessee is in compliance with these requirements in that it had enacted enabling legislation before August 17, 1980.

Comment: One commenter expressed concern over the regulations governing the transportation of hazardous wastes. In particular, he was concerned that the EPA, U.S. Department of Transportation, and State regulations be uniform so as to minimize the difficulties that interstate transporters would face. The commenter requested that States which receive interim authorization be required to comply with a general provision which would allow that a carrier who was in compliance with the Federal requirements be deemed in compliance with State requirements as well.

Finally, with regard to any subsequent changes in the rules affecting rail carriers, the commenter requested that the State be required to amend its regulations accordingly.

EPA's Response: EPA shares the commenter's concerns regarding the interstate movement of hazardous wastes. Tennessee's permanent hazardous waste regulations and the regulations of the Tennessee Public Service Commission require transporters in any mode to comply with standards nearly identical to the Federal standards which is the requirement for Phase I interim authorization.

Comment: Two commenters supported the State's application. One of these commenters expressed the following concerns:

(1) EPA had inappropriately forecast the denial of Tennessee's application in its December 23, 1980 letter to the Commissioner prior to the public hearing and the close of the public comment period.

(2) It is inappropriate for EPA to begin development of a Cooperative Arrangement with Tennessee prior to receipt of all public comments on the State's application.

(3) EPA denial of interim authorization to the State based on issues requiring statutory changes would repudiate the intent of RCRA in establishing the "interim authorization" program.

(4) The State of Arkansas in Region VI was granted interim authorization even though the application contained a planned legislative change to allow release of information to EPA without restriction.

EPA Response: (1) Region IV's policy is to provide maximum assistance to the States in obtaining interim authorization. A part of this assistance is to provide written comments on the application package prior to the public hearing in order to give the States an opportunity to make revisions that could be the determining factor in whether or not the State receives interim authorization. Our comments to Tennessee were related to statutory and regulatory deficiencies that could not be impacted by public comments.

(2) The Cooperative Arrangement is a mechanism to allow EPA to continue funding of Tennessee's hazardous waste program under Subtitle C of RCRA while the State continues to work toward interim authorization. Cooperative Arrangements are designed to avoid duplicative Federal and State activities, to maximize efficient use of State and EPA resources, to minimize the disruption of existing State programs, and to reduce confusion to the regulated community.

(3) Section 3006(c) of RCRA authorizes EPA to grant interim authorization to existing State programs if evidence submitted shows the State program to be substantially equivalent to the Federal program.

Regulations at 40 CFR § 123, Subpart F, establish requirements for interim authorization of State hazardous waste programs. At the time the public hearing was held, Tennessee's application failed to provide substantial equivalence as required in 40 CFR 123.128(f)(2) on public participation requirements, 40 CFR 123.128(g)(1), (2)(i)(ii), and (3) on requirements for compliance evaluation programs, and 40 CFR 123.132 on Sharing of Information. Public Acts 1981, Chapter 174 amended Tennessee's Hazardous Waste Management Act. The State subsequently amended the application for interim authorization and EPA has determined the State program to be substantially equivalent to the Federal program.

(4) Arkansas' Attorney General provided assurance to EPA Region VI that the State would release proprietary information to EPA without restriction. At the time the public hearing was held, Tennessee's Attorney General had not provided such assurance. TCA 53–6309, as amended April 22, 1981, authorized the State to release proprietary information to EPA without restriction. EPA has determined that the State's amended application for interim authorization is substantially equivalent to the Federal program.

Comment: A commenter supported the State's application for interim authorization and stated that the seven issues addressed by EPA in its December 23, 1980 letter to the Commissioner should not be a basis for denial of interim authorization.

EPA Response: The seven issues are addressed in this notice under *Final Application.*

III. Decision

EPA has reviewed the State of Tennessee's complete application for Phase I interim authorization and has determined that the State program is "substantially equivalent" to the Phase I Federal program as defined in 40 CFR Part 123 Subpart F. In accordance with Section 3006(c) of RCRA, the State of Tennessee 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 Tennessee will be subject to the State of Tennessee hazardous waste program in lieu of the Federal hazardous waste program (40 CFR Parts 260–263 and 265) and will not again be subject to Phase I of the 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 of "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 the United States-based enterprises to compete with foreign-based enterprises in domestic or export markets."

EPA's decision to approve Tennessee'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 Tennessee. In the absence of this decision, persons handling hazardous waste in Tennessee would have to comply with Parts 260–263 and 265 of Title 40 of the Code of Federal Regulations in addition to all Tennessee 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 (OMB) 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, 6974(b).

Dated: June 26, 1981.

Rebecca W. Hanmer,

Regional Administrator.

[FR Doc. 81-20602 Filed 7-15-81; 8:45 am]

BILLING CODE 6560-33-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Public Land Order

[A-7598]

Arizona; Withdrawal for Phoenix Mountain Preserve and the City of Phoenix

AGENCY: Bureau of Land Management, Interior.

ACTION: Public land order.

SUMMARY: This order withdraws lands within the City of Phoenix and the Phoenix Mountain Preserve from appropriation under the mining laws, and reserves them for protection of valuable public recreation and open space resources for a period of 20 years.

EFFECTIVE DATE: July 16, 1981.

FOR FURTHER INFORMATION CONTACT: Mario L. Lopez, Arizona State Office, 602–261–4774.

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 hereby ordered as follows:

1. Subject to valid existing rights, minerals in the following described lands, the surface of which was patented under the Stockraising Homestead Act, are hereby withdrawn from appropriation under the mining laws, 30 U.S.C. Ch. 2, but not the mineral leasing laws, for protection of valuable public recreation and open space resources.

Gila and Salt River Meridian

T. 2 N., R. 3 E.,
Sec. 3, lots 15 and 16;
Sec. 12, lots 1 to 4, inclusive, W½NE¼, and W½NW¼.
T. 3 N., R. 3 E.,
Sec. 17, lot 1;
Sec. 20, lot 1;
Sec. 26, lot 1, SW¼SE¼, and E½SE¼;
Sec. 34, NE¼NW¼;
Sec. 35, SE¼NE¼ and E½SE¼.
T. 2 N., R. 4 E.,
Sec. 4, lots 3 to 6, inclusive, and lots 9 to 12, inclusive;
Sec. 5, lot 1, SE¼NE¼, and SE¼SE¼;
Sec. 6, lots 1 to 7, inclusive, SW¼NE¼, SE¼NW¼, E½SW¼, and NW¼SE¼;
Sec. 17, lots 1 to 3, inclusive, lots 6 to 9, inclusive, and lot 12.
T. 3 N., R. 4 E.,
Sec. 30, SE¼SW¼ and W½SE¼;
Sec. 31, lots 1, 2, 4 to 9, inclusive, and SE¼NE¼.

The areas described contain 2,537.06 acres in Maricopa County.

2. This withdrawal shall remain in effect for a period of 20 years from the date of this order.

Dated: July 9, 1981

Garrey E. Carruthers,

Assistant Secretary of the Interior.

[FR Doc. 81-20821 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-84-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 0 and 73

[Gen. Docket No. 79-137; FCC 81-276]

Commission Organization and Radio Broadcast Services; Revised Procedures for the Processing of Broadcast Applications

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The *Second Report and Order* in General Docket No. 79-137 revises the procedures by which broadcast applications are processed. In order to expedite the processing of such applications, the Commission staff is being delegated authority to dispose of certain petitions to deny and "drop-out" agreements. In addition, the Commission is making other procedural changes concerning issuance of cut-off lists, publication of local notice and ascertainment of community needs.

EFFECTIVE DATE: July 13, 1981.

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

FOR FURTHER INFORMATION CONTACT:
Robert A. Hayne, Broadcast Bureau, (202) 632-6485.

Second Report and Order

In the matter of: Revised Procedures for the Processing of Broadcast Applications; Amendment of Parts 0 and 73 of the Commission's Rules.

Adopted: June 16, 1981.
Released: June 30, 1981.
By the Commission.

Introduction and Background

1. It has been nearly two years since we adopted our initial *Report and Order* in this proceeding. *Revised Processing of Broadcast Applications*, 72 FCC 2d 202, 45 RR 2d 1220 (1979) (June 18, 1979, 44 FR 34947). The Docket was not terminated in order to permit a further opportunity to review the procedural revisions adopted in light of practical experience, to allow for further dialogue with the public and broadcast industry, and to make other procedural changes implicit in such an overall revision of our broadcast processing procedures. We have now undertaken that examination and conclude that some further revisions are appropriate.

2. Although we have made much progress in expediting the processing of broadcast applications, which is the goal of this proceeding, further advances are needed if the Broadcast Bureau is to reach its goal, which we officially endorse, of substantially reducing the average processing time for grant, dismissal, or designation for hearing of all broadcast applications. Processing time is a function of the number of applications on hand, staff size, and management and procedural tools. Since staff size cannot match the yearly growth in numbers of applications filed, processing these applications within a reasonable period of time depends upon managerial and processing reforms. These reforms include revision of application forms, introduction of computerized processing aids, improved managerial techniques, and our ongoing analysis of the utility and efficacy of the procedural rules in Part 73 of the Commission's Rules.[1] This document deals only with our procedural rules. Reforms in other areas have been announced in other proceedings or are presently in developmental stages.

3. As noted in Paragraph 3 of the *Report and Order, supra*, the Administrative Procedure Act exempts rules of procedure and practice from its notice and comment rulemaking requirements. 5 U.S.C. 553(b)(A). For that reason, because this phase of the proceeding draws on the earlier filed informal comments as well as on actual experience with the 1979 revisions, and because of the urgency of expedited application processing, we will not solicit a further round of comments on the matters discussed herein and will make the changes effective immediately upon publication in the **Federal Register.**

Acceptance and Cut-Off List Procedures

4. Presently, Sections 73.3571, 73.3572 and 73.3573 of our Rules provide for a cut-off date at least 30 days after publication in the **Federal Register.** Cut-off lists which announce a date certain for the filing of competing applications and petitions to deny are administrative tools which assist us in the transaction of our business. However, allowing a built-in lag time of some 15 days between Commission release of cut-off lists and the cut-off date specified therein in order to ensure that the list will appear in the **Federal Register** at least 30 days prior to this cut-off date is both inefficient and wasteful of processing time. In addition, recent experience has shown that a 15-day lead time is not always sufficient (i.e., it takes longer than 15 days for the notice to appear in the **Federal Register**). Therefore, we will amend our Rules to make the 30-day cut-off period run from the Commission release of the cut-off list, and will eliminate **Federal Register** publication, which is not required by the Communications Act. It is our experience that an interested party is alerted by a combination of an applicant's local publication of notice of filing (§ 73.3580 of the Rules) and the Commission public notice of the cut-off list and not the publication in the **Federal Register.** This change will cut approximately two weeks from the present length of time between the receipt of and action on an application.

Local Notice

5. For an application to be accepted for filing and placed upon a cut-off list, § 73.3580 of our Rules requires that an applicant submit proof of local publication of notice of filing. This

[1] In *Reregulation of Radio and TV Broadcasting*, 72 FCC 2d 534 (1979), the Commission removed all broadcast procedural rules from Part 1 and placed them in a new § 73.3000 series in Part 73.

publication now occurs following the tendering of the application. This necessitates an amendment to a pending application. It takes approximately one month after tendering the application to effect the amendment. Furthermore, this amendment is not always promptly associated with the application further delaying our processing. While we believe that local notice is a valuable administrative tool in informing the public of the pendency of an application, the one-month delay in our current procedure should be eliminated. Consequently, our local notice requirement will be modified to provide for certification of this notice as part of the original application when tendered.

Pre-Acceptance Engineering Review

6. It has been customary for the staff to perform a thorough engineering review (taking from two to eighty hours depending on the type of application and the issues involved) before an application is accepted for filing and placed on a cut-off list. Seriously defective applications, or those lacking appropriate waiver requests, are returned to the applicant. With respect to other engineering defects, the staff, usually after considerable study, sends a deficiency letter to the applicant.[2] The applicant then submits an amendment to the application. This procedure has contributed to a less than optimum quality of engineering by effectively shifting the burden of thorough technical analysis from the applicant and his hired consultant to the Commission's expert staff. Sending a deficiency letter requesting information clearly called for in our Rules or the application form has caused inordinate delays in the overall processing of applications. This is unfair to other applicants waiting to have their well-prepared applications studied and could also make our turnaround goals unattainable. Therefore, we are directing the staff to return clearly deficient applications.[3] We believe that this will encourage an optimum quality of engineering at the date of tendering. This potentially strict procedure is also necessitated by the fact that we are somewhat abbreviating the pre-acceptance engineering review of FM and TV applications by the staff. The staff will make similar adjustments with respect to AM applications. Our experience indicates that significantly fewer TV and commercial FM applications contain a serious technical defect than is true of AM applications. We believe that this is largely because of the existence of TV and commercial FM table of assignments for allocation purposes. Abbreviating the FM and TV studies would enable the staff, as needed, to devote its resources to a number of complex engineering matters. Moreover, once an application is placed on a cut-off list, it is clearly subject to engineering scrutiny by all interested parties. This procedure fosters a public role in error detection and elimination. This would also enable the subsequent staff engineering review to focus on the substance of any objection based upon engineering. If a significant engineering defect is subsequently detected, Section 73.3564 of the Rules permits the return of the application as having been improperly accepted. We will monitor the results of this abbreviated processing procedure and may further modify or discontinue it based on experience.

Delegations on Petitions to Deny

7. Although we are hereby encouraging a greater role for "private attorneys general" in engineering matters, the caveats expressed in our previous *Report and Order* concerning minute attacks on trivial matters apply equally here. We do not wish the petition to deny process to become simply a device to delay the processing of applications for new service. We recognize that considerable time is added to the application processing time if the staff is required to prepare an agenda item for our consideration. If the staff could act in those instances, as they do now for informal objections, where no new or novel issues are raised, the processing of applications could be accelerated. An abundance of precedent concerning petitions to deny applications for construction permits already exists, and rarely in recent years have such petitions raised issues which could not have been more easily and expeditiously disposed of at the staff level. We deem it appropriate, therefore, to amend the delegations of authority in Section 0.281 of the Rules to allow the Chief, Broadcast Bureau to act on all petitions to deny applications that do not involve license renewal, assignment or transfer if the petitions do not raise new or novel issues. Petitions which do raise new or novel issues will continue to be referred to the Commission in accordance with § 0.281(b)(10) of the Rules.

"Drop-Out Agreements"

8. We also feel that dispositions of "drop-out" agreements between mutually exclusive applicants are more easily and expeditiously considered at staff level. Drop-out agreements obviate the mutually exclusive situation and lead to a prompt institution of broadcast service. Presently, § 0.281(a)(16) of the Rules requires the staff to refer to the Commission all agreements to amend or dismiss mutually exclusive applications which contemplate depriving a community of a proposed broadcast facility. The basis for our concern is Section 307(b) of the Communications Act which requires us to make a "fair, efficient and equitable distribution" of broadcast facilities. However, under § 73.3525(c)(1), if withdrawal of an application would "unduly impede achievement" of Section 307(b) objectives, the dismissing applicant is required to publish and invite other parties to file for the facility. Again, there is ample precedent establishing how Section 307(b) of the Act is to be applied to drop-out agreements and the requirement of publication. Consequently, we are deleting § 0.281(a)(16) of the Rules. Instead, such agreements which involve a determination which cannot be made under outstanding precedent will be referred to the Commission pursuant to § 0.281(b)(10) of the Rules.

Ascertainment

9. In a related matter pertaining to a revision of FCC Form 301, we announced that we are shifting the filing and review of the Ascertainment of Community Problems showing to the final licensing stage (FCC Form 302) for both contested and uncontested commercial television applications. This would completely remove Ascertainment from the comparative hearing process and require only the eventual permittee to do such a survey. For the reasons discussed in the related Order revising FCC Form 301, we feel that changing the point in the overall processing procedure when the Ascertainment is reviewed will lessen the burden on our staff and the applicants, and expedite the processing of applications. As a corollary, we are hereby ordering that further pursuit of all outstanding Ascertainment issues now in hearing be terminated unless those issues involve questions of misrepresentation. In addition, we believe there is no logical reason to have different Ascertainment filing requirements for commercial and noncommercial applicants. Therefore, we are hereby changing the

[2] In the case where a deficient application is mutually exclusive with another application, deficiency letters are generally not sent. Instead, appropriate issues are designated or amendments required in the hearing designation order.

[3] Examples of this would include raising the nighttime RSS limit of an existing station, substantial prohibited overlap, insufficient information to determine an antenna pattern, a Class IV station increasing nighttime efficiency when overlap already exists and a short-spaced proposal with no waiver request.

Ascertainment filing requirement for noncommercial applicants to the final licensing stage (FCC Form 341). In this regard, Forms 340 and 341 will be changed to reflect this decision in due course.

10. The foregoing represents the fruits of our latest review of the broadcast application process. We anticipate that these changes will further reduce the time it takes to process applications. As indicated at the outset, other analyses are in progress and will be forthcoming. In the meantime, we will continue to keep this Docket open to encourage both dialogue with the public and the broadcast industry and further suggestions for reform. The Appendix contains the rule changes adopted herein.

11. Authority for adoption of the amendments set out in the attached Appendix is contained in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303(r). For the reasons recited in Paragraph 3 above, the prior notice and effective date provisions of 5 U.S.C. 553 are inapplicable.

12. Accordingly, it is ordered, effective July 13, 1981, that Parts 0 and 73 of the Rules are amended as set out in the Appendix hereto.

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

William J. Tricarico,

Secretary.

1. Section 0.281 of the Commission's Rules is amended by removing Section 0.281(a)(16).

2. Section 0.281(b)(1) of the Commission's Rules is revised to read as follows:

§ 0.281 Authority delegated.

(b) * * *

(1) Petitions to deny directed against AM, FM, and TV applications for renewal or assignment of license or transfer of control, when such petitions are timely filed and properly lie as a matter of law. Other petitions and informal objections will be referred to the Commission only if they contain new or novel arguments not previously considered by the Commission, or present facts or arguments which appear to justify a change in Commission policy.

* * * * *

3. Section 73.3571(c) of the Commission's Rules is revised to read as follows:

§ 73.3571 Processing of AM broadcast station applications.

* * * * *

(c) Applications for new stations or for major changes in the facilities of authorized stations are processed as nearly as possible in the order in which they are filed. Such applications will be placed in the processing line in numerical sequence, and are drawn by the staff for study, the lowest file number first. Thus, the file number determines the order in which the staff's work is begun on a particular application or group of conflicting applications. In order that those applications which are entitled to be grouped for processing may be fixed prior to the time processing of the earliest filed application is begun, the FCC will periodically release a Public Notice listing applications which have been accepted for filing and announcing a date (not less than 30 days after release) on which the listed applications will be considered available and ready for processing and by which all mutually exclusive applications and/or petitions to deny the listed applications must be filed.

* * * * *

4. Section 73.3572(c) of the Commission's Rules is revised to read as follows:

§ 73.3572 Processing TV broadcast and TV translator station applications.

* * * * *

(c) Applications for TV stations will be processed as nearly as possible in the order in which they are filed. Such applications will be placed in the processing line in numerical sequence, and will be drawn by the staff for study, the lowest file number first. In order that those applications which are entitled to be grouped for processing may be fixed prior to the time processing of the earliest filed application is begun, the FCC will periodically release a Public Notice listing applications which have been accepted for filing and announcing a date (not less than 30 days after release) on which the listed applications will be considered available and ready for processing and by which all mutually exclusive applications and/or petitions to deny the listed applications must be filed.

* * * * *

5. Section 73.3573(d) of the Commission's Rules is revised to read as follows:

§ 73.3573 Processing FM broadcast and FM translator station applications.

* * * * *

(d) Applications for FM broadcast stations will be processed as nearly as possible in the order in which they are filed. Such applications will be placed in the processing line in numerical sequence, and will be drawn by the staff for study, the lowest file number first. In order that those applications which are entitled to be grouped for processing may be fixed prior to the time processing of the earliest filed application is begun, the FCC will periodically release a Public Notice listing applications which have been accepted for filing and announcing a date (not less than 30 days after release) on which the listed applications will be considered available and ready for processing and by which all mutually exclusive applications and/or petitions to deny the listed applications must be filed.

* * * * *

6. In § 73.3580, (c), the introductory text of (f), and (f)(2) are revised to read as follows:

§ 73.3580 Local public notice of filing of broadcast applications.

* * * * *

(c) An applicant who files an application or amendment thereto which is subject to the provisions of this Section, must give a notice of this filing in a newspaper. Exceptions to this requirement are applications for renewal of AM, FM and TV station licenses, applications for International broadcast stations, TV and FM translator stations, FM booster stations; and applicants subject to Paragraph (e) of this Section. The local public notice must be completed within 30 days of the tendering of the application. In the event the FCC notifies the applicant that a major change is involved requiring the applicant to give public notice pursuant to §§ 73.3571, 73.3572, 73.3573 or 73.3578, this filing notice shall be given in a newspaper immediately following this notification.

* * * * *

(f) The notice required by Paragraphs (c) and (d) of this section shall contain, when applicable, the following information, except as otherwise provided in Paragraphs (d)(1) and (2) and (e) of this section in regard to renewal applications:

(1) * * *

(2) The purposes for which the application was or will be filed (such as, construction permit, modification, assignment or transfer of control).

* * * * *

[FR Doc. 81-20859 Filed 7-15-81; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 80-318; RM-3549]

FM Broadcast Station in Greenville, Ill.; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action assigns FM Channel 269A to Greenville, Illinois, in response to comments filed by Robert Gaffner. This assignment could provide Greenville with a first local commercial broadcast service. Additionally, such action reverses the earlier Report and Order herein which terminated the proceeding at the request of the initial proponent Charles N. Cutler.

DATE: Effective September 8, 1981.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

In the matter of amendment of § 73.202(b), *Table of Assignments*, FM Broadcast Stations (Greenville, Illinois), BC Docket No. 80-318, RM-3549.

Memorandum Opinion and Order

Adopted: June 29, 1981.

Released: July 7, 1981.

1. On May 19, 1981, the Commission adopted a *Report and Order*, 45 FR 30517, published June 9, 1981, terminating the above-captioned proceeding in response to a request for dismissal by Charles N. Cutler ("petitioner").

2. Petitioner had initially proposed the assignment of FM Channel 269A to Greenville, Illinois, as that community's first FM assignment. In supplementary comments filed August 18, 1980, it requested that its petition be dismissed for the reasons set forth therein. We subsequently granted this request since it appeared that no other party had indicated an interest in the Greenville assignment.

3. It has recently come to our attention that there was indeed another interest in the proposed assignment. Specifically, in response to our *Notice*, comments were filed by Robert Gaffner stating that he would apply for the Greenville channel, if assigned. However, a search of our files did not disclose this filing. Rather than delay this assignment by commencement of a new proceeding to recognize this interest, we are, in our own motion, reconsidering the action contained in the above-referenced *Report and Order*.

4. Greenville (population 4,632),[1] is located in Bond County (population 14,012), approximately 80 kilometers (50 miles) east of St. Louis, Missouri. It has no local commercial service.

5. In view of the expressed interest and the fact Greenville could obtain a first local commercial FM station, we believe the channel should be assigned.

6. Accordingly, it is ordered, that effective September 8, 1981, § 73.202(b) of the Commission's rules, the FM Table of Assignments, is amended with regard to the following community:

City	Channel No.
Greenville, Ill	269A

7. It is further ordered, that the *Report and Order* in this proceeding is reversed.

8. Authority for the adoption of the amendment herein is contained in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's rules.

9. For further information regarding the above, contact Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

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

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81-20900 Filed 7-15-81; 8:45 am]

BILLING CODE 6712-01-M

[1] Population figures are taken from the 1970 U.S. Census.

47 CFR Part 73

[BC Docket No. 81-29; RM-3680]

FM Broadcast Station in Osceola, Iowa; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action assigns FM Channel 296A to Osceola, Iowa, in response to a petition filed by M. W. Jack Beaman. The assignment could provide Osceola with a first local aural service.

DATE: Effective September 8, 1981.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

In the matter of amendment of § 73.202(b), *Table of Assignments*, FM Broadcast Stations (Osceola, Iowa), BC Docket No. 81-29, RM-3680.

Report and Order—Proceeding Terminated

Adopted: June 29, 1981.

Released: July 8, 1981.

1. Before the Commission is a *Notice of Proposed Rule Making*, 46 FR 10781, published February 4, 1981, proposing the assignment of FM Channel 296A to Osceola, Iowa, as that community's first FM assignment, in response to a petition filed by M. W. Jack Beaman ("petitioner"). Petitioner filed comments reaffirming his intent to file for the channel if assigned. No comments opposing the proposal were received. The assignment can be made in compliance with the applicable minimum distance separation requirements of Section 73.207.

2. Osceola (population 3,124),[1] seat of Clarke County (population 7,581), is located approximately 64 kilometers (40 miles) south of Des Moines, Iowa. This community has no local aural broadcast service.

3. Petitioner has submitted information with respect to Osceola which is persuasive as to its need for a first local FM assignment.

4. We believe the public interest would be served by the assignment of FM Channel 296A to Osceola, Iowa. An interest has been shown for its use, and such an assignment would provide the community with an FM station which could render a first local aural service.

5. Accordingly, it is ordered, that effective September 8, 1981, § 73.202(b) of the Commission's rules, the FM Table of Assignments, is amended with regard to the following community:

City	Channel No.
Osceola, Iowa	296A

6. Authority for the adoption of the amendment herein is contained in Sections 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's Rules.

7. It is further ordered, that this proceeding is terminated.

8. For further information concerning the above, contact Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

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

[1] Population data are taken from the 1970 U.S. Census.

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81-20898 Filed 7-15-81; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 80-585; RM-3631]

FM Broadcast Station in Varnado, La.; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Action taken herein assigns FM Channel 224A to Varnado, Louisiana, in response to a petition filed by Northlake Audio, Inc. The assignment could provide Varnado with a first local aural broadcast service.

DATE: Effective September 8, 1981.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

In the matter of amendment of § 73.202(b), *Table of Assignments*, FM Broadcast Stations (Varnado, Louisiana), BC Docket No. 80-585, RM-3631.

Report and Order—Proceeding Terminated

Adopted: June 29, 1981.

Released: July 7, 1981.

1. The Commission has before it for consideration a *Notice of Proposed Rule Making*, 45 FR 67399, published October 10, 1980, in response to a petition filed by Northlake Audio, Inc. ("petitioner"), proposing the assignmend of Channel 224A to Varnado, Louisiana, as that community's first FM assignment. Supporting comments were filed by petitioner in which it reaffirmed its intent to file for the channel, if assigned. No oppositions to the proposal were received.

2. Varnado (population 320), in Washington Parish (population 41,987),[1] is located approximately 144 kilometers (90 miles) north of New Orleans, Louisiana. It currently has no local aural service. Our *Notice* inadvertently excluded the condition that Channel 224A could be assigned to Varnado provided there is a site restriction of at least 2.1 kilometers (1.3 miles) west of the community to avoid short-spacing to Station WQST (Channel 223), in Forest, Missouri.

3. In support of its proposal, petitioner submitted information with respect to Varnado which is persuasive as to its need for a first FM assignment.

4. In view of the expressed interest in the allocation of Channel 224A to Varnado, Louisiana, and the demonstration of need for the service, we believe that the public interest would be served by grant of the requested assignment.

5. Accordingly, it is ordered, that effective September 8, 1981, § 73.202(b) of the Commission's rules, the FM Table of Assignments, is amended with regard to the following community:

City	Channel No.
Varnado, Louisiana	224A

6. Authority for the adoption of the amendment herein appears in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's rules.

7. It is further ordered, that this proceeding is terminated.

8. For further information concerning the above, contact Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

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

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81-20899 Filed 7-15-81; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 80-502; RM-3423]

FM Broadcast Station in Spokane, Wash.; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action assigns FM Channel 280A to Spokane, Washington, in response to a petition filed by Thomas Read d/b/a/ Read Broadcasting. The assignment could provide Spokane with an eighth FM station.

DATE: Effective September 8, 1981.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations (Spokane, Washington), BC Docket No. 80-502, RM-3423.

Report and Order—Proceeding Terminated

Adopted: June 29, 1981.

Released: July 9, 1981.

1. Before the Commission is a *Notice of Proposed Rule Making*, 45 FR 55238, published August 19, 1980, proposing the assignment of FM Channel 280A to Spokane, Washington, at the request of Thomas W. Read d/b/a Read Broadcasting ("petitioner"). Supporting comments were filed by petitioner in which it reaffirmed its intent to file for the channel, if assigned. Tri-County Broadcasting filed a letter of opposition claiming that the proposed assignment of Channel 280A to Spokane would preclude Newport, Washington, from receiving an FM channel assignment. Subsequently, this matter was resolved and the Commission has proposed the assignment of Channel 285A to Newport (see BC Docket No. 81-332, 46 FR 27726, published May 21, 1981).

2. Spokane, a city of 170,516, is located in the extreme eastern part of the State near the Idaho border. The city, a trading, shopping and transportation center for an agricultural region containing over one million people, is served by nine AM stations and seven FM stations.

3. Petitioner has submitted information with respect to Spokane which is persuasive as to its needs for an additional FM assignment. Petitioner submitted alternative channel information for two precluded communities as requested in the *Notice*.[1]

4. We believe that the public interest would be served by the assignment of FM Channel 280A to Spokane, Washington. An interest has been shown for its use, and such an assignment would provide the community with an FM station which would render local aural broadcast service. As stated in the *Notice*, in view of the petitioner's willingness to compete with the Class C stations in Spokane, intermixture is not an obstacle to this assignment.

5. The Canadian Government has given its concurrence in the assignment of Channel 280A to Spokane, Washington.

[1] Population figures are taken from the 1970 U.S. Census.

[1] Petitioner states that Channel 237A is available for assignment to Wilbur, Washington, and that Channel 296A is available for Priest River, Idaho.

6. Accordingly, it is ordered, that effective September 8, 1981, § 73.202(b) of the Commission's rules, the FM Table of Assignments, is amended with regard to the following community:

City	Channel No.
Spokane, Wash	225, 229, 251, 255, 260, 280A, 289, and 300.

7. Authority for the adoption of the amendment herein is contained in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's rules.

8. It is further ordered, that this proceeding is terminated.

9. For further information concerning the above, contact Mark N. Lipp, Broadcast Bureau, (202) 632–7792.

(Secs. 4, 303, 48 stat., as amended, 1066, 1082 (47 U.S.C. 154, 303))

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81-20901 Filed 7-15-81; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 80-503; RM-3587]

FM Broadcast Station in Ladysmith, Wisconsin; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Action taken herein assigns Class A FM Channel 224A to Ladysmith, Wisconsin, in response to a petition filed by Ruth Nelson of Flambeau Broadcasting Company. The assignment could provide Ladysmith with a second local FM broadcast service.

DATE: Effective September 4, 1981.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau (202) 632–7792.

SUPPLEMENTARY INFORMATION:

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Ladysmith, Wisconsin), BC Docket No. 80–503, RM–3587.

Report and Order—Proceeding Terminated

Adopted: July 6, 1981

Released: July 9, 1981.

1. The Commission has before it for consideration a *Notice of Proposed Rule Making*, 45 FR 55239, published August 19, 1980, in response to a petition filed by Ruth Nelson of Flambeau Broadcasting Company ("petitioner"), licensee of Station WLDY (AM), Ladysmith, Wisconsin, proposing the assignment of FM Channel 224A to Ladysmith, as that community's second FM assignment. Petitioner filed comments and reply comments, in which it reaffirmed its intent to file for the channel, if assigned. No oppositions to the proposal were received.

2. Ladysmith (population 3,674),[1] in Rusk County (population 14,238), is located approximately 169 kilometers (105 miles) northeast of Minneapolis-St. Paul, Minnesota. It is presently served by full-time AM Station WLDY and FM Station WWIB (Channel 279).

3. In our *Notice*, we indicated that Channel 224A could be assigned to Ladysmith, Wisconsin, provided the transmitter site is located 6.4 kilometers (3.9 miles) southeast of the community, to avoid short-spacing to Station WSCD (Channel 225) in Duluth, Minnesota. In its comments, petitioner disputes our site restriction calculations. It indicates that, according to studies completed by its consulting engineer, a site restriction of (0.90 kilometers) 0.56 miles southeast of the Ladysmith post office would be sufficient to meet all mileage separation requirements.

4. Our engineering calculations in this instance are based on the distance from the center of Ladysmith to the transmitter site of Station WSCD (Channel 225), in Duluth, which is approximately 162 kilometers (101 miles). § 73.207 of the Commission's rules requires a minimum distance separation between the assignments of a Class A and a first adjacent Class C of 168 kilometers (105 miles). Petitioner's study utilized a different reference point for Ladysmith, which explains its misunderstanding of our computations. Had petitioner used the one listed in the Index to the *National Atlas of the United States of America* (1970), this discrepancy would not have occurred. In any event, as we previously found, a site restriction of approximately 6.3 kilometers (3.9 miles) southeast of the center of the city is required for this proposed assignment.

5. Petitioner has submitted information with respect to Ladysmith which is persuasive as to its need for a second FM channel assignment. As indicated in our *Notice*, the assignment herein will create intermixture of a Class A with a Class C facility. However, as noted above, petitioner has reaffirmed its willingness to apply for the Class A assignment, notwithstanding the possible competitive advantage that may accrue to the Class C operation. Since grant of the instant proposal could provide Ladysmith with a second local FM broadcast, service, we believe it would be in the public interest to assign FM Channel 224A to that community.

6. A preclusion study indicates that communities in nine Michigan counties having populations greater than 1,000 would be precluded from the use of co-channel 224A only, as a result of the proposed assignment.

7. The Canadian Government has given its concurrence to the assignment of Channel 224A to Ladysmith, Wisconsin.

8. Authority for the adoption of the amendment contained herein appears in section 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's rules.

9. Accordingly, it is ordered, that effective September 4, 1981, § 73.202(b) of the Commission's rules, the FM Table of Assignments is amended with regard to the following community:

City	Channel Nos.
Ladysmith, Wisconsin	224A, 279

10. It is further ordered, that this proceeding is terminated.

11. For further information concerning the above, contact Mark N. Lipp, Broadcast Bureau (202) 632–7792.

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

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81-20902 Filed 7-15-81; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 80-492; RM-3606]

FM Broadcast Station in Casper, Wyo.; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This action assigns FM Channels 279 and 295 to Casper, Wyoming, in response to a petition filed by Daniel A. Roberts. These

[1] Population data are taken from the 1970 U.S. Census.

assignments could provide Casper with its third and fourth FM broadcast stations.

DATE: Effective September 8, 1981.

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

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Casper, Wyoming), BC Docket No. 80-492, RM-3606.

Report and Order—Proceeding Terminated

Adopted: June 29, 1981.

Released: July 8, 1981.

1. Before the Commission is a Notice of Proposed Rule Making, 45 FR 63533, published September 25, 1980, proposing the assignment of FM Channels 279 and 295 to Casper, Wyoming, as that community's third and fourth FM assignments, at the request of Daniel A. Roberts ("petitioner"). No comments opposing the proposed assignments were received. Petitioner filed comments reaffirming his intention to apply (specifically for Channel 279) for the channel, if assigned. In addition, KVWO, Inc., licensee of WUUY, and KLEN(FM) in Cheyenne, Wyoming, filed comments in support of the proposal and stated it intends to apply for a channel, if assigned. Broadmoor Broadcasting Corp. also filed comments stating that it intends to apply for a channel if assigned.

2. Both channels can be assigned to Casper in conformity with the minimum distance separation requirements of § 73.207 of the Commission's Rules.

3. Casper (population 39,361),[1] the seat of Natrona County (population 51,264), is located approximately 224 kilometers (140 miles) northwest of Cheyenne, Wyoming. The community is served locally by three full-time AM stations, FM Station KAWY (Channel 233) and has two applications pending for a second FM station (Channel 238).

4. We believe the public interest would be served by the assignment of FM Channels 279 and 295 to Casper, Wyoming. Interest has been shown for their use, and such assignments would provide the community with two additional FM stations for a generally underserved area. It has been shown that the preclusion impact is insignificant.

[1] Population data are taken from the 1970 U.S. Census.

5. Accordingly, it is ordered, that effective September 8, 1981, § 73.202(b) of the Commission's Rules, the FM Table of Assignments, is amended with regard to the following community:

City	Channel No.
Casper, Wyo	233, 238, 279, 295

6. Authority for the adoption of the amendment herein is contained in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and § 0.281 of the Commission's Rules.

7. It is further ordered, that this proceeding is terminated.

8. For further information concerning the above, contact Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

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

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 81-20900 Filed 7-15-81; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 25

Relocation Assistance and Land Acquisition for Federal and Federally Assisted Programs; Schedule of Moving Expense Allowances; Individuals and Families

AGENCY: Department of Transportation, (DOT).

ACTION: Final rule.

SUMMARY: The purpose of this amendment is to reflect changes in the moving expense schedules for displaced persons in the States of New Mexico, Oregon, Pennsylvania and Virginia.

EFFECTIVE DATE: July 1, 1981.

FOR FURTHER INFORMATION CONTACT: John Murnane, Relocation Assistance Division, Office of Right-of-Way (202-426-0156); or Reid Alsop, Office of the Chief Counsel (202-426-0800), Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours Monday-Friday from 7:45 a.m. to 4:15 p.m. ET.

SUPPLEMENTARY INFORMATION: Section 202(b) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Pub. L. 91-646, 84 Stat. 1894, provides that a displaced individual or family may elect to be paid for moving expenses on the basis of a moving expense schedule. To ensure statewide uniformity among all agencies operating under the Act, General Services Administration Regulations, governing agency implementation of the Act, 41 CFR Part 101-6, provide in § 101-6.105-1 that moving expense schedules maintained by the respective State highway departments shall be used, and that the schedules will be approved on a current basis and disseminated by the Federal Highway Administration (FHWA).

The regulations of the Office of the Secretary, 49 CFR 25.153, implementing the Uniform Act, direct the FHWA to establish and maintain the moving expense schedule in Appendix A to Part 25 of Title 49 and to update it semi-annually. The purpose of this amendment is to revise the current schedule, which was published on January 29, 1981 (46 FR 9603) to reflect changes in the moving expense schedules that have been made by the following States:

Table I—Personalty—New Mexico, Oregon, Pennsylvania and Virginia.

Table II—Mobile Homes—New Mexico and Pennsylvania.

The FHWA has determined that this document contains neither a major rule under Executive Order 12291 nor a significant regulation under DOT regulatory procedures. The FHWA has also determined that this action will have only minimal impact on the affected States and public and will not have a significant economic impact on a substantial number of small entities. Accordingly, neither a full regulatory evaluation nor a regulatory impact analysis is required.

Notice and opportuntity for comment are not required under DOT regulatory policies and procedures because it is not anticipated that such action would result in the receipt of useful information. Because the moving expense schedules are maintained by the respective State highway departments, the FHWA finds good cause to make these amendments effective on the date that the changes become effective in the States making them. Accordingly, these amendments are effective on July 1, 1981.

Neither a general notice of proposed rulemaking nor a 30-day delay in effective date is required under the Administrative Procedure Act because the matters affected relate to grants,

benefits, or contracts pursuant to 5 U.S.C. 553(a)(2).

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

(42 U.S.C. 4601 *et seq;* 41 CFR 101-6.105-1; 49 CFR 25.153)

Issued on: July 1, 1981.

L. P. Lamm,

Executive Director.

Tables I and II to Appendix A of Part 25 are revised to read as set forth below:

Appendix A—Table I—Personality

State	Occupant provides furniture — Number of rooms of furniture										Occupant does not provide furniture	
	1	2	3	4	5	6	7	8	9	10	First room	Each additional room
Alabama [1]	90	140	190	240	290	300					(*)	(*)
Alaska	75	150	200	250	275	300					15	15
Arizona	50	100	150	200	250	300					25	15
Arkansas	70	110	150	190	230	270	300				40	20
California	75	100	150	200	250	300					25	15
Colorado	120	180	240	300							30	20
Connecticut	50	90	140	170	230	260	300				15	15
Deleware	60	100	140	180	220	260	300				25	15
District of Columbia	100	135	170	210	250	290	300				35	15
Florida	75	120	165	210	255	300					25	25
Georgia	100	140	180	220	260	300					40	10
Guam	48	85	120	168	205	240	300				10	10
Hawaii	65	100	135	175	215	255	295	300			45	30
Idaho	60	100	140	180	220	260	300				20	10
Illinois	50	100	150	200	250	300					25	15
Indiana	50	100	150	200	250	300					25	15
Iowa	75	140	195	240	275	300					30	12
Kansas	60	120	180	240	300						30	10
Kentucky	65	130	195	260	300						35	25
Louisiana	60	100	140	180	220	260	300				40	15
Maine	50	90	125	150	175	200	225	250	275	300	15	10
Maryland	100	150	200	250	300						20	10
Massachusetts	60	130	150	190	225	250	275	300			25	15
Michigan	65	130	180	240	300						50	10
Minnesota	75	150	200	250	300						30	15
Mississippi	100	150	200	250	300						50	25
Missouri	50	100	150	200	250	300					25	10
Montana	60	100	140	180	220	260	300				35	20
Nebraska	50	100	150	200	250	300					30	10
Nevada	50	100	150	200	250	300					25	15
New Hampshire	100	150	190	230	270	300					25	15
New Jersey	80	140	195	245	300						25	15
New Mexico [2]	158	235	300								(*)	(*)
New York	80	130	175	215	250	275	300				25	15
North Carolina	70	110	160	210	260	300					40	30
North Dakota	75	125	150	200	250	275	300				30	15
Ohio	50	100	150	200	250	300					30	10
Oklahoma	95	135	175	215	255	300					40	15
Oregon	75	150	225	300							25	25
Pennsylvania	90	140	200	250	300						30	30
Puerto Rico	75	120	165	210	255	300					25	25
Rhode Island	70	140	210	250	275	300					25	10
South Carolina	105	180	220	300							30	10
South Dakota	100	150	200	250	300						50	15
Tennessee	75	100	150	200	250	300					25	15
Texas	95	135	175	215	255	300					50	25
Utah	75	100	130	155	180	210	240	270	300		25	15
Vermont	100	150	190	230	270	300					25	15
Virginia	60	105	150	195	240	285	300				40	10
Virgin Islands	105	150	195	240	275	300					35	35
Washington	100	150	200	250	300						25	25
West Virginia [3]	60	100	140	180	220	260	300				25	10
Wisconsin	80	150	210	260	300						50	30
Wyoming	60	120	180	240	260	300					40	20

[1] Furnished units including sleeping rooms. Occupant does not own furniture.—First room $30; 2 rooms $50; 3 rooms $75; 4 rooms $95; 5 rooms $120; 6 rooms 140; each additional room $15.

[2] Furnished units including sleeping rooms. Occupant does not own furniture.—First room $68; 2 rooms $129; 3 rooms $160; 4 rooms $193; 5 rooms $224; 6 rooms $256; 7 rooms $288; 8 rooms $300. To a maximum of $300.

[3] Where occupant does not provide furniture, allowance for 2 rooms is $40.

* See end of table.

Table II.—*Mobile Homes*

State	Miles (kilometres) — More than	Miles (kilometres) — But not more than	Area—square feet (square metres) — More than	Area—square feet (square metres) — But not more than	Width—feet (metres) — More than	Width—feet (metres) — But not more than	Allowance dollars
Alabama			0 (0)	200 (18.6)			165
			200 (18.6)	400 (37.2)			225
			400 (37.2)	600 (55.6)			285
			600 (55.6)				300
Alaska		(*)					300

Table II.—*Mobile Homes*—Continued

State	Miles (kilometres)		Area—square feet (square metres)		Width—feet (metres)		Allowance dollars
	More than	But not more than	More than	But not more than	More than	But not more than	
Arizona			0 (0)	300 (27.9)			150
			300 (27.9)	400 (37.2)			200
			400 (37.2)	500 (46.5)			250
			500 (46.5)				300
Arkansas					0 (0)	12 (3.7)	200
					12 (3.7)	14 (4.3)	250
					14 (4.3)		300
California [1]					0 (0)	8 (2.4)	(1)
					8 (2.4)		
Colorado [2]							(2)
Connecticut [3]					0 (0)	8.5 (2.6)	100
					8.5 (2.6)	10.5 (3.2)	150
					10.5 (3.2)	12.5 (3.8)	200
					12.5 (3.8)		250
Delaware			0 (0)	400 (37.2)			100
			400 (37.2)	600 (55.8)			150
			600 (55.8)	800 (74.4)			200
			800 (74.4)	1,000 (93)			250
			1,000 (93)				300
Florida	(*)						300
Georgia			0 (0)	400 (37.2)			125
			400 (37.2)	500 (46.5)			185
			500 (46.5)	600 (55.8)			245
			600 (55.8)				300
Guam			0 (0)	300 (27.9)			130
			300 (27.9)	400 (37.2)			180
			400 (37.2)	500 (46.5)			210
			500 (46.5)	600 (55.8)			240
			600 (55.8)	700 (65.1)			270
			700 (65.1)				300
Hawaii			0 (0)	300 (27.9)			130
			300 (27.9)	400 (37.2)			180
			400 (37.2)	500 (46.5)			210
			500 (46.5)	600 (55.8)			240
			600 (55.8)	700 (65.1)			270
			700 (65.1)				300
Idaho			0 (0)	200 (18.6)			100
			200 (18.6)	400 (37.2)			150
			400 (37.2)	600 (55.8)			200
			600 (55.8)	800 (74.4)			250
			800 (74.4)				300
Illinois	0 (0)	24 (38.6)			0 (0)	8.5 (2.6)	100
					8.5 (2.6)	10.5 (3.2)	150
					10.5 (3.2)	12.5 (3.8)	200
					12.5 (3.8)		250
	24 (38.6)	50 (80.5)			0 (0)	8.5 (2.6)	150
					8.5 (2.6)	10.5 (3.2)	200
					10.5 (3.2)	12.5 (3.8)	250
					12.5 (3.8)		300
Indiana					0 (0)	8.5 (2.6)	150
					8.5 (2.6)	10.5 (3.2)	185
					10.5 (3.2)	12.5 (3.8)	250
					12.5 (3.8)		300
Iowa	0 (0)	25 (40.2)			0 (0)	8 (2.4)	130
					8 (2.4)	10 (3)	150
					10 (3)	12 (3.7)	180
					12 (3.7)		230
	25 (40.2)	50 (80.5)			0 (0)	8 (2.4)	140
					8 (2.4)	10 (3)	170
					10 (3)	12 (3.7)	200
					12 (3.7)		300
Kansas			0 (0)	200 (18.6)			80
			200 (18.6)	400 (37.2)			160
			400 (37.2)	600 (55.8)			240
			600 (55.8)				300
Kentucky [4]					0 (0)	8 (2.4)	285
					8 (2.4)		300
Louisiana					0 (0)	10 (3)	175
					10 (3)	12 (3.7)	200
					12 (3.7)	14 (4.3)	250
					14 (4.3)		300
Maine					0 (0)	8 (2.4)	150
					8 (2.4)	10 (3)	200
					10 (3)	12 (3.7)	250
					12 (3.7)		300
Maryland			0 (0)	200 (18.6)			110
			200 (18.6)	400 (37.2)			140
			400 (37.2)	600 (55.8)			165
			600 (55.8)	800 (74.4)			195
			800 (74.4)	1,000 (93)			220
			1,000 (93)	1,200 (111.6)			250
			1,200 (111.6)				300

Table II.—*Mobile Homes*—Continued

State	Miles (kilometres)		Area—square feet (square metres)		Width—feet (metres)		Allowance dollars
	More than	But not more than	More than	But not more than	More than	But not more than	
Massachusetts			0 (0)	200 (18.6)			80
			200 (18.6)	400 (37.2)			140
			400 (37.2)	600 (55.8)			200
			600 (55.8)				300
Michigan					0 (0)	8 (2.4)	145
					8 (2.4)	10 (3)	230
					10 (3)	12 (3.7)	280
					12 (3.7)		300
Minnesota [4]					0 (0)	8 (2.4)	200
					8 (2.4)		300
Mississippi			0 (0)	300 (27.9)			200
			300 (27.9)	400 (37.2)			250
			400 (37.2)				300
Missouri			0 (0)	200 (18.6)			100
			200 (18.6)	400 (37.2)			150
			400 (37.2)	600 (55.8)			200
			600 (55.8)	800 (74.4)			250
			800 (74.4)				300
Montana [4]					0 (0)	10 (3)	150
					10 (3)	12 (3.7)	200
					12 (3.7)	14 (4.3)	225
					14 (4.3)		275
Nebraska			0 (0)	400 (37.2)			100
			400 (37.2)	600 (55.8)			150
			600 (55.8)	800 (74.4)			200
			800 (74.4)	1,000 (93)			250
			1,000 (93)				300
Nevada			0 (0)	400 (37.2)			150
			400 (37.2)	500 (46.5)			200
			500 (46.5)	600 (55.8)			250
			600 (55.8)				300
New Hampshire	(*)						300
New Jersey			0 (0)	200 (18.6)			100
			200 (18.6)	400 (37.2)			150
			400 (37.2)	600 (55.8)			200
			600 (55.8)	800 (74.4)			250
			800 (74.4)				300
New Mexico [4, 5]	0 (0)	20 (32.2)			0 (0)	8.5 (2.6)	206
					8.5 (2.6)	10.5 (3.2)	279
					10.5 (3.2)	12.5 (3.8)	288
					12.5 (3.8)		300
	20 (32.2)	50 (80.5)			0 (0)	8.5 (2.6)	243
					8.5 (2.6)	10.5 (3.2)	288
					10.5 (3.2)		300
New York			0 (0)	300 (27.9)			150
			300 (27.9)	500 (46.5)			200
			500 (46.5)	700 (65.1)			250
			700 (65.1)				300
North Carolina [4, 6]					0 (0)	12 (3.7)	200
					12 (3.7)		300
North Dakota			0 (0)	200 (18.6)			125
			200 (18.6)	400 (37.2)			175
			400 (37.2)	600 (55.8)			225
			600 (55.8)	800 (74.4)			275
			800 (74.4)				300
Ohio [4]	0 (0)	10 (16)	0 (0)	320 (29.8)			130
			320 (29.8)	500 (46.5)			150
			500 (46.5)	840 (78.1)			170
			840 (78.1)	1,120 (104.2)			205
			1,120 (104.2)				250
	10 (16)	25 (40.2)	0 (0)	320 (29.8)			135
			320 (29.8)	500 (46.5)			155
			500 (46.5)	840 (78.1)			190
			840 (78.1)	1,120 (104.2)			220
			1,120 (104.2)				275
	25 (40.2)	50 (80.5)	0 (0)	320 (29.8)			145
			320 (29.8)	500 (46.5)			165
			500 (46.5)	840 (78.1)			200
			840 (78.1)	1,120 (104.2)			250
			1,120 (104.2)				300
Oklahoma					0 (0)	10 (3)	250
					10 (3)		300
Oregon			0 (0)	200 (18.6)			100
			200 (18.6)	600 (55.8)			200
			600 (55.8)				300
Pennsylvania	(*)						300
Rhode Island					0 (0)	8 (2.4)	225
					8 (2.4)	10 (3)	250
					10 (3)	12 (3.7)	275
					12 (3.7)		300
South Carolina [4]					0 (0)	10 (3)	175
					10 (3)	12 (3.7)	200
					12 (3.7)	14 (4.3)	250
					14 (4.3)		300
South Dakota	(*)						300
Tennessee [4]					0 (0)	10 (3)	100
					10 (3)		150

Table II.—*Mobile Homes*—Continued

State	Miles (kilometres)		Area—square feet (square metres)		Width—feet (metres)		Allowance dollars
	More than	But not more than	More than	But not more than	More than	But not more than	
Texas					0 (0)	8.5 (2.6)	175
					8.5 (2.6)	10.5 (3.2)	235
					10.5 (3.2)	12.5 (3.8)	270
					12.5 (3.8)		300
Utah [4]	0 (0)	10 (16)			0 (0)	8 (2.4)	140
					8 (2.4)	10 (3)	145
					10 (3)	12 (3.7)	165
					12 (3.7)		200
	10 (0)	25 (40.2)			0 (0)	8 (2.4)	145
					8 (2.4)	10 (3)	155
					10 (3)	12 (3.7)	175
					12 (3.7)		225
	25 (40.2)	50 (80.5)			0 (0)	8 (2.4)	150
					8 (2.4)	10 (3)	160
					10 (3)	12 (3.7)	190
					12 (3.7)		250
Vermont [7]	(8)						300
Virginia			0 (0)	200 (18.6)			150
			200 (18.6)	400 (37.2)			200
			400 (37.2)	600 (55.8)			250
			600 (55.8)	800 (74.4)			300
Washington	(8)						300
West Virginia			0 (0)	300 (27.9)			100
			300 (27.9)	450 (41.9)			150
			450 (41.9)	550 (51.2)			225
			550 (51.2)				300
Wisconsin					0 (0)	8 (2.4)	150
					8 (2.4)	10 (3)	200
					10 (3)	12 (3.7)	250
					12 (3.7)		300
Wyoming [4]					0 (0)	8.5 (2.6)	135
					8.5 (2.6)	10.5 (3.2)	165
					10.5 (3.2)	12.5 (3.8)	210
					12.5 (3.8)		300

[1] Width to 8' (2.4 m) Length 40' (12.2 m) $200; Length 40' (12.2 m) $300. Width over 8' (2.4 m) Length 40' (12.2 m) $300; Length 40' + (12.2 m) $300.
[2] Under 8' (2.4 m) x 40' (12.2 m)—Unskirted $150; Over 8' (2.4 m) x 40' (12.2 m)—$300.
[3] Plus $50 for expandable trailer.
[4] $300 for double trailer.
[5] Escort fee included.
[6] Personalty Only, Width—Under 10 feet (3 m), $60; 10 feet (3 m) $70; 12 feet (3.7 m) and over $100; Doubles $175.
[7] $50 for extras.
[8] All trailers.
[9] All mobile homes.

[FR Doc. 81-20712 Filed 7-15-81; 8:45 am]

BILLING CODE 4910-22-M

Research and Special Programs Administration

49 CFR Part 173

[Docket No. HM-167; Amdt. No. 173-48]

Intermodal Portable Tanks; Delay of Certain Compliance Dates

AGENCY: Materials Transportation Bureau (MTB), Research and Special Programs Administration, DOT.

ACTION: Final rule; delay of certain compliance dates.

SUMMARY: This final rule amends § 173.32a of the Hazardous Materials Regulations by extending the time for modifying, rerating and remarking as IM portable tanks those portable tanks built under DOT exemptions, in order to provide sufficient time for these designated approval agencies to develop their implementing procedures. Also, the Associate Director for HMR will issue a general notice to exemption holders of portable tanks delaying the termination date for new construction of tanks from April 30, 1981 to September 30, 1981. In addition, this final rule provides an extension from September 1, 1981, to October 1, 1981, of the notification date before which owners or manufacturers of portable tanks operating under a DOT exemption must advise the Associate Director of HMR of the reasons such tanks cannot meet the IM 101 or IM 102 specifications.

EFFECTIVE DATE: This amendment is effective July 10, 1981.

FOR FURTHER INFORMATION CONTACT: Richard C. Barlow (202-755-4906) or Joseph T. Horning (202-426-2075), Office of Hazardous Materials Regulation, Materials Transportation Bureau, Department of Transportation, 400 Seventh Street, S.W., Washington, DC 20590. Office hours are 8:00 a.m. to 4:30 p.m. Eastern Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: On January 29, 1981, the MTB published a final rule under Docket HM-167 (46 FR 9880) which authorized the use of two new packaging specifications for portable tanks. The major thrust of the rulemaking was to provide a specification packaging and a means for certifying the packaging in place of applying for and operating under an exemption. The final rule provided for the marking of certain portable tanks with IM specification identifications if they were built before May 1, 1981, under the terms of a DOT exemption.

At the time the final rule was issued, MTB anticipated a quick response from agencies who desired to become designated approval agencies. Presently, only the American Bureau of Shipping and Lloyd's Register Industrial Services have been designated as approval agencies. Several other organizations have applied for approval agency status and they may be issued authorizations in the near future. In order to provide sufficient time for these designated approval agencies to develop their implementing procedures, the Associate Director for HMR will issue a general notice to exemption holders of portable tanks affected by this rule delaying the termination date for new construction under exemptions from April 30, 1981, to

September 30, 1981. MTB believes this delay will provide portable tank manufacturers with sufficient time to obtain certification for new construction from an authorized approval agency. Additionally, MTB is extending the date for owner/manufacturer certification of portable tanks from before September 1, 1981, to before October 1, 1981.

This rulemaking is exempt from the reporting requirements of Executive Order 12291 because it is not considered "major" as defined in the order and only involves extension of the compliance dates specified in the rule issued under Docket HM-167, which is already in effect.

In consideration of the foregoing, § 173.32a is amended to read as follows:

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

In § 173.32a, the introductory text of paragraph (e) and paragraph (e)(3) are revised to read as follows:

§ 173.32a Approval of Specification IM portable tanks.

* * * * *

(e) *Approval of IM portable tank under DOT exemption.* The owner or manufacturer of an IM portable tank constructed before October 1, 1981, which is covered by the provisions of a DOT exemption, shall examine the tank and its design to determine if it meets the requirements of an IM 101 or IM 102 specification portable tank.

* * * * *

(3) If an IM portable tank covered by an exemption cannot meet the appropriate requirements specified in paragraph (e)(1) of this section, the owner or manufacturer of the portable tank shall advise the Associate Director for HMR before October 1, 1981, giving the reasons why the necessary modification cannot be made. After reviewing this notification, the Associate Director for HMR may authorize the tank to be remarked (certified) as a DOT specification IM 101 E**** or IM 102 E**** (with the asterisks replaced by the DOT exemption number).

(49 U.S.C. 1803, 1804, 1808; 49 CFR 1.53 and Appendix A to Part 1)

Note.—The Materials Transportation Bureau has determined that since these changes in compliance dates do not impose additional requirements, this document will not result in a "major rule" under the terms of Executive Order 12291, is not a significant regulation under DOT's regulatory policy and procedures (44 FR 11034), and does not require an environmental impact statement under the National Environmental Policy Act (49 U.S.C. 4321 et seq.).

Issued in Washington, DC on July 7, 1981.

L. D. Santman,

Director, Materials Transportation Bureau.

[FR Doc. 81-20580 Filed 7-15-81; 8:45 am]

BILLING CODE 4910-60-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 611

Foreign Fishing Regulations; Northwest Atlantic Ocean; Correction

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

ACTION: Final rule; Correction.

EFFECTIVE DATE: July 16, 1981.

SUMMARY: This notice corrects an oversight in a final rule published March 4, 1980 (45 FR 14045) in which two prohibited species codes were omitted. This action corrects that omission by adding species codes for the striped bass and the weakfish.

FOR FURTHER INFORMATION CONTACT: David S. Crestin, Chief, International and Oceanic Fisheries Branch, National Marine Fisheries Service, State Fish Pier, Gloucester, Massachusetts 01930, (617) 281-3600.

Date: July 13, 1981.

Robert K. Crowell,

Deputy Executive Director, National Marine Fisheries Service.

Accordingly, 50 CFR 611.9 is corrected by adding to Appendix I the following species codes, common names and scientific names:

§ 611.9 Reports and recordkeeping.

* * * * *

Appendix 1.—*Species Codes*

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

* * * * *

408	Bass, striped	*Morone saxatilis*
418	Weakfish	*Cynoscion regalis*

* * * * *

[FR Doc. 81-20681 Filed 7-15-81; 8:45 am]

BILLING CODE 3510-22-M

Proposed Rules

Federal Register
Vol. 46, No. 136
Thursday, July 16, 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.

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 701

Organization and Operation of Federal Credit Unions; Share, Share Draft and Share Certificate Accounts

AGENCY: National Credit Union Administration.

ACTION: Proposed rule.

SUMMARY: The National Credit Union Administration Board proposes to relieve certain restrictions on Federal credit union share and share certificate accounts. The Board proposes to permit Federal credit unions to (1) offer money market share accounts; (2) increase the dividend ceiling on regular share accounts; (3) establish their own premature withdrawal penalties on share certificate accounts; and (4) establish a divident rate on money market certificate of up to the higher of 25 basis points above the current 26 week Treasury bill rate or 25 basis points above an eight week moving average of the 26 week rate.

DATES: Comments on the proposal to allow a money market share certificate rate based on a moving average of the 26 week Treasury bill rate and comments on the proposal to increase the dividend ceiling on regular shares are due August 10, 1981. Comments on the proposed rules to make the premature withdrawal penalty permissive and to authorize a money market share account are due September 7, 1981.

ADDRESS: Send comments to Robert S. Monheit, Regulatory Development Coordinator, Office of General Counsel, National Credit Union Administration, 1776 G St, NW, Washington, DC, 20456.

FOR FURTHER INFORMATION CONTACT: Dan Gordon, Senior Financial Economist, Office of Policy Analysis, or Robert M. Fenner, Deputy General Counsel, at the above address, or telephone (202) 357–1090 (Mr. Gordon) or 357–1030 (Mr. Fenner).

SUPPLEMENTARY INFORMATION:

Background

At its meeting of June 29, 1981, the NCUA Board adopted certain final rules to relieve restrictions on Federal credit union share and share certificate accounts. Specifically, the Board (1) eliminated the dividend ceiling on share certificates with maturities of 4 years or more and established a schedule for the phaseout of the ceilings on certificates of shorter maturities, (2) removed the 12% "cap" on the dividend ceiling on share certificates with maturities of less than 4 years, and (3) authorized money market certificates to have maturities of 6 months or more. The final rules, which are being published separately from these proposed rules, are effective August 1, 1981, except the removal of the 12% cap, which is effective June 29, 1981. The final rules are designed to enable Federal credit unions to improve asset-liability management and pay a competitive and fair rate of return to their member-savers. The Board also determined, at its June 29 meeting, to issue for comment certain *proposed* changes to the share and share certificate rules, as set forth in this document. Any final rules that result from the proposed changes will complement the above changes and further the same goals.

Proposed Rule

The proposed changes involve (1) removal of the mandatory minimum premature withdrawal penalty; (2) an increase in the dividend ceiling on regular share accounts; (3) the authorization of a money market share account; and (4) alteration of the dividend ceiling on money market share certificates.

Withdrawal Penalties

Existing regulations require a Federal credit union to impose a penalty of at least a 90 day loss of dividends on the amount prematurely withdrawn from share certificates with maturities of less than one year, and a 180 day loss of dividends from share certificates with maturities in excess of one year. If the dividends actually earned on the amount withdrawn since the date of opening or renewal of the account are less than the 90 day or 180 day figure, than the dividends earned are the minimum penalty. In any event, stiffer penalties are permitted if properly contracted for and disclosed. The function of this requirement is to reduce the volatility of share certificate accounts.

The minimum penalty, however, imposes a control on Federal credit unions that may more properly be a management decision. Therefore, the Board requests comment on whether it should remove the requirement and permit Federal credit unions to establish penalty provisions at their own discretion. If this proposal were adopted, Federal credit unions could permit their share certificate account holders to withdraw some or all of the balances in the account prior to maturity. It is of course important to recognize that if *no* penalty provisions are established, a member would have immediate access to all or a part of the funds held in the share certificate.

Regular Share Account Dividend Ceiling

The Board proposes an increase in the ceiling rate on regular share accounts by 500 basis points. Any final change in the regular share ceiling rate may, of course, be a different amount. The Board requests comment on whether an increase would provide Federal credit unions with the opportunity to induce interest sensitive funds from higher cost, but less liquid, share certificates and other investments into regular share accounts, and whether it would encourage small savers to maintain their existing regular share accounts. The Board requests comment on the amount of increase, if any, that will best enable Federal credit unions to enhance their share flows, protect their earnings and provide a fair rate of return to regular shareholders.

Money Market Share Account

The Board also proposes to permit Federal credit unions to offer a new account with terms closely equivalent to money market funds. The money market share account (MMSA) would have no maturity nor would it have a dividend ceiling. Therefore, the yield on this account could vary in any way specified by the credit union. As proposed, the MMSA would be subject to a $10,000 minimum denomination. The Federal credit union would be authorized to permit an unlimited number of withdrawals from such an account. The credit union could, however, impose its own limits. (It may wish to impose limits

because of consequences that would otherwise follow under Regulation D; an account that is accessible by draft or debit card, or that is subject to more than three telephone or preauthorized transfers per month, is considered a "transaction account" subject to reserve requirements.) This proposed account is designed to enable credit unions to more effectively compete with money market funds and similar highly liquid, market rate investments.

As proposed, an MMSA would receive the dividend rate on regular shares when the balance in the account declined below the minimum denomination. An alternative approach would be to attempt, by regulation, to prohibit withdrawals which reduce MMSA balances below the minimum denomination. However, unless the Board imposes a mandated withdrawal penalty on this account, the member would have the option to close the MMSA when the balance declined below the minimum denomination and open a regular share account with the proceeds. Subsequently, when the balance in the regular share account reached the minimum denomination of the MMSA, the member could redeposit the funds into an MMSA. Thus, the option to permit the dividend rate on regular shares to be paid when balances decline below the minimum denomination simply avoids an administrative burden.

Money Market Share Certificate Dividend Ceiling

The Board also proposes a revision in the ceiling on money market certificates. At its meeting on June 25, 1981, the Depository Institutions Deregulation Committee (DIDC) issued a proposed rule, with a 30 day comment period, that would establish a ceiling rate on 26-week money market certificates (MMCs) equal to the greater of (1) the current 26-week Treasury bill rate plus 25 basis points (this is the present ceiling), or (2) a moving average of 26 week Treasury bill rates over the previous eight weeks plus 25 basis points. Although the DIDC's rules do not affect Federal credit unions, the NCUA Board is proposing a similar revision to its rules. The objective of this proposal is to improve the competitiveness of the MMC vis-a-vis the rates offered by money market mutual funds (MMMFs). During periods of declining money market interest rates, the quoted yield on MMMF shares is more attractive than the MMC yield since the MMMF yields tend to lag behind other market rates. Conversely, the quoted MMMF yield is less attractive than the MMC yield during periods of rising market rates.

The proposed alternative method of calculating MMC ceilings will enable Federal credit unions to remain more competitive with MMMF yields throughout the interest rate cycle. The most rapid periods of MMMF growth generally have occurred in declining rate environments when the existing assets in an MMMF's portfolio allow it to offer a yield that is as much as 300 to 500 basis points greater than current MMC rates. With the alternative methods of calculating the MMC yield, however, Federal credit unions could base the current MMC rate on an average of past Treasury bill auction rates, and thus offer yields competitive with MMMFs during periods of declining rates. In an environment of rising rates, Federal credit unions generally have a yield advantage since they are offering current market rates while existing MMMF assets lock them into lower yields for a short period of time. Since Federal credit unions would retain the option of tying MMC rates to the current Treasury bill auction, they would retain this yield advantage during periods of rising rates.

Any final action on these proposed revisions will complement other Board actions and permit a balanced approach to deregulation. Again, the proposals are intended to provide Federal credit unions an opportunity to effectively compete for member savings and obtain an efficient distribution of liabilities of various maturities. The proposals are also intended to permit Federal credit unions to establish terms consistent with the competitive requirements of the marketplace without further intervention by the NCUA Board. The Board of course welcomes comment on any alternative methods of accomplishing these objectives.

It should be understood by Federal credit unions that the Board's decision in deregulating share and share certificate accounts and in proposing other actions does not compel Federal credit unions to alter the rates, terms and conditions on which they presently offer share certificates. Instead, it is the Board's intent to permit management to make its own decisions on the appropriate terms to be offered to its membership. The Board strongly encourages management to carefully evaluate the potential effects on earnings and other aspects of the credit union's financial condition prior to altering the terms offered on share certificate accounts.

Regulatory Flexibility Act

The NCUA Board certifies that these proposed rules, if adopted, would not have a significant economic impact on a substantial number of small credit unions because the rules would increase management flexibility and enhance competitive position. Therefore, an initial flexibility analysis is not required pursuant to 5 U.S.C. 605(b).

Comment Period

The NCUA Board is providing a comment period of less than 60 days on some of the proposed changes to the existing rules since the changes would relieve regulatory burdens. In addition, a longer period is not in the public interest as it would unnecessarily delay consideration of regulatory changes to improve Federal credit union asset-liability management.

By order of the National Credit Union Administration Board on the 10th of July, 1981.

Beatrix Fields,

Acting Secretary to the Board.

§ 701.35 [Amended]

1. Section 701.35(d)(3)(i) is proposed to be revised to read:

* * * * *

(d) * * *

(3) * * *

(i) The Board of Directors may establish a penalty to be imposed for early withdrawal of principal from a share certificate account.

2. Section 701.35(e)(2) and § 701.35(f) are proposed to be removed.

3. Section 701.35(h)(1) is proposed to be revised to read as follows:

* * * * *

(h) * * *

(1) 12% on share accounts

4. Section 701.35(h)(4) is proposed to be revised to read as follows:

* * * * *

(h) * * *

(4) To the extent that (2) above would impose a lower maximum dividend rate, a Federal credit union may pay, on share certificates of $10,000 or more having a fixed term of 26 weeks or more, up to a rate equaling the higher of one quarter per cent above the rate on 26 week United States Treasury bills as most recently announced prior to the date of issuance of the certificate or one quarter percent above the average rate on 26 week Treasury bills over the eight weeks prior to the date of issuance of the certificate. In the case of a rate determined pursuant this subsection, however, compounding of dividends is not permitted and the dividend rate may be rounded off only by rounding down.

5. A new § 701.35(h)(5) is proposed to be added as follows:

* * * * *

(h) * * *

(5) On a money market share account with a minimum denomination of $10,000 or more there will be no dividend ceiling. Money market share accounts with balances below $10,000 will receive the dividend rate on regular shares.

(12 U.S.C. 1757(6), 1766(9))

[FR Doc. 81-20776 Filed 7-15-81; 8:45 am]

BILLING CODE 7535-01-M

DEPOSITORY INSTITUTIONS DEREGULATION COMMITTEE

12 CFR Part 1204

[Docket No. D—0021]

Adjustment of Interest Rates on Savings Accounts

AGENCY: Depository Institutions Deregulation Committee.

ACTION: Proposed rulemaking.

SUMMARY: The Depository Institutions Deregulation Committee ("Committee") is required to vote, by September 30, 1981, on increasing the interest rate payable on passbook savings accounts. The Committee is seeking guidance on whether to increase the passbook rate and, if so, to what level.

DATE: Comments should be received on or before August 10, 1981.

ADDRESS: Interested parties are invited to submit written data, views, or arguments concerning this matter to Gordon Eastburn, Acting Executive Secretary, Depository Institutions Deregulation Committee, Room 1054, Department of the Treasury, 15th Street and Pennsylvania Avenue, NW, Washington, D.C. 20220. All material submitted should include the Docket Number D-0021.

FOR FURTHER INFORMATION CONTACT: Allan Schott, Attorney-Advisor, Department of the Treasury (202) 566-6798; Daniel L. Rhoads, Attorney, Board of Governors of the Federal Reserve System (202) 452-3711; Rebecca H. Laird, Senior Associate Counsel, Federal Home Loan Bank Board (202) 377-6446; David Ansell, Attorney, Office of the Comptroller of Currency (202) 447-1880; Randall J. Miller, Jr., Acting Director, Office of Policy Analysis, National Credit Union Administration (202) 357-1090; and F. Douglas Birdzell, Counsel, or Kathy A. Johnson, Attorney, Federal Deposit Insurance Corporation (202) 389-4261 or 389-4384.

SUPPLEMENTARY INFORMATION: Section 205(a) of the Depository Institutions Deregulation Act of 1980, (12 U.S.C. 3504(a)) ("Act") requires the Committee to vote, by not later than September 30, 1981, on whether to raise the rates on passbook savings and similar accounts by at least one-quarter of one percentage point. At its meeting on June 25, 1981, the Committee decided to seek public comment to guide it in its deliberations. A proposal put forth at the June 25 meeting was to raise the rates on passbook savings deposits by five percentage points, thus increasing the maximum permissible rates payable by commercial banks and thrift institutions to 10¼ percent and 10½ percent, respectively. It should be emphasized that this proposal represents one of many possible options and should not be regarded as representing a consensus or commitment of the Committee.

The Committee is interested in receiving responses to the following questions:

1. Should the interest rates payable on passbook savings accounts be increased and, if so, to what level?

2. Should the rates on ATS (Automatic Transfer Service) and NOW (Negotiable Order of Withdrawal) accounts also be adjusted?

3. What would be the impact of rate adjustments, such as a five percentage point or lesser increase, with regard to the earnings and costs to depository institutions? Responses should address long run, as well as immediate effects on depository institutions.

4. Any other comments or observations on this matter that would provide guidance to the Committee.

In soliciting comments, the Committee is concerned that Congress intent to provide equitable treatment for small savers be carried forth. However, it is equally concerned that this objective be achieved with a minimum of disruption to depository institutions.

The Regulatory Flexibility Act (5 U.S.C. 601; *et. seq.*) requires the Committee to consider the impact of this action on small entities. In this regard, it is the Committee's view that the proposal would not impose any additional reporting or recordkeeping requirements. Furthermore, no alternatives to the proposal were considered because the Committee is under a statutory mandate to consider this matter. Any action taken by the Committee to adjust the rate on passbook accounts coud affect all Federally insured depository institutions. An increase in rates could be viewed as beneficial because it will enhance the capability of small depository institutions to compete for deposit funds. However, there may be some negative impact because of increased costs to depository institutions.

All comments should be received by August 10, 1981.

By order of the Committee, July 9, 1981.

Gordon Eastburn,

Acting Executive Secretary.

[FR Doc. 81-20626 Filed 7-15-81; 8:45 am]

BILLING CODE 4810-25-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Airworthiness Docket No. 81-ASW-33]

Airworthiness Directives; Societe Nationale Industrielle Aerospatiale (SNIAS) Model SA315B

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to adopt an airworthiness directive (AD) that would require repetitive inspections and replacement as necessary of certain Eastern Rotorcraft Corporation (ERC) cargo hook clevis lugs, installed on SNIAS Model SA315B helicopters, equipped with ERC cargo hook assemblies in accordance with Supplemental Type Certificate (STC) SH1735SW. The proposed AD is needed to prevent inflight failure of the cargo hook assembly which could result in release of the external load and cause the loss of the helicopter.

DATE: Comments must be received on or before August 14, 1981

ADDRESSES: Send comments on the proposal in duplicate to: Regional Counsel, Attention: Docket No. 81-ASW-33, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101.

Aerospatiale Service Information may be obtained from Technical Support Department, Aerospatiale Helicopter Corp., 2701 Forum Drive, grand Prairie, Texas 75051.

These documents may also be examined at the office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, Texas, or Rules Docket in Room 916, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Tom Dragset, Airframe Section, Engineering and Manufacturing Branch, ASW-212, Federal Aviation

Administration, P.O. Box 1689, Fort Worth, Texas 76101, telephone (817) 624–4911, extension 516.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Director before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Office of Regional Counsel, Federal Aviation Administration, Southwest Region, 4400 Blue Mound Road, Fort Worth, Texas, for examination by interested persons. A report summarizing each FAA-public contact, concerned with the substance of the proposed AD, will be filed in the docket.

There have been several reports of "H" frame support leg, P/N 12579–1, fatigue cracks and one report of the support leg failing, allowing the "H" frame and external load to separate from the helicopter. Since this condition is likely to exist or develop on other helicopters of the same type design, the proposed AD would require repetitive inspections and replacement as necessary of ERC cargo hook clevis lugs, P/N 12579–1, installed on SNIAS Model SA315B helicopters, equipped with ERC cargo hook assemblies in accordance with STC SH1735SW.

The Proposed Amendment

Accordingly, the Federal Aviation Administration proposes to amend § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) by adding the following new airworthiness directive:

Societe Nationale Industrielle Aerospatiale (SNIAS): Applies to Model SA315B helicopters, equipped with Eastern Rotorcraft Corporation (ERC) cargo hook assemblies, P/N 17112–4, Serial Numbers 1 through 103, in accordance with Supplemental Type Certificate (STC) SH1735SW, certificated in all categories (Airworthiness Docket No. 81–ASW–33).

Compliance required as indicated.

To prevent possible failure of the ERC cargo hook support legs, P/N 12579–1, due to fatigue cracks, accomplish the following, unless already accomplished, within the next 100 hours' time in service after the effective date of this AD:

a. Accomplish a magnetic particle inspection of the lugs, P/N 12579–1, for suspension assemblies, P/N 17112–4, which have accumulated 1,000 lifts or 12 calendar months of service, whichever occurs first, in accordance with Aerospatiale Helicopter Corporation Service Bulletin No. SB315–05, dated March 11, 1981, or an FAA approved equivalent.

b. If one lug is found to have cracks, remove and replace all four lugs in accordance with Aerospatiale Helicopter Corporation Service Bulletin No. SB315–04, dated January 20, 1981, or an FAA approved equivalent.

c. If no lugs are cracked, reinstall and accomplish magnetic particle inspections at intervals of 1,000 lifts or 12 calendar months, whichever ocurs first, as required by paragraph a of this AD.

d. These inspections are no longer required after compliance with Aerospatiale Helicopter Corporation Service Bulletin No. SB315–04.

e. The helicopter may be flown in accordance with FAR 21.197 to a base where inspections can be performed.

f. For the purpose of complying with this AD, subject to acceptance by the assigned FAA maintenance inspector, the number of lifts may be determined by multiplying each helicopter's hours' time in service by the operator's fleet average lifts per hour for the helicopter type.

(Sec. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended, (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c); 14 CFR 11.85)

The FAA has determined that this proposed regulation involves a regulation which is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979) and will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act since it involves a relatively low cost per aircraft. A draft evaluation has been prepared for this proposed regulation and has been placed in the docket. A copy of it may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

Issued in Fort Worth, Texas, on July 1, 1981.

C. R. Melugin, Jr.,

Director, Southwest Region.

[FR Doc. 81–20786 Filed 7–15–81; 8:45 am]

BILLING CODE: 4910–13–M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[LR–10–81]

Mortgage Subsidy Bonds; Temporary Income Tax Regulations; Cross-Reference

Correction

In FR Doc. 81–19339, appearing at page 34348 in the issue for July 1, 1981, the CFR cite in the headings which now reads "26 CFR Parts 1 and 6" should read as set forth above, "26 CFR Part 1".

BILLING CODE 1501–01–M

DEPARTMENT OF JUSTICE

Attorney General

28 CFR Part 40

[Attorney General Order No. 949–81]

Standards for Inmate Grievance Procedures

AGENCY: Department of Justice.

ACTION: Proposed rule.

SUMMARY: The "Civil Rights of Institutionalized Persons Act," Pub. L. 96–247, requires that the Attorney General promulgate minimum standards for inmate grievance procedures and establish a method of certifying such procedures. The following rule fulfills these requirements.

DATE: Comments are due on or before August 17, 1981.

ADDRESS: Comments should be sent to: Michael Pearlman, Office of General Counsel, Room 760, 320 First Street, N.W., Washington, D.C. 20534 (202–724–3062).

FOR FURTHER INFORMATION CONTACT: Michael Pearlman, Office of General Counsel, Room 760, 320 First St., N.W., Washington, D.C. 20534 (202–274–3062).

SUPPLEMENTARY INFORMATION: "The Civil Rights of Institutionalized Persons Act," Pub. L. 96–247, 94 Stat. 349 ("the Act"), grants the Attorney General authority to initiate and to intervene in civil actions against states and their political subdivisions to protect the federal rights of institutionalized persons. It also encourages the protection of constitutional rights of adults in correctional facilities by encouraging the development and implementation of administrative

mechanisms for the resolution of prisoner grievances within institutions.

The Act requires that the Attorney General develop standards sufficient for certification of the prisoner grievance mechanisms in adult correctional and detention facilities. States and their political subdivisions voluntarily may submit plans for grievance mechanisms to the Attorney General for such certification. A court may continue, for a period up to 90 days, a case filed pursuant to 42 U.S.C. 1983 by an adult confined in a correctional or detention facility in order to require that adult to exhaust administrative remedies that the Attorney General or the court determines are in substantial compliance with the standards promulgated by the Attorney General. Such continuances should only occur if the issues raised in the action pursuant to 42 U.S.C 1983 reasonably can be expected to be resolved by the grievance mechanism.

Section 7, of the Act, to be codified at 42 U.S.C. 1997e, requires that the standards for grievance mechanisms provide for an advisory role for employees and prisoners in the formulation, implementation, and operation of the mechanism; specific time limits for written replies to grievances including explanations of decisions; priority processing of emergency grievances; safeguards to prevent reprisals against grievants; and independent review of grievance decisions "by a person or other entity not under the direct supervision or direct control of the institution."

The Act also requires that the Attorney General develop a certification procedure to determine whether grievance procedures submitted to the Attorney General are in substantial compliance with the standards he has promulgated.

Proposed standards were published on November 28, 1980 (45 FR 79095). After the receipt of comments, a final rule was published on January 16, 1981 (46 FR 3843). Pursuant to the Act, the standards set forth in the final rule became effective on March 9, 1981, thirty legislative days after final publication. By Order dated March 6, 1981, however, the effective dates of those parts of the rule that established methods of certification of inmate grievance procedures and an Office of Inmate Grievance Procedure Certification (28 CFR Part 40, Subpart B), were deferred until March 30, 1981. In the same Order, the Attorney General gave notice of his intent to review and, if necessary, revise the part of the rule that became effective on March 9, 1981. Subsequently, by Order dated March 30, 1981, the Attorney General deferred until June 30, 1981 the effective dates of the parts of the rule that had been deferred until March 30, 1981.

This publication incorporates proposed changes in the standards for inmate grievance procedures. Comments will be accepted for 30 days following the date of publication.

After review of the law and regulations, the Attorney General certifies that the proposed rules, for the purpose of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), will not have a significant impact on a substantial number of small entities. Further, the Attorney General has determined that the proposed standards do not constitute a "major rule" within the meaning of Executive Order 12291.

For the reasons set forth in the preamble and under the authority of Pub. L. 96-247, 94 Stat. 349 (42 U.S.C. 1997) the Attorney General proposes to amend part 40 of Title 28, Code of Federal Regulations as follows.

Dated: June 30, 1981.

William French Smith,

Attorney General.

By revising Subpart A and by adding new Subpart B to read as follows:

PART 40—STANDARDS FOR INMATE GRIEVANCE PROCEDURES

Subpart A—Minimum Standards for Inmate Grievance Procedures

Sec.

40.1 Definitions.
40.2 Adoption of procedures.
40.3 Communication of procedures.
40.4 Accessibility.
40.5 Applicability.
40.6 Remedies.
40.7 Operation and decision.
40.8 Emergency procedure.
40.9 Reprisals.
40.10 Records-nature; confidentiality.
40.11 Evaluation.

Subpart B—Procedures for Obtaining Certification of a Grievance Procedure

40.12 Submissions by applicant.
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40.22 Notification of court.
40.23 Significance of certification.

Authority: Pub. L. 96-247, 94 Stat. 349 (42 U.S.C. 1997).

Subpart A—Minimum Standards for Inmate Grievance Procedures

§ 40.17 Definitions.

For the purposes of this part—

(a) "Act" means the Civil Rights of Institutionalized Persons Act, Pub. L. 96-247, 94 Stat. 349 (42 U.S.C. 1997).

(b) "Applicant" means a state or political subdivision of a state that submits to the Attorney General a request for certification of a grievance procedure.

(c) "Attorney General" means the Attorney General of the United States or the Attorney General's designees.

(d) "Grievance" means a written complaint by an inmate on the inmate's own behalf regarding a policy applicable within an institution, a condition in an institution, an action involving an inmate of an institution, or an incident occurring within an institution. The term "grievance" does not include a complaint relating to a parole decision.

(e) "Inmate" means an individual confined in an institution for adults, who has been convicted of a crime.

(f) "Institution" means a jail, prison, or other correctional facility, or pretrial detention facility that houses adults and is owned, operated, or managed by or provides services on behalf of a State or political subdivision of a State.

(g) "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any of the territories and possessions of the United States.

(h) "Substantial compliance" means that there is no omission of any essential part from compliance, that any omission consists only of an unimportant defect or omission, and that there has been a firm effort to comply fully with the standards.

§ 40.2 Adoption of procedures.

Each applicant seeking certification of its grievance procedure for purposes of the Act shall adopt a written grievance procedure. Inmates and employees shall be afforded an advisory role in the formulation and implementation of a grievance procedure adopted after the effective date of these regulations, and shall be afforded an advisory role in reviewing the compliance with the standards set forth herein of a grievance procedure adopted prior to the effective date of these regulations.

§ 40.3 Communication of procedures.

The written grievance procedure shall be distributed to all employees and inmates of the institution. Additionally, each inmate and employee shall, upon

arrival at the institution, receive an oral explanation of the procedure, including the opportunity to have questions regarding the procedure answered orally. The written procedure shall be available in any language spoken by a significant portion of the institution's population, and appropriate provisions shall be made for those not speaking those languages, as well as for the impaired and the handicapped.

§ 40.4 Accessibility.

Each inmate shall be entitled to invoke the grievance procedure regardless of any disciplinary, classification, or other administrative or legislative decision to which the inmate may be subject. The institution shall ensure that the procedure is accessible to impaired and handicapped inmates.

§ 40.5 Applicability.

The grievance procedure shall be applicable to a broad range of complaints and shall state specifically the types of complaints covered and excluded. At a minimun, the grievance procedure shall permit complaints by inmates regarding policies and conditions within the jurisdiction of the institution or the correctional agency that affect them personally, as well as actions by employees and inmates, and incidents occurring within the institution that affect them personally. The grievance procedure shall not be used as a disciplinary procedure.

§ 40.6 Remedies.

The grievance procedure shall afford a successful grievant a meaningful remedy. Although available remedies may vary among institutions, a reasonable range of meaningful remedies in each institution is necessary.

§ 40.7 Operation and decision.

(a) *Initiation.* The procedure for initiating a grievance shall be simple and include the use of a standard form. Necessary materials shall be freely available to all inmates and assistance shall be readily available for inmates who cannot complete the forms themselves. Forms shall not demand unnecessary technical compliance with formal structure or detail, but shall encourage a simple and straightforward statement of the inmate's grievance.

(b) *Inmate and employee participation.* The institution shall provide a role for employees and inmates in the operation of the system in such a manner as to promote the credibility and use of grievance procedure. At a minimum, some employees and inmates shall be permitted to participate in an advisory capacity in the disposition of grievances challenging general policy and practices and to review the effectiveness and credibility of the grievance procedure. In any instance in which inmates and employees are afforded an advisory role in the disposition of an individual grievance, the opportunity for such participation shall occur before the adjudication of the grievance; such participation may, however, consist of a review of those policy questions developed in the course of the grievance that are subject to inmate and employee advice, submitted without identification of any individuals. No inmate shall participate in the resolution of any other inmate's grievance over the objection of the grievant.

(c) *Investigation and consideration.* No inmate or employee who appears to be involved in the matter shall partcipate in any capacity in the resolution of the grievance.

(d) *Reasoned, written responses.* Each grievance shall be answered in writing at each level of decision and review. The response shall state the reasons for the decision reached and shall include a statement that the inmate is entitled to further review, if such is available, and shall contain simple directions for obtaining such review.

(e) *Fixed time limits.* Responses shall be made within fixed time limits at each level of decision. Time limits may vary between institutions, buy expeditious processing of grievances at each level of decision is essential to prevent grievances from becoming moot. In all instances grievances must be processed from initiation to final disposition in less than 90 days, unless the grievant agrees in writing to an extension for a fixed period. Expiration of a time limit at any stage of the process shall entitle the grievant to move to the next stage of the process, unless the grievant has agreed in writing to an extension of the time for a response.

(f) *Review.* The grievant shall be entitled to review by a person or other entity, not under the institution's supervision or control, of the disposition of all grievances, including alleged reprisals by an employee against an inmate. A request for review shall be allowed automatically without interference by administrators or employees of the institution and such review shall be conducted without influence or interference by administrators or employees of the institution.

§ 40.8 Emergency procedure.

The grievance procedure shall contain special provision for responding to grievances of an emergency nature. Emergency grievances shall be defined, at a minimum, as matters regarding which disposition according to the regular time limits would subject the inmate to a substantial risk of personal injury, or cause other serious and irreparable harm to the inmate. The grievance procedure shall state specifically the matters that will be reviewed under the emergency procedure. Emergency grievances shall be forwarded immediately, without substantive review, to the level at which corrective action can be taken. The procedure for resolving emergency grievances shall provide for expedited responses at every level of decision. The emergency procedure shall also include review by a person or entity not under the supervision or control of the institution.

§ 40.9 Reprisals.

The grievance procedure shall prohibit reprisals against inmates for their use of the procedure. "Reprisal" means any action or threat of action against an inmate based on the inmate's use of or participation in the grievance procedure. Each inmate must be given written assurance that use of or participation in the grievance mechanism will not result in formal or informal reprisal against the inmate. An inmate shall be entitled to pursue through the grievance procedure a complaint that a reprisal occurred against the inmate.

§ 40.10 Records—nature; confidentiality.

(a) *Nature.* Records regarding the filing and disposition of grievances shall be collected and maintained systematically by the institution. Such records shall be preserved for at least three years following final disposition of the grievance. At a minimum, such records shall include aggregate information regarding the numbers, types and dispositions of grievances, as well as individual records of the date of and the reasons for each disposition at each stage of the procedure.

(b) *Confidentiality.* Records regarding the participation of an individual in grievance proceedings shall not be available to staff or other inmates, except to the extent that access for clerical processing of the records is necessary. Such records shall not be available to individuals participating in parole decisions. Records of any testimony or evidence received in connection with a grievance proceeding shall not be made available to staff or other inmates, except to the extent that acccess for clerical processing is

necessary or as hereafter provided. Such records shall not be available to individuals participating in parole decisions. Consistent with ensuring confidentiality, staff who are participating in the disposition of a grievance shall have access to records essential to the resolution of the grievance.

§ 40.11 Evaluation.

The grievance procedure shall contain a plan for periodic evaluation reports, at least annually, of the performance of the grievance procedure. At a minimum, such evaluation shall report on the inmates' use of the grievance procedure, including year to year trends in inmate use of the grievance procedure, information regarding types of grievances filed, types of remedies granted, implementation of remedies, numbers and types of emergency grievances, and the average time for disposition of standard and emergency grievances. The evaluation report shall include recommendations for improvements in the grievance procedure. The evaluation report shall also contain information regarding the costs generated or saved by compliance with 42 U.S.C. 1997e. Evaluation reports shall be reviewed by a person or entity not under the supervision or control of the institution with specific reference to compliance with the standards set forth in §§ 40.2 through 40.10 of this chapter. Such evaluation and review shall be submitted promptly after their completion to the Attorney General.

Subpart B—Procedures for Obtaining Certification of a Grievance Procedure

§ 40.12 Submissions by applicant.

An application for certification shall be submitted to the Office of the Associate Attorney General, Department of Justice, Main Justice Building, Washington, D.C. 20530, and shall contain the following:

(a) *Written statement*—A written statement describing the grievance procedure, including a brief description of the institution or institutions covered by the procedure, with accompanying plans for or evidence of implementation in each institution.

(b) *Instructional materials*—A copy of the instructional materials for inmates and employees regarding use of the grievance procedure together with a description of the manner in which such materials are distributed, a description of the oral explanation of the grievance procedure, including the circumstances under which it is delivered, and a description of the training provided to employees and inmates in the skills necessary to operate the grievance procedure.

(c) *Form*—A copy of the form used by inmates to initiate a grievance and to obtain review of the disposition of a grievance.

(d) *Information regarding past performance*—For a procedure that has operated for more than one year at the time of the application, the applicant shall submit information regarding the number and types of grievances filed over the preceding year, the dispostion of the grievances with sample responses from each level of decision, the remedies granted, evidence of compliance with time limits at each level of decision, and a description of the role of inmates and employees in the formulation, implementation, and operation of the grievance procedure.

(e) *Plan for collecting information*—For a procedure that has operated for less than one year at the time of the application, the applicant shall submit a plan for collecting the information described in paragraph (d) of this section.

(f) *Assurance of confidentiality*—A description of the steps taken to ensure the confidentiality of records of individual use of or participation in the grievance procedure.

(g) *Evaluation.*—A description of the plans for periodic evaluation of the grievance procedure, including identification of the group, individuals or individual who will conduct the evaluation and identification of the person or entity not under the control or supervision of the institution who will review the evaluation, together with two copies of the most recent evaluation, if one has been performed.

(h) *Public participation*—A list of all local agencies, interested persons and groups that have received a copy of the grievance procedure submitted to the Attorney General.

§ 40.13 Notice of intent to apply for certification.

The applicant shall publish notice of its intent to request certification in the vicinity of each institution to be covered by the application. The notice shall invite comments regarding the grievance procedure and direct them to the Attorney General. A similar notice shall be posted within each institution to be covered by the appplication.

§ 40.14 Review by the Attorney General.

The Attorney General shall review and respond to each application as promptly as the circumstances, including the need for independent investigation and consideration of the comments of agencies, and interested groups and persons, permit.

§ 40.15 Conditional certification.

If, in the judgment of the Attorney General, a grievance procedure that has been in existence less than one year is at the time of application in substantial compliance with the standards promulgated herein, the Attorney General shall grant conditional certification for one year of until the applicant satisfies the requirements of section 40.16, whichever period is shorter.

§ 40.16 Full certification.

If, in the judgment of the Attorney General, a grievance procedure that has been in existence longer than one year at the time of application is in substantial compliance with the standards promulgated herein, full certification shall be granted. Such certification shall remain in effect unless and until the Attorney General finds reasonable cause to believe that the grievance procedure is no longer in substantial compliance with the minimum standards and so notifies the applicant in writing.

§ 40.17 Denial of certification.

If the Attorney General finds that the grievance procedure is not in substantial compliance with the standards promulgated herein, the Attorney General shall deny certification and inform the applicant in writing of the area or areas in which the grievance procedure or the application is deemed inadequate.

§ 40.18 Reapplication after denial of certification.

An applicant denied certification may resubmit an application for certification at any time after the inadequacy in the application or the grievance procedure is corrected.

§ 40.19 Suspension of certification.

(a) *Reasonable belief of non-compliance.* If the Attorney General has reasonable grounds to believe that a previously certified grievance procedure may no longer be in substantial compliance with the minimum standards, the Attorney General shall suspend certification. The suspension shall continue until such time as the deficiency is corrected, in which case certification shall be reinstated, or until the Attorney General determines that substantial compliance no longer exists, in which case, except as provided in paragraph (b) of this section, the Attorney General shall withdraw

certification pursuant to § 40.20 of this part.

(b) *Defect may be readily remedied; good faith effort.* If the Attorney General determines that a grievance procedure is no longer in substantial compliance with the minimum standards, but has reason to believe that the defect may be readily corrected and that good faith efforts are underway to correct it, the Attorney General may suspend certification until the grievance procedure returns to compliance with the minimum standards.

(c) *Recertification after suspension pursuant to paragrpah (a).* The Attorney General shall reinstate the certification of an applicant whose certification was suspended pursuant to paragraph (a) of this section upon a demonstration in writing by the applicant that the specific deficiency on which the suspension was based has been corrected or that the information that caused the Attorney General to suspend certification was erroneous.

(d) *Recertification after suspension prusuant to paragraph (b).* The Attorney General shall reinstate the certification of an applicant whose certification has been suspended pursuant to paragraph (b) upon a demonstration in writing that the deficiency on which the suspension was based has been corrected.

(e) *Notification in writing of suspension or reinstatement.* The Attorney General shall notify an applicant in writing that certification has been suspended or reinstated and state the reasons for the action.

§ 40.20 Withdrawal of certification.

(a) *Finding of non-compliance.* If the Attorney General finds that a grievance procedure is no longer in substantial compliance with the minimum standards, the Attorney General shall withdraw certification, unless the Attorney General concludes that suspension of certification under § 40.19(b) of this part is appropriate.

(b) *Notification in writing of withdrawal of certification.* The Attorney General shall notify an applicant in writing that certification has been withdrawn and state the reasons for the action.

(c) *Recertification after withdrawal.* An applicant whose certification has been withdrawn and who wishes to receive recertification shall submit a new application for certification.

§ 40.21 Contemplated change in certified procedure.

A proposed change in a certified procedure must be submitted to the Attorney General thirty days in advance of its proposed effective date. The Attorney General shall review such proposed change and notify the applicant in writing before the effective date of the proposed change whether such change will result in suspension or withdrawal of the certification of the grievance procedure.

§ 40.22 Notification of court.

The Attorney General shall notify in writing the Chief Judges of the United States Court of Appeals and of the United States District Court(s) within whose jurisdiction the applicant is located of the certification, suspension of certification, withdrawal of certification and recertification of the applicant's grievance procedure. The Attorney General shall also notify the court of the certification status of any grievance procedure at the request of the court or any party in an action by an adult inmate pursuant to 42 U.S.C. 1983.

§ 40.23 Significance of certification.

Certification of a grievance procedure by the Attorney General shall signify only that on the basis of the information submitted, the Attorney General believes the grievance procedure is in substantial compliance with the minimum standards. Certification shall not indicate approval of the use or application of the grievance procedure in a particular case.

[FR Doc. 81-20773 Filed 7-15-81; 8:45 am]

BILLING CODE 4410-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-10-FRL 1883-8]

Proposed Rulemaking for the State of Idaho; State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: EPA proposes to make revisions to Idaho's State Implementation Plan (SIP) which are necessary for EPA to assume a temporary role of managing the Idaho State air program. EPA proposes to: (1) revise the SIP to authorize EPA to issue pre-construction and operating permits; (2) promulgate as part of the SIP certain rules which were recently submitted to EPA by the State and to rescind certain other rules which conflict with the Clean Air Act (hereinafter, "the Act"), and (3) recognize source specific permits issued by the State pursuant to the rules proposed for promulgation by EPA.

DATE: Comments are due by August 17, 1981.

ADDRESSES: Comments should be addressed to: Laurie M. Kral, Air Programs Branch, M/S 625, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101.

Comments received on this proposal, copies of materials submitted to EPA, and proposed regulations may be examined during normal business hours at the following locations:

Central Docket Section (#10A-80-2), Environmental Protection Agency, West Tower Lobby, Gallery I, 401 M Street S.W., Washington, D.C. 20460

Air Programs Branch, M/S 625, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101

Idaho Operations Office, Environmental Protection Agency, 422 W. Washington Street, Boise, Idaho 83702

FOR FURTHER INFORMATION CONTACT: Michael J. Shultz, Coordination & Planning Section, M/S 625, Environmental Protection Agency, Region 10, 1200 Sixth Avenue, Seattle, Washington 98101, Telephone No. (206) 442-1226, FTS: 399-1226.

SUPPLEMENTARY INFORMATION: EPA proposes to promulgate as part of the Idaho SIP certain rules which are necessary to operate an air pollution control program for the State of Idaho, as well as the authority to issue certain permits associated with such a program. Additionally, EPA proposes to rescind certain rules from the approved SIP and recognize certain permits which have been issued by the State. These actions are set out in greater detail in the sections entitled "Plan Revisions" and "Other Actions"

This rulemaking is necessary because the State of Idaho no longer has the resources to run an air program. The Idaho Legislature, in its 1981 session, cut all funding for a State operated air program. Termination of the Idaho air program on June 30, 1981 (end of the State's fiscal year) was confirmed in an April 30, 1981 letter from the Administrator of the Idaho Department of Health and Welfare (IDHW), Division of Environment (DOE), to the EPA Region 10 Administrator. In this April 30, letter, the Administrator of DOE also requested EPA to operate an air pollution control program in the State of Idaho.

As a consequence of these actions, the Idaho SIP no longer conforms to the requirements of the Act since the State can no longer assure that it will have adequate personnel funding and

authority to carry out the SIP. The EPA Administrator is required by Section 110(c) of the Act to revise a SIP where it has become inadequate to comply with the requirements of the Act. This rulemaking sets out those measures which will be taken by the Administrator to revise and carry out the Idaho SIP.

I. Background

On January 15, 1980, the State of Idaho submitted extensive revisions to its SIP in response to requirements in the Act. Additional revisions were submitted on March 7, 1980, August 8, 1980, October 27, 1980, December 23, 1980, and February 5, 1981. EPA approved the transportation control plan portion of the Boise carbon monoxide attainment plan in a final rulemaking published in the **Federal Register** on October 23, 1980 (45 FR 70252). However, EPA review of the remaining revisions to the State's plan revealed numerous deficiencies. Most deficiencies were noted in those portions of the submittal relating to Part D (nonattainment plan) requirements of the Act. Because the State is no longer able to correct these deficiencies, EPA is proposing to take no action on the Part D nonattainment plans adopted by the State. Consequently, all action proposed by EPA today is for purposes of satisfying requirements of Section 110 of the Act with the exception of Section 110(a)(2)(I) which concerns Part D requirements.

It is important to note that until approvable Part D plans are in place for designated nonattainment areas in the State, the construction moratorium referred to in Sections 110(a)(2)(I) of the Act remains in effect. The moratorium applies to major new stationary sources and major modifications to existing sources in all designated nonattainment areas in the State.

II. Plan Revisions

A. Authority to issue Permits

As noted in a preceding section, EPA has been requested by IDHW to continue an air pollution program for the State of Idaho. In order to do so, it will be necessary for the Administrator in some instances to issue preconstruction and operating permits. The Administrator has been provided the authority to issue such permits by Section 110(c) of the Act. EPA proposes to promulgate as a part of the Idaho SIP the authority to issue the permits required by Sections 1–1003 and 1–1901 of the Idaho rules. EPA proposes to add to the SIP Section 1–1002.78 in order to include the Administrator of EPA or the Administrator's authorized delegate within the definition of Department, Director and Administrator as provided in the regulations.

B. Proposed Regulations

EPA is proposing to promulgate in 40 CFR Part 52 the followng regulations which, except as noted, were adopted after public hearing by the State of Idaho. Copies of these regulations are available at the locations noted in a preceding section and have been filed in the docket established for this rulemaking.

1–1002 Definitions.
1–1002.04 Air Pollution Source Permit.
1–1002.17 Certificate of Registration.
1–1002.19 Commence Construction or Modification.
1–1002.21 Construction.
1–1002.30 Equivalent Air-Dried Kraft Pulp.
1–1002.31 Existing Source.
1–1002.33 Fuel-Burning Equipment.
1–1002.34 Fugitive Dust.
1–1002.35 Hot-Mix Asphalt Plant.
1–1002.36 Incinerator.
1–1002.38 Industrial Process.
1–1002.39 Kraft Pulping.
1–1002.43 Malfunction.
1–1002.44 Modification.
1–1002.46 Multiple Chamber Incinerator.
1–1002.47 New Source.
1–1002.51 Opacity.
1–1002.52 Open Burning.
1–1002.55 Pilot Plant.
1–1002.56 Portable Hot-Mix Asphalt Plant.
1–1002.59 Process or Process Equipment.
1–1002.60 Process Weight.
1–1002.61 Process Weight Rate.
1–1002.62 Salvage Operations.
1–1002.67 Source.
1–1002.68 Source Operation.
1–1002.71 Stationary Source.
1–1002.77 Wigwam Burner.
1–1002.78 Administrator.[1]
1–1003 Registeration and Permit Procedures for Stationary Sources (except 1–1003.03(a)(3)).
1–1005 Reporting.
1–1008 Circumvention.
1–1009 Total Compliance.
1–1010 Sampling and Analytical Procedure.[2]
1–1051 Air Pollution Emergency Regulation.
1–1052 Episode Criteria.
1–1053 Public Notification.
1–1054 General Rules.
1–1055 Specific Emergency Episode Abatement Plans for Point Sources.
1–1151 Rules for Control of Open Burning.
1–1152 General Restrictions.
1–1153 Categories of Allowable Burning.
1–1201 Visible Emissions.
1–1203 General Restrictions on Visible Emissions From Wigwam Burners.
1–1251 Rules for Control of Fugitive Dust.
1–1252 General Rules.
1–1301 Fuel Burning Equipment—Particulate Matter.
1–1329 Particulate Matter—New Equipment Process Weight Limitations.
1–1330 Particulate Matter—Existing Equipment Process Weight Limitations.
1–1351 Rules for Sulfur Content of Fuels.
1–1352 Definitions as Used in this Regulation.
1–1353 Residual Fuel Oils.
1–1354 Distillate Fuel Oil.
1–1355 Coal.
1–1501 Rules for Control of Incinerators.
1–1502 Emission Limits.
1–1503 Design Standards.
1–1504 Exceptions.
1–1601 Rules for Control of Hot-Mix Asphalt Plants.
1–1602 Emission Limits.
1–1604 Multiple Stacks.
1–1605 Fugitive Dust Control.
1–1651 Rules for Control of Kraft Pulping Mills.
1–1652 Statement of Policy.
1–1653 General Rules.
1–1657 Recovery Furnace Particulate Standards.
1–1658 Lime Kiln Standards.
1–1659 Smelt Tank Standards.
1–1662 Exceptions.
1–1901 Rules for Air Pollution Source Permits.
1–1902 Procedure for Issuing Permits.
1–1903 Additional Limitations.

C. Regulations Which Are Proposed for Rescission From the Approved SIP

EPA is proposing for the reasons stated below to rescind the following regulations from the SIP:

Regulation A, Section 2, Q—Emission Standard—Definition. The definition is not consistent with Section 302(k) of the Act in that it does not restrict emissions "on a continuous basis," thereby permitting the use of supplementary control systems (SCS).

Regulation A, Section 2, A—Ambient Air Quality Standards (General)—This provision conflicts with the definition of ambient air found at 40 CFR 50.1.

Regulation A, Section 6—Scheduled Maintenance (shutdown)—This provision is inconsistent with the criteria set out in 42 FR 21472 (April 27, 1977). EPA will utilize these Federal Register criteria in determining compliance with emission standards.

III. Other Actions—Permits

IDHW has issued permits pursuant to Section 1–1003 ("Registration and Permit Procedures for Stationary Sources," hereinafter" "pre-construction permits.") and Section 1–1901 ("Rules for Air Pollution Source Permits," hereinafter "operating permits"). All State issued pre-construction permits will continue to be recognized by EPA. In addition, a number of the operating permits issued by the State were submitted for EPA approval along with the State's SIP submittal. EPA will interpret all

[1] EPA proposes to add this provision in order to allow the EPA Administrator to act for the Director of the Department of Health and Welfare where called for in the regulations proposed for federal promulgation.

[2] EPA proposes to change this provision to rely on those procedures found in 40 CFR Part 60.

operating permits in a fashion consistent with State intent as expressed in the "General Provisions" section of each permit. In other words, the applicable requirements of the regulations which are not specifically addressed in a permit will continue to apply to the permitted source.

Barring evidence that an operating permit will result in violation of applicable air quality standards or other requirements of the Act, all operating permits issued pursuant to the State regulation proposed for promulgation by EPA will remain in effect until they expire. EPA will examine at that time the terms of each permit in view of the applicable requirements.

Call for Comments

Interested parties are invited to comment on all aspects of this proposed rulemaking. Comments will be included in the docket that has been established pursuant to Section 307(d) of the Act. Comments should be submitted, preferably in triplicate, to the address listed in the front of this notice. Public comments received by August 17, 1981 will be considered by EPA in its final decision on whether to promulgate the proposed revision.

Pursuant to the provisions of 5 U.S.C. Section 605(b) the Administrator must certify that the promulgation of a SIP revision pursuant to Section 110 will not have a significant economic impact on a substantial number of small entities. This action allows EPA to implement certain aspects of the State's air program. As such it creates no new requirements which are not already contained in state law. Accordingly, I hereby certify that the proposed rule (if promulgated) will not have a significant economic impact on a substantial number of small entities.

Under Executive Order 12291, EPA must judge whether or not a regulation is "major" and therefore subject to the requirement of regulatory impact analysis. This regulation is not judged to be major, since it is merely a promulgation of action taken by the State, and as such, establishes equivalent requirements and no new burdens on the regulated community.

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

(Sections 110, 307 of the Clean Air Act (42 U.S.C. 7410, 7607))

Dated: July 8, 1981.

Anne M. Gorsuch,

Administrotor.

[FR Doc. 81-20865 Filed 7-15-81; 8:45 am]

BILLING CODE 6560-38-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 2

[Docket No. 80-739]

Frequency Allocations and Radio Treaty Matters; General Rules and Regulations

AGENCY: Federal Communications Commission.

ACTION: Announcement of correction to the Second Notice of Inquiry.

SUMMARY: This document announces the correction of an error made in printing the Proposed and Existing Frequency Allocation Tables in Appendix A of the Second Notice of Inquiry regarding frequency allocations and radio treaty matters, the text of which was not printed in the **Federal Register** due to publication costs. However, a public notice as printed on June 17, 1981 (46 FR 31693).

ADDRESS: Interested parties may obtain a copy of both the Notice of Inquiry and the errata through the FCC Press Office, Room 202, 1919 M Street, NW., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Mr. Fred Thomas, Office of Science and Technology, 1919 "M" Street, NW., Washington, D.C. 20554, (202) 653-8171.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 81-20860 Filed 7-15-81; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Parts 2, 21, 87 and 90

[Gen. Docket No. 79-188; RM-3247]

Amendment of the Commission's Rules To Allocate Spectrum for, and To Establish Other Rules and Policies Pertaining to, the Use of Radio in Digital Termination Systems for the Provision of Digital Communications Services; Order Extending Time for Filing Replies to Oppositions to Petitions for Reconsideration

AGENCY: Federal Communications Commission.

ACTION: Extension of time for filing replies to opposition to petitions for reconsideration of final rule.

SUMMARY: the Commission extends the date for filing replies to oppositions to the petitions for reconsideration of the first Report and Order in docket 79-188 allocating spectrum for Digital Termination systems and establishing the Digital Electronic Message Service using DTS. The extension is granted pursuant to a request, and affords additional time to analyze certain technical issues.

DATES: Replies to oppositions to the petitions for reconsideration shall be filed on or before August 7, 1981.

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

FOR FURTHER INFORMATION CONTACT: J. Bertron Withers, Jr., Policy and Management Staff, Office of Science and Technology, Room 7002 (202) 653-8100.

In the matter of amendment of Parts 2, 21, 87 and 90 of the Commission's rules to allocate spectrum for, and to establish other rules and policies pertaining to, the Use of Radio in Digital Termination Systems for the Provision of Digital Communications Services, General Docket No. 79-188, Rm-3247.

Adopted: July 8, 1981.

Released: July 9, 1981.

1. On July 2, 1981 the Local Digital Distribution Company ("LDD"), by its attorneys, pursuant to § 1.46 of the Commission's Rules and Regulations, 47 CFR 1.46, filed a request to extend the time for filing replies to August 7, 1981 to oppositions to Petitions for Reconsideration in the above-captioned matter (46 FR 30391; 6-8-81)[1]. Replies to such oppositions are currently due on or before July 9, 1981, pursuant to §§ 1.429(g), 1.4(i), and 1.4(g).

2. LDD cites NASA's Opposition to LDD's Petition for Reconsideration as evidence of NASA's desire to arrive at a mutually satisfactory set of technical parameters to accommodate the operation of passive environmental sensors and of digital termination systems (DTS). Accordingly, contends LDD, additional time is required to explore the various technical issues that must be resolved before such accommodation can be reached. LDD states that a grant of additional time would serve the public interest by allowing LDD greater opportunity to fully explore technical alternatives, which in turn would assure an efficient use of Commission resources.

3. We recognize that the set of issues raised by LDD is rather complex and requires detailed technical analyses for the Commission to adequately respond

[1] Editorial note: The petition for reconsideration was submitted for publication in the Notices section of the **Federal Register.**

to those issues. In this regard, it is particularly noteworthy that NASA and LDD both appear ready and willing to work towards development of a mutually satisfactory set of technical parameters that would allow passive sensors and DTS to share the frequencies between 10.6 and 10.68 GHz. Granting the extension of approximately one month would allow time for meaningful discussions between NASA and LDD (and other interested parties like Satellite Business Systems which also filed an Opposition dealing with the same technical issues LDD addressed). Any resolution that comes out of these discussions would be in the public interest, and aid the Commission in the allocation of its limited resources.

4. We note approvingly that LDD in its request (and also in its Petition for Reconsideration) recommends that acceptance of license applications not be delayed. We wish to avoid as well, however, any delays in filing DTS applications that may ensue because of the unresolved technical issues raised in the petitions for reconsideration. Further, we perceive that no party will be adversely impacted by a grant of the extension of time. Having received no objections in this matter, the request for extension of time to August 7, 1981 on or before which replies must be filed to the petition for reconsideration is granted.

5. Therefore, it is ordered, pursuant to § 0.241(d) of the Commission's rules and regulations, THAT the date for filing replies to the Oppositions to the First Report and Order in the above-captioned proceeding is extended for a period of 29 days from July 9, 1981. Therefore, replies to Oppositions must now be filed on or before August 7, 1981.

Federal Communications Commission.

S. J. Lukasik,

Chief Scientist.

[FR Doc. 81-20807 Filed 7-15-81; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket 74-14; Notice 23]

Federal Motor Vehicle Safety Standards; Occupant Crash Protection

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of public hearing.

SUMMARY: The purpose of this notice is to announce that the National Highway Traffic Safety Administration will hold a public hearing on August 5, 1981, concerning the automatic restraint requirements of Safety Standard No. 208, *Occupant Crash Protection.* On April 9, 1981, the Secretary of Transportation published a notice of proposed rulemaking seeking comment on a series of alternative amendments to the existing automatic restraint requirements (46 FR 21205). The comment closing date for that proposal was May 26, 1981. Comments submitted in response to this proposal include specific requests for an opportunity to present further information and oral testimony. The Administrator has determined that it is in the public interest to allow interested persons an opportunity to present further factual information and statements concerning the issues raised in the notice of proposed rulemaking, prior to final decision. Participants at the the public hearing announced hereby will be allowed to make written and/or oral statements or supplement previous comments.

DATE: The public hearing will be held August 5, 1981.

ADDRESS: The public hearing will be held at the Departmental Auditorium, Constitution Avenue between 12th and 14th Streets, N.W., Washington, D.C. The hearing schedule will be from 9:00 a.m. to 12:00 p.m. and from 1:30 p.m. to 5:00 p.m.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Nelson, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590 (202-426-2264).

SUPPLEMENTARY INFORMATION: The April 9, 1981, notice of proposed rulemaking to amend the automatic restraint requirements of Safety Standard No. 208 included three major proposed alternatives:

I. That the sequence of compliance with the automatic restraint requirements be changed so that small cars would be required to comply on September 1, 1982, mid-size cars on September 1, 1983, and large cars on September 1, 1984;

II. That all car sizes would be required to comply with the automatic restraint requirements on March 1, 1983; and

III. That the automatic restraint requirements of Safety Standard 208 be rescinded entirely.

In addition, the Department proposed that, under both the first and second alternatives, the automatic restraint requirements be amended so that such restraints would not be required in the front center seating position.

Written submissions received by the NHTSA in response to this notice of proposed rulemaking were extremely diverse, and ranged from comments in total support of automatic restraint systems to comments adamantly opposed to any mandatory requirements for automatic restraints.

The issue of mandatory automatic restraints has been debated in NHTSA rulemaking proceedings and at public hearings on this same subject for the several years since the standard was first issued in 1977. The agency calls particular attention to the previous Notices published on June 14, 1976 (41 FR 24070) and March 24, 1977 (42 FR 15935) and urges that persons making presentations at this time seek to present information and argumentation which have not been discussed or made available previously. In addition, the agency notes that some comments to date contain little factual material or data, and consist largely of conclusionary assertions. The agency is interested in obtaining all available supplemental information and substantiating data for the full range of opinions expressed in response to the notice of proposed rulemaking.

The agency at this time intends to limit the hearing to one day, but reserves the right to continue the hearing on August 6, 1981, if necessary. If this occurs, persons scheduled to make presentations will be notified in advance.

The presiding officials reserve the right to ask questions of all persons making presentations. No opportunity will, however, be afforded for parties to question other participants.

Persons wishing to make oral presentations at the public hearing should contact Mr. Nelson by July 24, 1981, so that time limitations (if necessary) and the need for any special equipment, such as projectors, can be discussed and final arrangements can be made. A general outline of each planned oral presentation should also be submitted to Mr. Nelson by that date. Persons whose presentations will include slides, motion pictures, or other visual aids should submit copies of them for the record at this meeting.

Persons making oral presentations are requested but not required to submit 25 written copies of the full text of their presentation to Robert Nelson not later than the beginning of the hearing on August 5, 1981. Persons who wish to make a written but not an oral presentation should submit their written comments by the close of business on August 7, 1981. Copies of all written statements will be placed in Docket 74-

14; Notice 22 of the NHTSA Docket Section in Room 5109, Nassif Building, 400 Seventh Street, S.W., Washington, D.C. (20590) (Docket hours: 8 a.m. until 4 p.m.). A verbatim transcript of the public hearing will be prepared and also placed in the NHTSA docket as soon as possible after the hearing. A schedule of the persons making oral presentations at the hearing will be available at the Departmental Auditorium on the morning of August 5, 1981.

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

Issued on July 9, 1981.

Raymond A. Peck, Jr.,

Administrator.

FR Doc. 81-20549 Filed 7-9-81; 3:48 pm]

BILLING CODE 4910-59-M

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 70-7; Notice 10]

Fields of Direct View

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Termination of rulemaking.

SUMMARY: This notice terminates the portion of the agency's November 6, 1978, rulemaking on Standard No. 128, *Fields of Direct View,* that proposed requirements for trucks, buses, and multipurpose passenger vehicles. The agency has determined that the relatively small safety benefits associated with the proposal are substantially outweighed by the consumer and manufacturer costs imposed by the standard

DATE: The date of the termination is July 16, 1981.

FOR FURTHER INFORMATION CONTACT: Charles Kaehn, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590 (202-426-1351)

SUPPLEMENTARY INFORMATION: On November 6, 1978 (43 FR 51677), the agency issued a notice proposing a new Federal motor vehicle safety standard, Standard No. 128, Fields of Direct View. The notice, which applied to passenger cars, trucks, buses and multipurpose passenger vehicles (MPV's), proposed limits on the maximum permissible size of obstructions in the field of view of the driver, a minimum field of view for the driver through the windshield and light transmittance requirements for the windshield.

On January 2, 1981 (46 FR 40), the agency issued a final rule establishing field of direct view requirements of passenger cars. In response to nine petitions for reconsideration, the agency has announced its intention to revoke that rule because the relatively small safety benefits of the standard are far outweighed by the costs imposed on manufacturers and consumers (46 FR 21203, April 9, 1981).

The comments submitted on the proposed rule for trucks, buses, and MPV's indicated that the cost of the rule for those vehicles would be far greater than for passenger cars. For example, all the school bus manufacturers said that they would have to redesign completely the front end of conventional school buses to meet the proposed ground target requirements. Final-stage vehicle manufacturers, many of which are small businesses, said that the cost of compliance would be excessive since they produce, in low volumes, vehicles with a great variety of cab and seating configurations that would be affected by the proposed standard.

The information provided in response to the notice also raised questions about the possible benefits of the rule and the appropriateness of the proposed requirements for trucks, buses, and MPV's. After reviewing that information, the agency has concluded that the potential costs associated with the proposed requirements far outweigh the uncertain safety benefits of the proposal. In addition, the agency has concluded that additional research would be necessary for the agency to identify appropriate performance requirements for trucks, buses, and MPV's. The agency is therefore terminating this proposed rulemaking action.

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

Issued: July 7, 1981.

Michael M. Finkelstein,

Associate Administrator for Rulemaking.

[FR Doc. 81-20548 Filed 7-15-81; 8:45 am]

BILLING CODE 4910-59-M

Notices

Federal Register
Vol. 46, No. 136
Thursday, July 16, 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.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Agreement Regarding the Proposed Crude Oil Pipeline of the Northern Tier Pipeline Company

AGENCY: Advisory Council on Historic Preservation.

ACTION: Notice.

SUMMARY: This notice provides information about and invites comments on a proposed Programmatic Memorandum of Agreement providing for the identification and protection of historic and cultural properties that may be affected by the Northern Tier Pipeline project.

DATE: Comments must be submitted on or before August 17, 1981.

ADDRESS: Executive Director, Advisory Council on Historic Preservation, 1522 K Street, NW., Washington, D.C. 20005.

FOR FURTHER INFORMATION CONTACT: Dr. Thomas F. King, Director, Office of Cultural Resource Preservation, Advisory Council on Historic Preservation, 1522 K Street, NW., Washington, D.C. 20005. Telephone: 202–254–3974.

SUPPLEMENTARY INFORMATION: The Council proposes to execute a Programmatic Memorandum of Agreement pursuant to Section 800.8 of its regulations, "Protection of Historic and Cultural Properties" (36 CFR Part 800), with the Department of the Interior, Bureau of Land Management, and the State Historic Preservation Officers of the States of Washington, Idaho, Montana, North Dakota, and Minnesota, regarding the Northern Tier Pipeline project. The Bureau of Land Management is the lead Federal agency for this project and is responsible for complying with Section 106 of the National Historic Preservation Act by ensuring that historic and cultural properties are identified and considered in accordance with 36 CFR Part 800. The Bureau of Land Management has requested that the Council execute a Programmatic Memorandum of Agreement on the grounds that the magnitude of the project, the number of States and agencies involved, and the repetitious nature of the project's impact on cultural properties make impractical compliance with Section 106 by the non-programmatic means set out in 36 CFR Section 800.4. The proposed Programmatic Memorandum of Agreement will provide for cultural properties by requiring advance planning which will identify anticipated types of properties and, for each type, establish a management strategy. The intent of this advance planning is to reduce the time needed to develop managment strategies as properties are encountered during construction, thus expediting the pipeline project. Copies of the proposed Programmatic Memorandum of Agreement are available from the Council. Interested parties are encouraged to obtain a copy and submit comments.

Dated: July 10, 1981.

Robert R. Garvey, Jr.,

Executive Director.

[FR Doc. 81-20858 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-10-M

DEPARTMENT OF AGRICULTURE

Federal Grain Inspection Service

Establishment of Committee

Congress is currently considering legislation to amend the Untied States Grain Standards Act, as amended (7 U.S.C. 71 *et seq.*) (Act), to provide that the Secretary of Agriculture establish an advisory committee to provide advice to the Administrator of the Federal Grain Inspection Service with respect to the efficient and economical implementation of the Act. The advisory committee would consist of not more than twelve members representing the interests of all segments of the grain industry and would be governed by the provisions of the Federal Advisory Committee Act. Members of the advisory committee would serve without compensation except that members will, while away from their homes or regular places of business in the performance of service, be allowed travel expenses, including per diem in lieu of subsistence, as authorized under § 5703 of Title 5, United States Code.

With the assumption that the amendment will be enacted by Congress and will require that members of the advisory committee be appointed not later than 30 days after the date of enactment, arrangements need to be made to establish the committee. Persons interested in serving on this advisory committee or wishing to submit names of individuals to be considered for appointment on the advisory committee should contact, in writing, Kenneth A. Gilles, Administrator, FGIS, U.S. Department of Agriculture, Washington, D.C. 20250, not later than August 3, 1981, and furnish the following information: Name, home address, employer, occupation and title, and major source of income.

The final selection of committee members will be made by the Secretary.

Dated: July 13, 1981.

Kenneth A. Gilles,

Administrator.

[FR Doc. 81-20870 Filed 7-15-81; 8:45 am]

BILLING CODE 3410-02-M

Forest Service

Colorado Hill-Zaca Silver Mine, Toiyabe National Forest, Alpine County, Calif.; Intent To Conduct Environmental Assessment Pursuant To Possible Preparation of an Environmental Impact Statement

Pursuant to the National Environmental Policy Act of 1969, the USDA Forest Service has initiated an environmental assessment for a proposed Colorado Hill-Zaca silver mine on the Carson City Ranger District of the Toiyabe National Forest near Markleeville, Alpine County, California. Because of uncertainties concerning the need of an environmental impact statement (EIS) for the proposed project, notice is being filed at this time to inform other Federal agencies and as a part of the A–95 process. In the event the environmental assessment results in a finding of no significant impact and an EIS is not needed, a "cancellation notice" will be issued.

The proposed project is located within an area which has a history of mining activity. The Forest Service prepared a land management plan and EIS in 1974 which acknowledged the probability of

mining in this area of the National Forest. Under the General Mining Law of 1872, California Silver, Inc. has a legal right to mine subject to reasonable environmental controls. California Silver, Inc. has submitted to the Forest Service a conceptual mine development plan and notice of intention to operate. Copies of the plan and notice are available for review at the Toiyabe Supervisor's Office, 111 North Virginia Street, Reno, Nevada.

Scoping of the assessment and development of a preliminary plan for the project are currently ongoing. Meetings with various Federal, State and local officials, as well as with interdisciplinary teams, have been conducted for purposes of preliminary identification of issues, concerns, and alternatives. Input from public meetings prior to this data will become part of the public participation record. Additional meetings are planned with state and county officials. A "briefing statement" is being mailed to potentially interested or affected publics. Formal public hearings required by the state will be conducted during or before December 1981.

Some preliminary issues identified are socio-economics, visual management, cultural resources, water quality, noise, public safety, engineering and structural designs. Alternatives involve mining methods, mill site locations and processes, tailings pond locations, service and haul roads, and water and power sources. Copies of "briefing information" are available from the Toiyabe National Forest headquarters or Carson City Ranger District.

Intentions are to complete joint Federal and State of California environmental documents (environmental assessment (EA) as required by NEPA and environmental impact report (EIR) as required by the California Environmental Protection Act) which will be available for review during or before January 1982. The earliest date for startup of the mining operation is late 1982.

The responsible official is Frank J. Ferrarelli, Forest Supervisor, Toiyabe National Forest, Reno, Nevada, 89501.

Written comments and suggestions concerning this analysis should be sent to:

Forest Supervisor, Toiyabe National Forest, 111 No. Virginia St., Room 601, Reno, NV 89501, (702) 784–5331

District Ranger, Carson City R.S., 1536 S. Carson St., Carson City, Nevada, 89301, (702) 882–2766

County Planner, Alpine County, P.O. Box 103, Markleeville, CA 96120, (916) 694–2255.

Additional information may also be obtained from the above offices.

Dated: July 9, 1981.

Frank J. Ferrarelli,

Forest Supervisor.

[FR Doc. 81–20832 Filed 7–15–81; 8:45 am]

BILLING CODE 3410–11–M

Office of the Secretary

Federal Crop Insurance Corporation; Organization, Functions, and Delegations of Authority

SUMMARY: This notice amends the Organization, Functions, and Delegations of Authority of the Federal Crop Insurance Corporation appearing in 41 FR 28332 *et seq.*, July 9, 1976, by changing the position titles of the Manager and Deputy Manager to Chairman of the Corporation and President, respectively, and by conforming the structure of the Board of Directors to reflect changes made in the membership thereof by the Federal Crop Insurance Act of 1980, Pub. L. 96–365

EFFECTIVE DATE: July 16, 1981.

FOR FURTHER INFORMATION CONTACT: Peter F. Cole, Secretary, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, D.C., 20250, telephone 202–447–3325.

SUPPLEMENTARY INFORMATION: The Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*), was amended by the Federal Crop Insurance Act of 1980 to increase the Board of Directors of the Federal Crop Insurance Corporation from five to seven members. It is necessary to amend the Organization, Functions, and Delegations of Authority notice of the Federal Crop Insurance Corporation to reflect this change. In addition, the Corporation is presently undergoing a reorganization, part of which is to change the position titles of the Manager and Deputy Manager to Chairman of the Corporation and President, respectively. In order to provide for the proper delegations of authority within the Corporation, it is necessry to designate the positions of Chairman of the Corporation and President immediately. When the planned reorganization of the Corporation is completed, a new notice will be issued to incorporate these changes and to correctly reflect the structure of the Corporation and the delegations of authority.

Wayne A. Fletcher, Acting Manager of the Federal Crop Insurance Corporation, has determined that this notice is not a major rule as defined by Executive Order No. 12291, and is exempt from the provisions of the Order as a regulation related to agency management.

The notice of Organization, Functions, and Delegations of Authority of the Federal Crop Insurance Corporation appearing in 41 FR 23443 *et seq.*, June 10, 1976, was published inadvertently, and is hereby repealed.

Accordingly, the Organization, Functions, and Delegations of Authority of the Federal Crop Insurance Corporation appearing in 41 FR 28332 *et seq.*, July 9, 1976, is hereby amended as follows:

1. Subpart A is amended to read as follows:

Subpart A—Organization

* * * * *

Sec. 3. *Management.* The management of the Federal Crop Insurance Corporation is vested in the Board of Directors, subject to the general supervision of the Secretary of Agriculture. The Chairman of the Corporation is its chief executive officer, appointed by and holding office at the pleasure of the Secretary of Agriculture. Under the general supervision of the Board of Directors, the Chairman of the Corporation is responsible for the general supervison and direction of all activities of the Corporation.

Sec. 4. *Board of Directors.* The Federal Crop Insurance Act, as amended, provides that the Board of Directors shall consist of the manager of the Corporation (herein called the Chairman of the Corporation), the Under Secretary of Agriculture for International Affairs and Commodity Programs, the Under Secretary of Agriculture for Small Community and Rural Development, one person experienced in the crop insurance business who is not otherwise employed by the Federal Government, and three active farmers who are not otherwise employed by the Federal Government and who are policyholders. The Board is appointed by and holds office at the pleasure of the Secretary of Agriculture.

Sec. 5. *Offices of the Corporation.* The principal office of the Federal Crop Insurance Corporation is composed of the Office of the Chairman of the Corporation and various division and staff offices. The Office of the Chairman of the Corporation and other components of the principal office are located in Washington, D.C., 20250 (in the South Agriculture Building of the U.S. Department of Agriculture) except that the National Service Office and the Actuarial Division are located at Kansas City, Missouri, 64141.

(1) *Office of the Chairman of the Corporation.* The Office of Chairman of the Corporation is composed of the Chairman and immediate staff, including

a President. Within established policies and regulations, the Chairman of the Corporation is responsible for the executive direction, coordination, and control of the Corporation's programs and activities, the determination of goals and objectives, and the approval of plans, methods and procedures proposed or used.

* * * * *

2. Subpart A, Section 6, is amended by deleting the word "Manager" in the first sentence, sixth line, and substituting the words "Chairman of the Corporation".

3. Subpart C, Section 8, is amended by deleting the word "Manager" in the first and second sentences, ninth and tenth lines, and substituting the words "Chairman of the Corporation" in both instances.

4. Subpart C, Section 8(a), is amended by deleting the word "Manager" in the ninth line and substituting the words "Chairman of the Corporation".

Peter F. Cole,

Secretary, Federal Crop Insurance Corporation.

Approved for the Federal Crop Insurance Corporation:

Dated: July 9, 1981.

Seeley G. Lodwick,

Under Secretary for International Affairs and Commodity Programs.

Dated: July 10, 1981.

Approved:

John R. Block

Secretary of Agriculture.

[FR Doc. 81-20778 Filed 7-15-81; 8:45 am]

BILLING CODE 3410-08-M

Soil Conservation Service

Caney Creek Watershed, Tex.; Finding of No Significant Impact

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of Finding of No Significant Impact.

FOR FURTHER INFORMATION CONTACT: Mr. George C. Marks, State Conservationist, Soil Conservation Service, 101 South Main Street, Temple, Texas 76501, telephone (817) 774-1214.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Caney Creek Watershed, Fannin and Grayson Counties, Texas.

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

The measure concerns a plan for providing watershed protection and flood prevention by the installation of three planned floodwater retarding structures within the Caney Creek Watershed.

The Notice of Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting George C. Marks. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until 30 days after the date of this publication in the **Federal Register.**

Dated: June 30, 1981.

Joseph W. Haas,

Deputy Chief for Natural Resource Projects.

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention Program. Office of Management and Budget Circular A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects is applicable)

[FR Doc. 81-20781 Filed 7-15-81; 8:45 am]

BILLING CODE 3410-16-M

Chapman's Pond R.C. & D. Measure, Conn.; Finding of No Significant Impact

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of a Finding of No Significant Impact.

FOR FURTHER INFORMATION CONTACT: Mr. Philip H. Christensen, State Conservationist, Soil Conservation Service, Route 44A, Mansfield Professional Park, Storrs, Connecticut 06268, telephone 203-429-9361.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Chapman's Pond R.C. & D. Measure, Middlesex County, Connecticut.

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

The measure concerns a plan to acquire 345 acres for a public water based fish and wildlife development, the land purchase includes 280 acres of upland woodlands for watershed protection and habitat preeservation, and 65 acres of wetlands, surrounding a 60 acre pond (Chapman's Pond). The Nature Conservancy will manage the area for use as a fish and wildlife refuge, area of botanic study, and passive recreation.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Philip H. Christensen, The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until 30 days after the date of this publication in the **Federal Register.**

Dated: July 1, 1981.

Joseph W. Haas,

Deputy Chief for Natural Resource Projects.

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

[FR Doc. 81-20785 Filed 7-15-81; 8:45 am]

BILLING CODE 3410-16-M

Cub Creek Water Based Recreation Development R.C. & D. Measure, Nebr.; Finding of No Significant Impact

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of a Finding of No Significant Impact.

FOR FURTHER INFORMATION CONTACT:
Mr. Albert E. Sullivan, State Conservationist, Soil Conservation Service, Federal Building, Room 345, 100 Centennial Mall N., P.O. Box 82502, Lincoln, Nebraska 68501, telephone 402–471–5300.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Cub Creek Water Based Recreation Development RC&D Measure, Keya Paha County, Nebraska.

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

The measure concerns a plan for water based recreation. The planned works of improvement include tree planting, swimming beach development, picnic shelters, picnic tables, access roads, parking areas, hiking trails, campsites, and playground facilities.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Albert E. Sullivan. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until 30 days after the date of this publication in the **Federal Register.**

Dated: July 1, 1981.

Joseph W. Haas,

Deputy Chief for Natural Resource Projects.

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

[FR Doc. 81–20784 Filed 7–15–81; 8:45 am]

BILLING CODE 3410–16–M

Hoopersville Road; Critical Area Treatment R.C. & D. Measure, Md.; Finding of No Significant Impact

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of a Finding of No Significant Impact.

FOR FURTHER INFORMATION CONTACT:
Mr. Gerald R. Calhoun, State Conservationist, Soil Conservation Service, 4321 Hartwick Road, College Park, Maryland.

NOTICE: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Hoopersville Road Critical Area Treatment RC&D Measure, Dorchester County, Maryland.

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

The measure concerns a plan for critical area treatment in an area adjacent to Hoopersville Road on the Chesapeake Bay. The planned works of improvement include 300 feet of rock riprap and critical area seeding.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Gerald R. Calhoun. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until 30 days after the date of this publication in the **Federal Register.**

Dated: July 2, 1981.

Joseph W. Haas,

Deputy Chief for Natural Resources Projects.

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

[FR Doc. 81–20783 Filed 7–15–81; 8:45 am]

BILLING CODE 3410–16–M

Lake Mitchell Public Water-Based Recreation R.C. & D. Measure, S. Dak.; Finding of No Significant Impact

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of a Finding of No Significant Impact.

FOR FURTHER INFORMATION CONTACT:
Mr. Robert D. Swenson, State Conservationist, Soil Conservation Service, 200 Fourth Street, S.W., Huron, South Dakota 57350, telephone 605–352–8651, extension 333.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Lake Mitchell Public Water-Based Recreation RC&D Measure, Davidson County, South Dakota.

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

The measure concerns works of improvement in three general categories at 22 sites adjacent to Lake Mitchell. One involves the preparation of sites and the placement of properly designed basic facilities for outdoor recreation. These basic facilities include such items as group shelters, vault toilets, picnic tables, grills, camp pads, water hydrants, playground equipment, walks and trails, boat docks, a boat ramp, swimming beach areas, a bathhouse, signs, and facilities providing mobility and recreation opportunities for the handicapped.

The second category involves treatments and developments designed to protect the soil, plant, and water resources. These involve traffic control gates, fencing, parking lots, access roads and surfacing (gravel), changes in and improvement of access road approaches, culverts, parking barriers, diversion terraces, and the shaping, seeding, and

mulching of areas disturbed by construction.

Category three includes measures and treatments which will further protect the natural resources, but which primarily enhance the visual esthetics and wildlife use. This includes obstruction removal—generally dead, damaged, and decadent trees and shrubs; select thinning of overstocked planted tree stands; pruning dead material from remaining stands; thinning and select clearing of dog-hair stands for Siberian elm, peachleaf willow, cottonwood, and shrub willow reproduction; shaping, seeding, and mulching of abusively used areas; and the landscape planting of adapted trees and shrubs for beautification and wildlife value. The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. Robert D. Swenson. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until 30 days after the date of this publication in the **Federal Register.**

Dated: July 2, 1981.

Joseph W. Haas,

Deputy Chief for Natural Resource Projects.

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

[FR Doc. 81-20782 Filed 7-15-81; 8:45 am]

BILLING CODE 3410-16-M

Lovejoy Pond Watershed, Maine

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of Authorization of Federal Assistance in the Installation of Works of Improvement.

FOR FURTHER INFORMATION CONTACT:

Mr. Billy R. Abercrombie, State Conservationist, Soil Conservation Service, USDA Building, University of Maine, Orono, Maine 04473, telephone 207-866-2132

NOTICE: Federal assistance in the installation of works of improvement under the authority of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001-1008) has been authorized for the Lovejoy Pond Watershed, Maine.

Dated: July 6, 1981.

Norman A. Berg,

Chief.

(Catalog of Federal Domestic Assistance Program No. 10.904, Watershed Protection and Flood Prevention Program, Public Law 83-566, 16 U.S.C. 1001-1008)

[FR Doc. 81-20779 Filed 7-15-81; 8:45 am]

BILLING CODE 3410-16-M

West End Critical Area Treatment R.C. & D. Measure, Tex.; Finding of No Significant Impact

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of a Finding of No Significant Impact.

FOR FURTHER INFORMATION CONTACT:

Mr. George C. Marks, State Conservationist, Soil Conservation Service, 101 South Main, Temple, Texas 76501, telephone 817-744-1214.

NOTICE: Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Soil Conservation Service Guidelines (7 CFR Part 650); the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the West End Critical Area Treatment R.C. & D. Measure, Austin County, Texas.

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

The measure concerns a plan for installation of soil erosion control practices on privately owned land. The treatment will consist of shaping, filling, grass plantings, diversions, fencing, and grade stabilization structures to control gully erosion on 13 sites involving about 203 acres.

The Notice of a Finding of No Significant Impact (FNSI) has been forwarded to the Environmental Protection Agency. The basic data developed during the environmental assessment are on file and may be reviewed by contacting Mr. George C. Marks. The FNSI has been sent to various Federal, State, and local agencies and interested parties. A limited number of copies of the FNSI are available to fill single copy requests at the above address.

Implementation of the proposal will not be initiated until 30 days after the date of this publication in the **Federal Register.**

Dated: June 30, 1981.

Joseph W. Haas,

Deputy Chief for Natural Resource Projects.

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

[FR Doc. 81-20780 Filed 7-15-81; 8:45 am]

BILLING CODE 3410-16-M

DEPARTMENT OF COMMERCE

Economic Development Administration

Petitions by Producing Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance

Petitions have been accepted for filing from the following firms: (1) Ideal Fishing Float Company, Inc., 20th & Franklin Streets, Richmond, Virginia 23226, producer of fishing tackle (accepted June 22, 1981); (2) Sterlingwale Corporation, 168 Stevens Street, Fall River, Massachusetts 02722, producer of corduroy fabric (accepted June 23, 1981); (3) Fisher Stoveworks, Inc., P.O. Box 1029, Hayden Lake, Idaho 83835, producer of stoves (accepted June 23, 1981); (4) Muebles R. Leon, P.O. Box 788, Guaynabo, Puerto Rico 00657, producer of wood furniture (accepted June 23, 1981); (5) Pilgrim Sportswear, Inc., 350 Fifth Avenue, Suite 5301, New York, New York 10001, producer of children's shirts, pants & playwear (accepted June 26, 1981); (6) D. Siedmann's & Sons, Inc., 5th & Courtland Streets, Philadelphia, Pennsylvania 19140, producer of knitted headwear, dickies, leg warmers & mufflers (accepted June 26, 1981); (7) Voltronics Corporation, West Street, East Hanover, New Jersey 07936, producer of trimmer capacitors (accepted June 29, 1981); (8) Brauer Knitting Company, 34 Ludwig Street, Little Ferry, New Jersey 07643, producer of knit fabric (accepted June 29, 1981); (9) Genie Toys, Inc., 4100 Forest Park Boulevard, St. Louis, Missouri 63108, producer of stuffed toys (accepted June 29, 1981); (10) Norman Sportswear, Inc., 520 West Pico Boulevard, Los Angeles, California 90015, producer of men's shirts and leisure suits (accepted July 1, 1981); (11) Styl-Rite Optics, Inc., 31-85 Whitestone Parkway, Flushing, New York 11354, producer of eyeglass frames

(accepted July 1, 1981); (12) OMB Associates, Inc., 44 Broad Street, Nashua, New Hampshire 03060, producer of luggage; cosmetic & tote bags; women's jackets & vests; and vinyl picnic backets & coolers (accepted July 2, 1981); (13) Richmond Instruments Company, P.O. Box 179, Richmond, Michigan 48062, producer of automotive electronic test equipment, circuit boards & wire harnesses (accepted July 2, 1981); (14) Janet Knitting Mills, Inc., 155 Van Wagenen Avenue, Jersey City, New Jersey 07306, producer of women's & children's sweaters (accepted July 7, 1981); (15) The Meeker Company, 7th and School Streets, Joplin, Missouri 64801, producer of leather billfolds, purses, cigarette pouches & handbags (accepted July 7, 1981); and (16) Florod Corporation, 3341 W. El Segundo Boulevard, Hawthorne, California 90250, producer of parts for integrated circuits (accepted July 7, 1981).

The petitions were submitted pursuant to Section 251 of the Trade Act of 1974 (Pub. L. 93–618) and § 315.23 of the Adjustment Assistance Regulations for Firms and Communities (13 CFR Part 315).

Consequently, the United States Department of Commerce has initiated separate investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business July 27, 1981.

The Catalogue of Federal Domestic Assistance official program number and title of the program under which these petitions are submitted is 11.309, Trade Adjustment Assistance. Inasfar as this notice involves petitions for the determination of eligibility under the Trade Act of 1974, the requirements of Office of Management and Budget Circular No. A–95 regarding review of clearinghouses do not apply.

Jack W. Osburn, Jr.,

Chief, Trade Act Certification Division, Office of Eligibility and Industry Studies.

[FR Doc. 81–20827 Filed 7–15–81; 8:45 am]

BILLING CODE 3510–24–M

National Oceanic and Atmospheric Administration

Issuance of Permit

On April 27, 1981, Notice was published in the **Federal Register** (46 FR 23514) that an application had been filed with the National Marine Fisheries Service by the National Zoological Park, Smithsonian Institution, Washington, D.C. 20008, to take California sea lions (*Zalophus californianus*) for the purpose of scientific research.

Notice is hereby given that on July 10, 1981, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407), the National Marine Fisheries Service issued a Scientific Research Permit to the National Zoological Park, subject to certain conditions set forth therein.

The Permit and related documents are available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, N.W., Washington, D.C.; and

Regional Director National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731.

Dated: July 10, 1981.

Richard B. Roe,

Acting Director, Office of Marine Mammals & Endangered Species, National Marine Fisheries Service.

[FR Doc. 81–20886 Filed 7–15–81; 8:45 am]

BILLING CODE 3510–22–M

Issuance of Permit

On June 3, 1981, Notice was published in the **Federal Register** (46 FR 29739) that an application had been filed with the National Marine Fisheries Service by Dr. Thomas F. Albert, Department of Veterinary Science, University of Maryland, College Park, Maryland 20742 for a permit to collect specimen materials from subsistence hunted or beached/stranded individuals from the following species for scientific research:

60 bowhead whales (*Balaena mysticetus*)
15 gray whales (*Eschrichtius robustus*)
30 beluga whales (*Delphinapterus leucas*)
60 bearded seal (*Erignathus barbatus*)
100 ringed seal (*Phoca hispida*)

Notice is hereby given that on July 8, 1981, as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407) and the Endangered Species Act of 1973 (16 U.S.C. 1531–1543), the National Marine Fisheries Service issued a permit for the above taking to Dr. Thomas F. Albert, subject to certain conditions set forth therein. Issuance of this Permit as required by the Endangered Species Act of 1973 is based on a finding that such permit: 1) was applied for in good faith; 2) will not operate to the disadvantage of the endangered species which are the subject of the Permit; and 3) will be consistent with the purposes and policies set forth in Section 2 of the Endangered Species Act of 1973.

The Permit is available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, NW., Washington, D.C.;

Regional Director, National Marine Fisheries Service, Alaska Region, P.O. Box 1668, Juneau, Alaska 99802; and

Regional Director, National Marine Fisheries Service, Northeast Region, 14 Elm Street, Federal Building, Gloucester, Massachusetts 01930.

Dated: July 8, 1981.

Richard B. Roe,

Acting Director, Office of Marine Mammals & Endangered Species, National Marine Fisheries Service.

[FR Doc. 81–20886 Filed 7–15–81; 8:45 am]

BILLING CODE 3510–22–M

Modification of Permit No. 321

On May 18, 1981, Notice was published in the **Federal Register** (46 FR 27153) that a request for a modification of Permit No. 321 had been received by the National Marine Fisheries Service From Knie's Kinderzoo, 8640 Rapperswil, Switzerland.

Notice is hereby given that pursuant to the provisions of § 216.33(d) and (e) of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216), Public Display Permit No. 321 issued to Knie's Kinderzoo on March 12, 1981 (46 FR 17072) was modified in the following manner:

A new Section A–2 was added as follows:

"2. The Holder is authorized to take a second bottlenose dolphin (*Tursiops truncatus*) by the means described in the application."

This modification became effective on July 8, 1981.

The modification and related documents are available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, N.W., Washington, D.C.; and

Regional Director, National Marine Fisheries Service, Southeast Region,

9450 Koger Boulevard, St. Petersburg, Florida 33702.

Dated: July 8, 1981

Richard B. Roe,

Acting Director, Office of Marine Mammals and Endangered Species, National Marine Fisheries Service.

[FR Doc. 81-20687 Filed 7-15-81; 8:45 am]

BILLING CODE 3510-22-M

Receipt of Application for Permit

Notice is hereby given that an Applicant has applied in due form for a Permit to take marine mammals 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 216).

1. Applicant: a. Name: Artiszoo (P262).

b. Address: Royal Zoological Society "Natura Artis Magistra" Plantage Kerklaan 38–40, Amsterdam, Netherlands.

2. Type or Permit: Public Display.

3. Name and Number of Animals: California sea lions (Zalophus californianus), 2.

4. Type of Take: Capture for public display, if available, California sea lions will be taken from rehabilitated beached/stranded stocks.

5. Location of Activity: California.

6. Period of Activity: 2 years.

The arrangements and facilities for transporting and maintaining the marine mammals requested in the above described application have been inspected by a licensed veterinarian, who has certified that such arrangements and facilities are adequate to provide for the well-being of the marine mammals involved.

Concurrent with the publication of this notice in the **Federal Register**, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and the Committee of Scientific Advisors.

Written data or views, or requests for a public hearing on this application should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, U.S. Department of Commerce, Washington, D.C. 20235, on or before August 17, 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 Assistant Administrator for Fisheries.

All statements and opinions contained in this application are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

As a request for a permit to take living marine mammals to be maintained in areas outside the jurisdiction of the United States, this application has been submitted in accordance with the National Marine Fisheries Service policy concerning such applications (40 FR 11619, March 12, 1975). In this regard, no application will be considered unless:

(a) It is submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, through the appropriate agency of the foreign government;

(b) It includes: i. a certification from such appropriate government agency verifying the information set forth in the application;

ii. a certification from such government agency that the laws and regulations of the government involved permit enforcement of the terms of the conditions of the permit, and that the government will enforce such terms;

iii. a statement that the government concerned will afford comity to a National Marine Fisheries Service decision to amend, suspend or revoke a permit.

In accordance with the above cited policy, the certification and statements of the Ministry of Culture, Recreation and Social Welfare of the Netherlands have been found appropriate and sufficient to allow consideration of this permit application.

Documents submitted in connection with the above application are available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, N.W., Washington, D.C.; and

Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731.

Dated: July 8, 1981.

Richard B. Roe,

Acting Director, Office of Marine Mammals and Endangered Species, National Marine Fisheries Service.

FR Doc. 81-20684 Filed 7-15-81; 8:45 am]

BILLING CODE 3510-22-M

Receipt of Application for Permit

Notice is hereby given that an Applicant has applied in due form for a Permit to take marine mammals as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216), the Endangered Species Act of 1973 (16 U.S.C. 1531–1544), the National Marine Fisheries Service regulations governing endangered fish and wildlife permits (50 CFR Parts 217–222).

1. Applicant: a. Name: Department of Vertebrate Zoology, National Museum of Natural History. (P6H)

b. Address: Smithsonian Institution, Washington, D.C.

2. Type of Permit: Scientific Research/Scientific Purposes, Importation and Exportation.

3. Name and Number of Animals: Unspecified numbers of all species of cetaceans, marine carnivores, and sirenians any age, both sexes.

4. Type of Take: Taken legally in the country of origin for scientific purposes. No animals will be taken for the purposes of importation by the Applicant.

5. Location of Activity: Worldwide.

6. Period of Activity: 5 years.

Concurrent with the publication of this notice in the **Federal Register**, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and the Committee of Scientific Advisors.

Written data or views, or requests for a public hearing on this application should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, U.S. Department of Commerce, Washington, D.C. 20235 and the Federal Wildlife Permit Office, U.S. Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240, on or before August 17, 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 Assistant Administrator for Fisheries.

All statements and opinions contained in this application are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Documents submitted in connection with the above application are available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, N.W., Washington, D.C.;

Regional Director, National Marine Fisheries Service, Northeast Region, 14 Elm Street, Federal Building, Gloucester, Massachusetts 01930.

Dated: July 8, 1981.

Richard B. Roe,

Acting Director, Office of Marine Mammals and Endangered Species, National Marine Fisheries Service.

[FR Doc. 81-20883 Filed 7-15-81; 8:45 am]

BILLING CODE 3510-22-M

Receipt of Modification

Notice is hereby given that Dr. Richard H. Lambertsen, Woods Hole, Massachusetts, requested a modification to Permit No. 336 issued to them under the authority of 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 216) on May 19, 1981.

Dr. Lambertsen requests additional authority to import cetacean specimen materials from animals taken legally under laws of Norway and Denmark.

Concurrent with the publication of this notice in the **Federal Register** the Secretary of Commerce is forwarding copies of this request to the Marine Mammal Commission and the Committee of Scientific Advisors.

Written data or views, or requests for a public hearing on this modification should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, Washington, D.C. 20235, on or before August 17, 1981. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate. The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries.

All statements and opinions contained in this request are summaries of those of the Applicants and do not necessarily reflect the views of the National Marine Fisheries Service.

Documentation pertaining to the above modification request is available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, NW., Washington, D.C.; and

Regional Director, National Marine Fisheries Service, Northeast Region, Federal Building, 14 Elm Street, Gloucester, Massachusetts, 01930.

Dated: July 9, 1981.

Richard B. Roe,

Acting Director, Office of Marine Mammals and Endangered Species, National Marine Fisheries Service.

[FR Doc. 81-20885 Filed 7-15-81; 8:45 am]

BILLING CODE 3510-22-M

National Technical Information Service

Government-Owned Inventions; Notice of Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for domestic and, possibly, foreign licensing.

Copies of patents cited are available from the Commissioner of Patents & Trademarks, Washington, DC 20231, for $.50 each. Requests for copies of patents must include the patent number.

Copies of patent applications cited are available from the National Technical Information Service (NTIS), Springfield, Virginia 22161 for $5.00 each ($10.00 outside North American Continent). Requests for copies of patent applications must include the PAT-APPL number. Claims are deleted from patent application copies sold to avoid premature disclosure. Claims and other technical data will usually be made available to serious prospective licensees upon execution of a non-disclosure agreement.

Requests for information on the licensing of particular inventions should be directed to: Office of Government Inventions and Patents, U.S. Department of Commerce, P.O. Box 1423, Springfield, Virginia 22151.

Douglas J. Campion,

Program Coordinator, Office of Government Inventions and Patents, National Technical Information Service, Department of Commerce.

U.S. Department of the Air Force, AF/JACP, 1900 Half Street, S.W., Washington, DC 20324

Patent 4,249,177: Target Discrimination Apparatus. Filed May 3, 1979, patented February 3, 1981. Not available NTIS.

Patent 4,249,411: Zero-G Massmeter. Filed May 31, 1979, patented February 10, 1981. Not available NTIS.

Patent 4,251,738: Balanced Input Zero Differential Detector. Filed August 10, 1978, patented February 17, 1981. Not available NTIS.

U.S. Department of the Navy, Director, Navy Patent Program/Patent Counsel for the Navy, Office of Naval Research, Code 302, Arlington, VA 22217

Patent Application: 6–169,577: Electrical Augmentation of Detonation Wave. Filed July 17, 1980.

Patent Application: 6–217,282: Void Filler Foam Fire Suppression System. Filed December 16, 1980.

Patent Application: 6–226,986: Low Noise Remote Optical Fiber Sound Detector. Filed January 21, 1981.

Patent 4,215,631: Sealed Pyrotechnic Delay. Filed February 25, 1971, patented August 5, 1980. Not available NTIS.

Patent 4,249,422: Apparatus and Process for Determining the Composition of Fluid-Filled Cavities. Filed October 22, 1979, patented February 10, 1981. Not available NTIS.

National Aeronautics and Space Administration, Assistant General Counsel for Patent Matters, NASA Code GP-4, Washington, DC 20546

Patent 4,239,057: Pressure Control Valve. Filed July 13, 1979, patented December 16, 1980. Not available NTIS.

Patent 4,240,290: Skin Friction Measuring Device for Aircraft. Filed August 7, 1979, patented December 23, 1980. Not available NTIS.

Tennessee Valley Authority, Division of Law, Muscle Shoals, AL 25660

Patent 4,238,459: Chemical Beneficiation of Phosphatic Limestone and Phosphate Rock with alpha-Hydroxysulfonic Acids. Filed June 18, 1979, patented December 9, 1980. Not available NTIS.

[FR Doc. 81-20762 Filed 7-15-81; 8:45 am]

BILLING CODE 3510-04-M

Government-Owned Inventions; Notice of Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for domestic and, possibly, foreign licensing.

Copies of patents cited are available from the Commissioner of Patents & Trademarks, Washington, DC 20231, for $.50 each. Requests for copies of patents must include the patent number.

Copies of patent applications cited are available from the National Technical Information Service (NTIS), Springfield, Virginia 22161 for $5.00 each ($10.00 outside North American Continent). Requests for copies of patent applications must include the PAT-APPL number. Claims are deleted from patent application copies sold to avoid premature disclosure. Claims and other technical data will usually be made available to serious prospective licensees upon execution of a non-disclosure agreement.

Requests for information on the licensing of particular inventions should be directed to: Office of Government Inventions and Patents, U.S. Department of Commerce, P.O. Box 1423, Springfield, Virginia 22151.

Douglas J. Campion,

Program Coordinator, Inventions and Patents, National Technical Information Service, Department of Commerce.

U.S. Department of the Air Force, AF/JACP, 1900 Half Street, S. W., Washington, DC 20324

Patent 4,249,823: Windscreen Angular Deviation Measurement Device. Filed October 16, 1979, patented February 10, 1981. Not available NTIS.

Patent 4,251,741: High Power Pulser. Filed February 8, 1979, patented February 17, 1981. Not available NTIS.

Patent 4,251,765: Aircraft Electrical System Tester. Filed February 7, 1979, patented February 17, 1981. Not available NTIS.

Patent 4,251,786: Stepped-Rod Ferrite Microwave Limiter Having Dynamic Range and Optimal Frequency Selectivity. Filed July 6, 1979, patented February 17, 1981. Not available NTIS.

Patent 4,252,937: Polyaromatic Ether-Keto-Sulfones and Their Synthesis. Filed June 8, 1979, patented February 24, 1981. Not available NTIS.

U.S. Department of Agriculture, Program Agreements and Patent Branch, Administrative Service Division Federal Buidling, Science and Education Administration, Hyattsville, MD 20782

Patent 4,259,862: Process for Improving Baking Properties of Unbleached Flour. Filed Janaury 19, 1979, patented March 31, 1981. Not available NTIS.

U.S. Department of Energy, Office of the Assistant General, Counsel for Patents (GC-42), 1000 Independence Avenue, N.W., Washington, DC 20585

Patent Application 6-129,299: Drift Tube Suspension for High Intensity Linear Accelerators. Filed March 11, 1980.

Patent 4,220,856: Method of Analysis of Asbestiform Minerals by Thermoluminescence. Filed November 3, 1978, patented September 2, 1980. Not available NTIS.

Patent 4,221,186: Apparatus for Forming Targets. Filed January 24, 1979, patented September 9, 1980. Not available NTIS.

Patent 4,221,610: Method for Homogenizing Alloys Susceptible to the Formation of Carbide Stringers and Alloys Prepared Thereby. Filed February 24, 1978, patented September 9, 1980. Not available NTIS.

Patent 4,221,995: Linear Motor Drive System for Continuous-Path Closed-Loop Position Control of an Object. Filed July 24, 1978, patented September 9, 1980. Not available NTIS.

Patent 4, 222,011: Stokes Injected Raman Capillary Waveguide Amplifier. Filed October 3, 1978, patented September 9, 1980. Not available NTIS.

Patent 4,223,064: Alkali Metal Protective Garment and Composite Material. Filed May 10, 1979, patented September 16, 1980. Not available NTIS.

U.S. Department of Health and Human Services, National Institutes of Health, Chief, Patent Branch, Westwood Building, Bethesda, MD 20205

Patent Application 6-227,166: Tick Cell Lines. Filed January 22, 1981.

U.S. Department of the Navy, Director, Navy Patent Program/Patent Counsel for the Navy, Office of Naval Research, Code 302, Arlington, VA 22217

Patent Application 6-203,012: Louvre Buffer Fire Prevention System. Filed November 3, 1980.

Patent Application 6-216,460: Elastomeric Sway Bracing and Ejector System. Filed December 15, 1980.

Patent Application 6-230,187: A Holographic Optical Article and Process. Filed February 2, 1981.

Patent Application 6-230,201: Heterojunction-Diode Transistor EBS Amplifier. Filed February 2, 1981.

Patent Application 6-235,305: Polynitroethyl Thionocarbonates and Method of Preparation. Filed February 17, 1981.

Patent 4,209,766: Transducer. Filed September 15, 1964, patented June 24, 1980. Not available NTIS.

Patent 4,215,428: Time Ratio Controlled Inverter. Filed March 3, 1971, patented July 29, 1980. Not available NTIS.

Patent 4,235,679: High Performance Solar Still. Filed January 15, 1979, patented November 25, 1980. Not available NTIS.

Patent 4,239,012: Homing Torpedo Control Apparatus. Filed December 15, 1960, patented December 16, 1980. Not available NTIS.

Patent 4,244,350: Solar Energy Heat-Storage Tank. Filed March 26, 1979, patented January 13, 1981. Not available NTIS.

Patent 4,245,223: Self-Multiplexing Antenna Employing Orthogonal Beams. Filed May 2, 1977, patented January 13, 1981. Not available NTIS.

Patent 4,248,854: Production of Antibody Toward Asbestos and Immunoassay Therewith. Filed August 27, 1979, patented February 3, 1981. Not available NTIS.

Patent 4,249,421: Method To Determine the Shear Absorption of a Rubberlike Material. Filed October 22, 1979, patented February 10, 1981. Not available NTIS.

National Aeronautics and Space Administration, Assistant General Counsel for Patent Matters, NASA Code GP-4, Washington, DC 20546

Patent 4,014,798: Insoluble Polyelectrolyte and Ion-Exchange Hollow Fiber Impregnated Therewith. Filed April 4, 1974, patented March 29, 1977. Not available NTIS.

Patent 4,211,354: Method for Alleviating Thermal Stress Damage in Laminates. Filed April 6, 1978, patented July 8, 1980. Not available NTIS.

Patent 4,227,096: Microwave Integrated Circuit for Josephson Voltage Standards. Filed Augut 31, 1978, patented October 7, 1980. Not available NTIS.

Patent 4,229,182: Recovery of Aluminum from Composite Propellants. Filed September 29, 1978, patented October 21, 1980. Not available NTIS.

Patent 4,236,383: Solar Energy Receiver for a Stirling Engine. Filed April 6, 1979, patented December 2, 1980. Not available NTIS.

Patent 4,239,057: Pressure Control Valve. Filed July 13, 1979, patented December 16, 1980. Not available NTIS.

Patent 4,240,256: Phase-Angle Controller for Stirling Engines. Filed January 31, 1979, patented December 23, 1980. Not available NTIS.

Patent 4,240,601: Method for Observing the Features Characterizing the Surface of a Land Mass. Filed May 30, 1979, patented December 23, 1980. Not available NTIS.

Patent 4,241,308: Digital Numerically Controlled Oscillator. Filed December 29, 1978, patented December 23, 1980. Not available NTIS.

Patent 4,242,498: Process for the Preparation of Fluorine Containing Crosslinked Elastomeric Polytriazine and Product So Produced. Filed April 9, 1979, patented December 30, 1980. Not available NTIS.

Patent 4,244,857: Curing Agent for Polyeposides and Epoxy Resins and Composites Cured Therewith. Filed August 30, 1979, patented January 13, 1981. Not available NTIS.

Patent 4,245,085: The 1,2,4-Oxadiazole Elastomers. Filed April 9, 1979, patented January 13, 1981. Not available NTIS.

Patent 4,246,001: Molten Salt Pyrolysis of Latex. Filed April 27, 1978, patented January 20, 1981. Not available NTIS.

[FR Doc. 81-20763 Filed 7-15-81; 8:45 am]

BILLING CODE: 3510-04-M

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF Scientific Advisory Board; Meeting

July 8, 1981.

The USAF Scientific Advisory Board Operational Test and Evaluation Advisory Group meeting published in the **Federal Register**, Volume 46, No. 117, Thursday June 18, 1981 has been cancelled.

For further information contact the Scientific Advisory Board Secretariat at (202) 697-4648.

Carol M. Rose,

Air Force Federal Register Liaison Officer.

[FR Doc. 81-20818 Filed 7-15-81; 8:45 am]

BILLING CODE 3910-01-M

Corps of Engineers, Department of the Army

Cancellation of Intent To Prepare a Draft Environmental Impact Statement for a Proposed Dredge and Fill Operation by the State of Alabama

AGENCY: Army Corps of Engineers, DOD.

ACTION: Cancellation of Intent To Prepare a Draft Environmental Impact Statement (DEIS).

SUMMARY: The US Corps of Engineers, Mobile District, based on continuing environmental review, has cancelled its intent to prepare a draft environmental impact statement for a permit application for a propoosed dredge and fill operation by the State of Alabama, Department of Mental Health for the construction of a barge canal and appurtenances for unloading facilities on the Black Warrior River, Tuscaloosa County, Alabama. Comments received from Federal and State agencies during the scoping process revealed that the

proposed action would have no significant environmental impacts and that an environmental assessment was sufficient for NEPA compliance. This cancellation supersedes the previous Notice of Intent to Prepare a DEIS for this proposed action which was published on 26 September 1979, Wednesday, 44 FR 55410.

Dated: July 9, 1981.

Ronald A Krizman,

LTC, Corps of Engineers, Acting Commander and Acting District Engineer.

[FR Doc. 81-20837 Filed 7-15-81; 8:45 am]

BILLING CODE 3710-CR-M

Cancellation of Intent To Prepare a Draft Supplement Environmental Impact Statement (DSEIS) for a Proposed Cooperative Aquatic Plant Control Program for the State of Alabama

AGENCY: Army Corps of Engineers, DOD.

ACTION: Cancellation of intent to prepare a draft supplement environmental impact statement (DSEIS).

SUMMARY: The US Army Corps of Engineers, Mobile District, has cancelled its intent to prepare a draft supplement environmental impact statement for a proposed cooperative aquatic plant control program for the State of Alabama. An environmental assessment for the proposed action revealed that the proposed aquatic plant control program, environmental setting, impacts, and alternatives are not significantly different from those discussed in the previously coordinated Final Environmental Impact Statement (FEIS) for the Aquatic Plant Control Program in the Mobile District, which was filed with the EPA on 16 October 1978 and the FEIS for the Black Warrior and Tombigbee Rivers, Alabama (Maintenance), which was filed with the CEQ on 16 April 1976. This cancellation supersedes the previous Notice of Intent to Prepare a DSEIS for this proposed action which was published on 10 June 1981, Wednesday, 46 FR 30680.

Date: July 9, 1981.

Ronald A Krizman,

LTC, Corps of Engineers, Acting Commander and Acting District Engineer.

[FR Doc. 81-20838 Filed 7-15-81; 8:45 am]

BILLING CODE 3710-CR-M

Intent; The Albuquerque District, Corps of Engineers Intends To Prepare a Draft Environmental Impact Statement (DEIS) on a Proposal To Reduce Flood Damages From the Santa Fe River, Santa Fe, N. Mex.

AGENCY: Army Corps of Engineers, Albuquerque District, DOD.

ACTION: Intent to Prepare a Draft Environmental Impact Statement (DEIS).

SUMMARY:

1. *Proposed Action and Alternative Solutions.* The purpose of proposed action is to reduce damage and disruption of activities caused by flooding of the Santa Fe River through the city of Santa Fe with coincident preservation and enhancement of biological, recreational and aesthetic resources or qualities. Alternative measures that have been developed during continuing Advanced Engineering and Design Phase I studies consist of the replacement of bridges, construction of low walls to retain flood flows within the channel and parkway, channel and dam modification, tributary dam construction and no action. These measures differ from the authorized plan of constructing a dam on the Santa Fe River, bridge replacement, and modifying a 6300-foot reach of Arroyo Mascaras. Phase I studies will culminate in the recommendation of a plan that best satisfies the community's needs and desires.

2. *Public Involvement Process.* Since the initiation of Advanced Engineering and Design studies, coordination has been accomplished with both public and private concerns having jurisdiction or an interest in land and resources in the Santa Fe River basin. This includes the city of Santa Fe, the State of New Mexico, the Public Service Company of New Mexico, the Santa Fe Canyon Association, the United States Fish and Wildlife Service and the United States Forest Service. A public meeting was held on 8 March 1979 with numerous subsequent individual or group meetings. A formal public meeting is scheduled for August 1981 at which time all affected or interested federal, state, and local agencies, affected Indian tribes, and other interested private organizations and parties will be invited to participate. Subsequent to this public meeting will be the initiation of Stage 3 studies which will utilize workshops to narrow the range of plans that most closely satisfy community needs and desires. The product of Stage 3 studies will be the submission of a Phase I General Design Memorandum, which will recommend a specific plan of action, and an accompanying DEIS. Federal, state, and local input in the development of an EIS will be obtained by a combination of agency coordination, workshops, and, if necessary, public meetings. All interested parties will be invited to submit comments on the DEIS when it is circulated for field level review.

The project is being coordinated with the U.S. Fish and Wildlife Service pursuant to the requirements of the Fish and Wildlife Coordination Act of 1972 (72 Stat. 563) (Pub. L. 85-624) and the Endangered Species Act of 1973, as amended (87 Stat. 884) (Pub. L. 93-205). Consultation with the Advisory Council on Historic Preservation, the New Mexico State Historic Preservation Officer and the National Park Service will be initiated pursuant to the National Historic Preservation Act of 1966 (80 Stat. 915) (Pub. L. 89-655), and the Preservation of Historic and Archeological Data (88 Stat. 174) (Pub. L. 93-291).

3. *Significant Issues to be Analyzed.* Significant issues to be analyzed in depth in the development of the DEIS include the impact of the action on biological systems, proposed area plans, recreational opportunities, cultural features, aesthetic qualities and community activities. Also, if necessary, the development of mitigative measures will be undertaken.

4. *Public Review.* The presently estimated date that the draft Phase I General Design Memorandum and the DEIS will be circulated for public review is June 82.

5. *Further Information.* Questions regarding the study and DEIS may be directed to: Mr. Mark Sifuentes, USAED, Albuquerque, P.O. Box 1580, Albuquerque, NM 87103, Phone: Comm (505) 766-3577, FTS 474-3577.

Dated: July 10, 1981.

Richard D. Blum,

Chief, Construction Operations Division.

[FR Doc. 81-20822 Filed 7-15-81; 8:45 am]

BILLING CODE 3710-KK-M

Intent To Prepare a Draft Environmental Impact Statement for Development and Production Phase, Mobile Bay Gas Field, Mobile, Ala.

AGENCY: Army Corps of Engineers, DoD.

ACTION: Notice of intent to prepare a draft environmental impact statement (DEIS).

SUMMARY:

1. *Description of Proposed Action:* The proposed action is to prepare a DEIS relative to a permit application by Mobil Oil Exploration and Producing Southeast, Inc., for proposed

construction, maintenance, operation, and eventual removal of structures and appurtenances required to develop, produce, transport, and treat natural gas from the lower Mobile Bay Field. This includes wells, platforms, pipelines, treating facility, and sulfur depot.

2. *Alternatives to the Proposed Action:* In responding to this permit application, the US Army Corps of Engineers has available three alternatives. These are: issue the permit, issue the permit with conditions, or deny the permit. Alternatives to the proposed action to be considered would be associated with the proposed drilling program, platforms, pipelines, gas treating facility, sulfur depot, base of operations, mitigation plans, emergency operations, and other development and production related alternatives.

3. *Description of the Scoping Process:* Public participation in this program has been lively and continuous since announcement of initial drilling plans in 1973. Two public hearings have been held, one in October 1973 and the other in April 1979, in connection with permit applications. Two EIS's have been completed for the program (January 1976, December 1980) with numerous comments being received from agencies, environmental groups, and other interests. The applicant has conducted an extensive program of meetings and tours for agencies and the public. Additionally, news media in the regional and local area has published significant amounts of information on the program.

The DEIS will undergo the public review process as required by the National Environmental Policy Act. Significant issues to be addressed will be possible impacts of the proposed action and alternatives to the Mobile Bay estuarine area and surrounding wetlands and the risks of blowouts. A public hearing will be held upon completion of the DEIS. A notice informing the public as to time and location will be issued at least 30 days prior to such hearings.

4. *Scoping Meeting:* No additional scoping meetings are scheduled.

5. *DEIS Preparation.* It is estimated that the DEIS will be available to the public in November 1981.

ADDRESS: Questions about the proposed action and DEIS can be answered by Mr. James B. Hildreth, PD–EE, US Army Engineer District, Mobile, PO Box 2288, Mobile, AL 36628.

Dated: July 7, 1981.

Ronald A. Krizman,

Lt. Col., CE, Acting Commander and Acting District Engineer.

[FR Doc. 81-20836 Filed 7-15-81; 8:45 am]

BILLING CODE 3710-CR-M

DEPARTMENT OF ENERGY

Compliance With the National Environmental Policy Act (NEPA) Amendments to the DOE NEPA Guidelines

AGENCY: Department of Energy.

ACTION: Notice of proposed amendments to the Guidelines adding to and modifying the list of typical classes of action in Section D.

On the basis of experience gained since the issuance of the Department's NEPA Guidelines, the Department of Energy proposes to revise Section D of the Guidelines by adding 11 new typical classes and by modifying 3 existing typical classes of action. Public comment is invited on this proposal. Pending final adoption or rejection of the proposed changes, the Department of Energy will utilize the proposed typical classes of action on an interim basis.

COMMENTS BY: August 17, 1981.

ADDRESS COMMENTS TO: Dr. Robert J. Stern, at the address listed below.

FOR FURTHER INFORMATION CONTACT:

Dr. Robert J. Stern, Director, NEPA Affairs Division, Office of Environmental Compliance and Overview, Office of the Assistant Secretary for Environmental Protection, Safety, and Emergency Preparedness, Forrestal Building, Room 4G–064, 1000 Independence Avenue, S.W., Washington, D.C. 20585, (202) 252–4600

Stephen H. Greenleigh, Esq., Assistant General Counsel for Environment, Forrestal Building, Room 6D–033, 1000 Independence Avenue, S.W., Washington, D.C. 20858, (202) 252–6947

SUPPLEMENTARY INFORMATION:

A. Background. On March 28, 1980 (45 FR 20694), the Department of Energy published in the **Federal Register** final DOE NEPA Guidelines for implementing the procedural provisions of the NEPA as required by the Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500–1508).

The Guidelines are applicable to all organizational units of the Department except the Federal Energy Regulatory Commission which is not subject to the supervision or direction of the other parts of the Department of Energy. Section D of the Department's NEPA Guidelines identifies typical classes of Department of Energy actions which normally require environmental assessments but not necessarily environmental impact statements, actions which normally require environmental impact statements, or actions which require neither environmental assessments nor environmental impact statements. These classes of actions were identified pursuant to 40 CFR 1507.3(b)(2). Section A.3.(d) of the Guidelines provides that the Department of Energy may add actions to or remove actions from the categories in Section D based on experience gained during the implementation of the CEQ regulations and the Guidelines.

Based on the experience gained operating under the CEQ regulations and the Guidelines, the Department proposes to add 11 new typical classes of action and modify 3 existing typical classes of action. Pursuant to Section C.8 of the Guidelines, the proposed changes are being published for public review.

B. Proposed Changes to Section D of the Department of Energy NEPA Guidelines. This notice proposes to revise Section D of the Department's guidelines and add or modify the typical classes of actions.

C. Comments. Comments concerning the proposed changes to Section D of the Department's NEPA guidelines should be submitted to Dr. Stern as indicated in the "address" section of this notice and should be identified on the outside of the envelope as: "Changes to Section D of DOE's NEPA Guidelines." Two copies should be submitted.

Pending final adoption or rejection of the proposed changes, the Department of Energy will utilize the proposed typical classes of action on an interim basis.

July 9, 1981.

Barton R. House,

Acting Assistant Secretary for Environmental Protection, Safety, and Emergency Preparedness.

Proposed Changes to Section D.—*Department of Energy NEPA Guidelines*

Normally do not require either EA's or EIS's	Normally require EA's but not necessarily EIS's	Normally require EIS's
Classes of Actions Generally Applicable to all of DOE		
General Plant Projects such as road and parking area resurfacing, modifications to heating-ventilating-air conditioning systems, minor alterations of existing buildings, and other similar projects where: (1) the projects are located within previously developed areas and will not affect environmentally sensitive areas such as floodplains, wetlands, archeological sites, and critical habitats; and (2) the projects are not part of a proposed action that is or may be the subject of an EA or EIS.	DOE actions which enable or result in engineering development activities, i.e. detailed design, development, fabrication, and test of energy system prototypes. (NOTE: Changes existing class of action by adding the word "fabrication.")	DOE actions which are expected to result in the construction and operation of a large scale project. (NOTE: Modifies an existing class of action by substituting "large scale project" for "full-scale energy system project.")
Installation of meteorological towers and associated activities to assess potential wind energy resources where the installation has no impacts on environmentally sensitive areas such as archeological sites, critical habitats, etc., and where the installation does not prejudice future site selection decisions for large wind turbines.		
Classes of Actions Applicable to Power Marketing Administrations (PMA)		
Emergency repair of transmission lines including replacement or repair of damaged equipment as well as the removal and replacement of downed transmission lines.	Construction and operation of wind resource, low-head hydro, and solar energy pilot projects.	
Additions or modifications to transmission facilities which do not affect the environment beyond the previously developed facility area, including tower modifications, changing insulators, replacement of poles and crossarms, and similar actions.	The allocation of power resources to customers in a manner differing from existing contractual arrangements.	
Grant or denial of requests for multiple use of DOE transmission line rights-of-way, such as grazing permits and crossing agreements including electric lines, water lines, and drainage culverts.	Implementation of an erosion control program that is systemwide.	
Execution of contracts for the short-term or seasonal allocation of excess power resources to customers who can receive these resources over existing transmission systems.		
The renewal of existing power contracts in kind.		
Classes of Actions Applicable to Nuclear Waste Management Program		
	The demonstration or implementation of intermediate-depth burial of low-level waste at DOE sites.	DOE actions resulting in the site selection, construction, or operation of major treatment, storage and/or disposal facilities for transuranic and high level nuclear waste and/or spent nuclear fuel such as spent fuel storage facilities and geologic repositories. (NOTE: Clarifies an existing class of action.)

[FR Doc. 81-20856 Filed 7-16-81; 8:45 am]
BILLING CODE 6450-01-M

National Petroleum Council, Economics Task Group of the Committee on Arctic Oil and Gas Resources; Meeting

Notice is hereby given that the Economics Task Group of the Committee on Arctic Oil and Gas Resources will meet in July 1981. The National Petroleum Council was established to provide advice, information, and recommendations to the Secretary of Energy on matters relating to oil and natural gas or the oil and natural gas industries. The Committee on Arctic Oil and Gas Resources will analyze the various issues bearing on expeditious resource development of this promising frontier area. Its analysis and findings will be based on information and data to be gathered by the various task groups. The time, location and agenda of the Economics Task Group meeting follows:

The fourth meeting of the Economics Task Group will be held on Wednesday, July 22, 1981, starting at 9:00 a.m., in the 26th Floor Conference Room, Hamilton International Oil Company, 1600 Broadway, Denver, Colorado.

The tentative agenda for the meeting follows:

1. Introductory remarks by the Chairman and Government Cochairman.
2. Review of the revised computer runs on economics.
3. Discussion of the Task Group's draft report.
4. Discussion of any other matters pertinent to the overall assignment from the Secretary.

The meeting is open to the public. The Chairman of the Economics Task Group is empowered to conduct the meeting in a fashion that will, in his judgement, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Economics Task Group will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform G. J. Parker, Office of Oil and Natural Gas, Fossil Energy, 202/633-8383, prior to the meeting and reasonable provision will be made for their appearance on the agenda.

Summary minutes of the meeting will be available for public review at the Freedom of Information Public Reading Room, Room 1E-190, DOE, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C., between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued at Washington, D.C. on July 8, 1981.

Roger W. A. LeGassie,

Acting Assistant Secretary for Fossil Energy.

July 8, 1981.

[FR Doc. 81-20857 Filed 7-15-81; 8:45 am]
BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket No. GP81-12-000]

State of Mississippi, Section 107 NGPA Determination, Tomlinson Interests, Inc., Charles W. Cavanaugh No. 1 Well; Preliminary Finding

March 30, 1981.

On February 13, 1981, the State of Mississippi Oil and Gas Board (Mississippi) filed with the Commission notice of its determination that Tomlinson Interests, Inc.'s Charles W. Cavanaugh No. 1 Well (JD No. 81-17507) qualifies as a "high-cost natural gas" well under section 107 of the natural Gas Policy Act of 1978 (NGPA) (15 U.S.C. 3301 *et seq.*). The Commission published notice of the Mississippi determination in the **Federal Register** on March 5, 1981.

Although Mississippi did not cite the applicable subsection under section 107 for which the well was determined to be eligible,[1] review of the record submitted

[1] There are five categories of high cost gas established in section 107(c). They are: Gas produced from a well spudded on or after February 19, 1977 from a completion location below 15,000 feet (section 107(c)(1)); gas produced from geopressured brine (section 107(c)(2)); occluded gas

Continued

with the determination would indicate that the well is being qualified under section 107(c)(1), natural gas produced from a well spudded on or after February 19, 1977 from a completion location below 15,000 feet.

In order to qualify as "deep high-cost gas" under section 107(c)(1), the surface drilling of the well must have begun on or after February 19, 1977. As is the case in section 103 of the NGPA, which carries the same requirement as to surface drilling, if a well was drilled and abandoned and then re-entered, it is the original spud date that is controlling for compliance with the statutory requirement as to surface drilling, not the re-entry date. Thus if a well was drilled and abandoned prior to February 19, 1977, and re-entered after that date, its spud date would be prior to the February 19, 1977 date, and it would not qualify under either section 103 or section 107(c)(1) of the NGPA.[2]

Review of the record in this case reveals that drilling of the subject well was begun on June 10, 1972, and that the well was plugged and abandoned on August 24, 1972. The applicant re-entered the well on March 31, 1980, and completed it to depths of 15,910 to 15,924 feet. Mississippi recognized the fact that the well was a re-entry well and the applicant argued that re-entry was necessary because drilling a new well on the proration unit created "a real danger of communication between high pressure zones" in the old well. The technical advisability of re-entry notwithstanding, the fact that the subject well was spudded prior to the February 19, 1977 date provided in section 107(c)(1) precludes it from qualification as a "deep high-cost gas" well under that section.

Accordingly, the Commission hereby makes a preliminary finding that there is not substantial evidence in the record to support Mississippi's determination that Tomlinson Interests Inc.'s Charles W. Cavanaugh No. 1 Well qualifies under section 107(c)(1) of the NGPA. Mississippi's determination is hereby reversed.

By direction of the Commission.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-20829 7-15-81; 8:45 am]

BILLING CODE 6450-85-M

produced from coal seams (section 107(c)(3)); gas produced from Devonian shale (section 107(c)(4)); and gas which the Commission has determined to be high-cost (section 107(c)(5)). To date, the Commission has only determined that gas produced from tight formations and section 105 gas subject to designated production enhancement techniques are high-cost under section 107(c)(5).

[2] See "Final Finding on Well Category Determination," Docket No. GP80-60, issued July 18, 1980.

[Docket No. CP81-376-000]

Columbia Gas Transmission Corp.; Application

July 14, 1981.

Take notice that on June 15, 1981, Columbia Gas Transmission Corporation (Applicant), P.O. Box 1273, Charleston, West Virginia 25325, filed in Docket No. CP81-376-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale of natural gas to Eastern Shore Natural Gas Company (Eastern Shore) pursuant to a sales agreement dated April 30, 1981, all as more fully set forth in the application which is on file with the Commission and open for public inspection.

Applicant proposes an off-system sale of up to 20,000 dekatherms equivalent of natural gas per day on a best-efforts basis to Eastern Shore. Applicant requests authorization for a term ending either on April 29, 1982, or at such later date as either of the parties may give 30 day's written notice to terminate.

Applicant states that the price Eastern Shore would pay for all gas delivered by Applicant would be the higher of Applicant's Zone 6 SR rate in effect at the time of Eastern Shore's purchase or the maximum lawful price established in Section 102 of the Natural Gas Policy Act of 1978.

Applicant states that the natural gas proposed for sale herein would be delivered at a point of interconnection between Applicant and Eastern Shore located in Chester County, Pennsylvania, which is presently under construction and would be in service July 15, 1981.

Applicant indicates that the volumes of gas proposed for sale are in excess of Applicant's current market requirements and would become a part of Eastern Shore's pipeline supply to be used in meeting its market supply. Applicant explains that an excess has occurred as a result of increase in supply, slower rate of growth and conservation.

It is asserted that any revenue in excess of Applicant's base commodity purchased gas costs would be credited to Account 191 of the Uniform System of Accounts Prescribed for Natural Gas Companies.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 4, 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 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 petiton 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 rquired 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 Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-20839 Filed 7-15-81; 8:45 am]

BILLING CODE 6450-85-M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: July 10, 1981

JD NO	JD TXT	API NO	S SEC CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
TEXAS RAILROAD COMMISSION							
-A L HERNDEN & MORRIS CANNAN		RECEIVED: 06/18/81 JA: TX					
8137124	F-03-026694	4232130991	102-4	ETHEL SIMMONS GAS UNIT #1 89410	ASHWOOD (7770 FRIO)	365.0	HOUSTON PIPE LINE
-ADA OIL EXPLORATION CORP		RECEIVED: 06/18/81 JA: TX					
8137130	F-03-027041	4228730638	102-2	JOHN NEWMAN #2	GIDDINGS	383.3	PHILLIPS PETROLEU
8137171	F-03-029478	4247730365	102-2	KOETHER #1	GIDDINGS	146.0	PHILLIPS PETROLEU
-ADOBE OIL & GAS CORPORATION		RECEIVED: 06/18/81 JA: TX					
8137475	F-08-035085	4247532153	103	BARSTOW 32 NO 1	SCOTT (DELAWARE)	10.0	TRANSWESTERN PIPE
8137465	F-03-034915	4214930736	102-2	PAUPEACH NO 1	GIDDINGS (AUSTIN CHALK)	20.0	
-AMERICAN QUASAR PETROLEUM CO		RECEIVED: 06/18/81 JA: TX					
8137337	F-6A-033045	4244530868	103	HARRIS #1-92	BROWNFIELD S (FUSSELMAN)	0.0	
-AMOCO PRODUCTION CO		RECEIVED: 06/18/81 JA: TX					
8137550	F-06-035824	4240131084	102-4	AKINS-REEVES GAS UNIT WELL NO 1	BLOCKER/COTTON VALLEY/	315.0	UNITED GAS PIPE L
8137550	F-06-035824	4240131084	107-TF	AKINS-REEVES GAS UNIT WELL NO 1	BLOCKER/COTTON VALLEY/	315.0	UNITED GAS PIPE L
8137551	F-06-035825	4220330805	102-4	AMIS GAS UNIT WELL NO 1	BLOCKER/COTTON VALLEY/	380.0	UNITED GAS PIPE L
8137551	F-06-035825	4220330805	107-TF	AMIS GAS UNIT WELL NO 1	BLOCKER/COTTON VALLEY/	380.0	UNITED GAS PIPE L
8137546	F-8A-035822	4221932918	103	LEVELLAND UNIT #775	LEVELLAND	16.4	AMOCO PRODUCTION
8137547	F-8A-035821	4221932919	103	LEVELLAND UNIT #776	LEVELLAND	12.6	AMOCO PRODUCTION
8137546	F-8A-035820	4221933001	103	MAY-MONTGOMERY UNIT #71	LEVELLAND	15.7	AMOCO PRODUCTION
8137549	F-8A-035823	4221933005	103	MAY-MONTGOMERY UNIT #72	LEVELLAND	11.0	AMOCO PRODUCTION
8137544	F-08-035818	4200232405	103	MIDLAND FARMS X #4	FASKEN (PENN)	95.3	AMOCO PRODUCTION
8137545	F-08-035819	4222732216	103	TEXAS LAND & MORT CO AR/AB #116	COAHOMA NORTH (FUSSEL)	0.7	GETTY OIL CO
8137543	F-7H-035817	4243331166	103	W C WEIR B #13	JOHNSONS CHAPEL (CANYON	0.1	CITIES SERVICE OI
-ANDERSON PETROLEUM INC		RECEIVED: 06/18/81 JA: TX					
8137147	F-7C-028028	4210532500	103	AUSTIN C MILLSPAUGH AL 3-12	OZONA (CANYON SAND)	50.0	ANDERSON PIPELINE
8137147	F-7C-028028	4210532500	107-TF	AUSTIN C MILLSPAUGH AL 3-12	OZONA (CANYON SAND)	50.0	ANDERSON PIPELINE
8137139	F-7C-027461	4210532179	103	IRA CARSON B 4-8	CANYON SAND	7.0	ANDERSON PIPELINE
8137139	F-7C-027461	4210532179	107-TF	IRA CARSON B 4-8	CANYON SAND	7.0	ANDERSON PIPELINE
-ANDOVER OIL COMPANY		RECEIVED: 06/18/81 JA: TX					
8137374	F-04-033558	4221531053	103	CRAIN-GRIFFITH L #16	LACY (B 7200)	100.0	TRANSCONTINENTAL
-APACHE CORP		RECEIVED: 06/18/81 JA: TX					
8137536	F-10-035798	4248330475	107-DP	STILES #1-A	STILES RANCH (MORROW)	670.0	ARKANSAS LOUISIAN
8137537	F-10-035800	4248330628	107-DP	STILES #6-24	STILES RANCH (MORROW)	670.0	ARKANSAS LOUISIAN
-APACHE CORPORATION		RECEIVED: 06/18/81 JA: TX					
8137043	F-10-034251	4248331575	102-2	STILES #3-3C	STILES RANCH (GRANITE WA	0.0	ARKANSAS-LOUISIAN
-ARCO OIL AND GAS COMPANY		RECEIVED: 06/18/81 JA: TX					
8137349	F-04-033132	4221531061	103	F E CHESTNUT UNIT B #2	TOBASCO (X)	805.0	TENNESSEE GAS PIP
8137597	F-01-035962	4231131373	103	GOUGER GAS UT A #30	S CAMPANA (QUEEN CITY 59	680.0	ARCO OIL & GAS CO
8137598	F-01-035963	4231131456	103	H C EDRINGTON ESTATE I #31	CAMPANA S (QUEEN CITY 59	300.0	HOUSTON PIPELINE
8137322	F-04-032910	4213134437	103	HAGIST GAS UNIT 2 WELL #3	HAGIST RANCH (WILCOX BAS	433.0	NATURAL GAS PIPEL
8137318	F-04-032874	4213134971	103	HAGIST RANCH 124 WELL #2	HAGIST RANCH (1100 SAND)	350.0	TENNESSEE GAS PIP
8137503	F-04-035721	4213134969	103	J.R. FOSTER #64	HAGIST RANCH (750)	37.0	NATURAL GAS PIPEL

8137122	F-04-026516	4221530929	103	SWALLOW GAS UNIT #6-UT	DONNA (6850)	180.0	TENNESSEE GAS PIP
-ART MACHIN & ASSOCIATES INC			RECEIVED: 06/18/81 JA: TX				
8137192	F-06-030748	4218330448	103	FAY BARDWELL #1	WILLOW SPRINGS (TRAVIS P	180.0	UNITED GAS PIPELI
-B D K PRODUCTION CO INC			RECEIVED: 06/18/81 JA: TX				
8137160	F-03-038969	4205130779	102-4	BERKA UNIT WELL NO 1	CALDWELL	73.0	FERGUSON CROSSING
-BARRON KIDD			RECEIVED: 06/18/81 JA: TX				
8137535	F-08-035796	4232930914	10?	NANCE #1	SPRABERRY (TREND AREA)	35.3	PHILLIPS PETROLEU
-BASE PETROLEUM			RECEIVED: 06/18/81 JA: TX				
8137560	F-01-035853	4205500000	108	CARL EKLUND A NO 1	SALT FLAT FIELD	0.4	PHILLIPS PETROLEU
-BASS ENTERPRISES PRODUCTION CO			RECEIVED: 06/18/81 JA: TX				
8137341	F-08-033065	4230130267	103	BASS N C GUTHRIE ET AL NO 1	WHEAT (DELAWARE)	9.0	PHILLIPS PETROLEU
-BILL J GRAHAM			RECEIVED: 06/18/81 JA: TX				
8137353	F-08-033171	4210900000	108	TXL - 9 #3	GERALDINE (FORD)	0.0	CONTINENTAL OIL C
-BLOCKER EXPLORATION CO			RECEIVED: 06/18/81 JA: TX				
8137360	F-06-033222	4200100000	102-4	WILLIAM R CADY ETAL #1 (#91666)	PRAIRIE LAKE SW (ODESSA	730.0	SEAGULL PIPELINE
-BONANZA PETROLEUM INC			RECEIVED: 06/18/81 JA: TX				
8137439	F-02-034556	4217531183	103	WHITFIELD #1	MARSHALL (2620)	70.0	UNITED GAS PIPELI
-BRUNER OIL & GAS INC			RECEIVED: 06/18/81 JA: TX				
8137090	F-78-02481	4214330580	102-4	J E CLAYTON NO 1 42-143-30580	BYRNES (DUFFER)	0.0	CORONADO TRANSMIS
8137091	F-78-024782	4214330584	102-4	J E CLAYTON NO 1A 42-143-30584	BYRNES (DUFFER)	0.0	CORONADO TRANSMIS
8137082	F-78-024771	4214330483	102-4	MARIE CLAYTON NO 1 42-143-30483	BYRNES (DUFFER)	0.0	CORONADO TRANSMIS
8137092	F-78-024783	4214300000	102-4	MARVIN C JONES 1-A	BYRNES (DUFFER)	0.0	CORONADO TRANSMIS
8137093	F-78-024784	4214330493	102-4	MARVIN JONES NO 1 42-143-30493	BYRNES (DUFFER)	0.0	CORONADO TRANSMIS
8137087	F-78-024778	4214330554	102-4	R D ARMSTRONG NO 1 42-143-30554	BYRNES (DUFFER)	0.0	CORONADO TRANSMIS
8137084	F-78-024775	4209330705	102-4	ROGERS NO 1 API 42-093-30705	WILDCAT/BYRNES	75.0	CORONADO TRANSMIS
8137085	F-78-024776	4214330513	102-4	T C ROBINSON #1 API 42-143-30513	WILDCAT/BYRNES	75.0	CORONADO TRANSMIS
8137088	F-78-024779	4214300000	102-4	T W BROWN	BRYNES (DUFFER)	0.0	CORONADO TRANSMIS
8137089	F-78-024780	4214300000	102-4	T W BROWN #1	BRYNES (DUFFER)	0.0	CORONADO TRANSMIS
8137083	F-78-024772	4214330373	102-4	TUNNEL NO 1 API 42-143-30373	WILDCAT/BYRNES	75.0	CORONADO TRANSMIS
8137086	F-78-024777	4214300000	102-4	TUNNELL NO 4 DD	BYRNES (DUFFER)	0.0	CORONADO TRANSMIS
8137094	F-78-024785	4214330427	102-4	WRIGHT NO 1 42-143-30427	BYRNES (DUFFER)	0.0	CORONADO TRANSMIS
-BURNS PETROLEUM			RECEIVED: 06/18/81 JA: TX				
8137431	F-09-034374	4207700000	103	GARRETT B #3	WATSON	7.5	FAGADAU ENERGY CO
8137432	F-09-034377	4250334249	103	GUISENBERRY #1	YOUNG COUNTY REGULAR	60.0	SOUTHWEST GAS PIP
-C & K PETROLEUM INC			RECEIVED: 06/18/81 JA: TX				
8137291	F-08-032526	4233531790	103	V T MCCABE A NO 1-L	JAMESON N (ELLENBURGER)	10.0	
8137290	F-08-032525	4233531750	103	V T MCCABE A NO 1-U	JAMESON N (STRAWN)	16.0	
-CAL-TEX OIL CO			RECEIVED: 06/18/81 JA: TX				
8137035	F-10-007378	4223300000	10R	E B JOHNSON (01146) WELL NO 3	PANHANDLE HUTCHINSON COU	21.7	PHILLIPS PETROLEU
-CARTER ENERGY CORP			RECEIVED: 06/18/81 JA: TX				
8137443	F-09-034613	4249731973	103	ROSIE BOAZ GAS UNIT #3	BOONSVILLE (BEND CONGLOM	182.0	LONE STAR GAS CO
-CASHCO ENERGY CORPORATION			RECEIVED: 06/18/81 JA: TX				
8137224	F-03-031748	4218530246	102-4	W H PROCK NO 1	IOLA (GEORGETOWN) FIELD	0.0	
-CASSELL OIL CO			RECEIVED: 06/18/81 JA: TX				
8137438	F-78-034533	4204931653	102-4	TISCHLER A NO 2	BROWN COUNTY REGULAR	25.9	ODESSA NATURAL CO
8137438	F-78-034533	4204931653	103	TISCHLER A NO 2	BROWN COUNTY REGULAR	25.9	ODESSA NATURAL CO
8137433	F-78-034385	4204931654	102-4	TISCHLER NO 1	BROWN COUNTY REGULAR	21.5	ODESSA NATURAL CO
8137433	F-78-034385	4204931654	103	TISCHLER NO 1	BROWN COUNTY REGULAR	21.5	ODESSA NATURAL CO
-CHAMPLIN EXPLORATION INC			RECEIVED: 06/18/81 JA: TX				
8137137	F-03-027400	4228730582	103	KNOX #1	GIDDINGS (AUSTIN CHALK)	0.0	
-CHAMPLIN PETROLEUM COMPANY			RECEIVED: 06/18/81 JA: TX				
8137163	F-06-029078	4240100000	103	BAILEY SHEPPARD NO 5	EASCA E	365.0	HYDROCARBON TRANS
8137163	F-06-029078	4240100000	107-TF	BAILEY SHEPPARD NO 5	EASCA E	365.0	HYDROCARBON TRANS

JD #	JA PAT	API NO	D SEC CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8137216	F-04-031571	4235531638	102-4	G P WARDNER NC 150	STRATTON	115.0	TENNESSEE GAS PIP
8137216	F-04-031571	4235531638	103	G P WARDNER NC 150	STRATTON	115.0	TENNESSEE GAS PIP
8137326	F-04-032934	4235500000	103	J H HARVEY NO 1	AGUA DULCE	0.0	TENNESSEE GAS PIP
8137263	F-03-032213	4205131117	102-?	JACK C COWEN NO 1	GIDDINGS	444.0	FERGUSON CROSSING
8137263	F-03-032213	4205131117	103	JACK C COWEN NO 1	GIDDINGS	444.0	FERGUSON CROSSING
8137533	F-02-035792	4246900000	108	MCFADDIN B NO 1	MCFADDIN	6.7	TENNESSEE GAS PIP
8137534	F-02-035793	4246900000	108	MCFADDIN B NO 2	KAY CREEK	16.0	TENNESSEE GAS PIP
-CHARLES L WALKER				RECEIVED: 06/18/81 JA: TX			
8137154	F-08-028315	4200332161	102-4	FISHER 3 #2	BLOCK A-34 SOUTH (YATES)	9.5	PHILLIPS PETROLEU
8137426	F-08-034301	4200332506	102-4	FISHER 6 #1	BLOCK A-34 (SAN ANDRES)	10.8	PHILLIPS PETROLEU
8137426	F-08-034301	4200332506	103	FISHER 6 #1	BLOCK A-34 (SAN ANDRES)	10.8	PHILLIPS PETROLEU
8137468	F-08-034956	4200332490	102-4	FISHER 9 #1	BLOCK A-34 (SAN ANDRES)	15.1	PHILLIPS PETROLEU
8137468	F-08-034956	4200332490	103	FISHER 9 #1	BLOCK A-34 (SAN ANDRES)	15.1	PHILLIPS PETROLEU
-CHEVRON U S A INC				RECEIVED: 06/18/81 JA: TX			
8137202	F-03-031164	4235130336	102-4	H B FUNCHESS JR #1	LONG PRAIRIE (13450)	1460.0	VALERO TRANSMISSI
8137584	F-8A-035928	4241531660	103	SACROC UNIT 20-11	KELLY SNYDER	82.0	EL PASO NATURAL G
8137583	F-8A-035927	4241531656	103	SACROC UNIT 34-10	KELLY SNYDER	143.0	EL PASO NATURAL G
8137585	F-8A-035925	4241531654	103	SACROC UNIT 36-7	KELLY SNYDER	116.0	EL PASO NATURAL G
8137191	F-09-030672	4218130696	103	7500 SAND UNIT #34-5	SHERMAN	15.3	LONE STAR GAS CO
8137190	F-09-030664	4218130697	103	7500 SAND UNIT #44-2	SHERMAN	23.0	LONE STAR GAS CO
-CIG EXPLORATION INC				RECEIVED: 06/18/81 JA: TX			
8137409	F-10-033941	4246300000	108	R W BROWN NO 1	LOTT RANCH (MORROW UPPER	14.0	COLORADO INTERSTA
-CITIES SERVICE COMPANY				RECEIVED: 06/18/81 JA: TX			
8137580	F-03-035914	4214930713	102-2	CHERRY A NO 2 (LEASE NO 13365)	GIDDINGS (AUSTIN CHALK -	72.3	
8137579	F-03-035913	4214930792	102-2	CHERRY A NO 3 (LEASE NO 13365)	GIDDINGS (AUSTIN CHALK -	12.6	
8137417	F-08-034171	4213533465	103	MOSS GRAYBURG/SAN ANDRES #108	COWDEN SOUTH	0.3	ODESSA NATURAL CO
8137418	F-08-034172	4213533464	103	MOSS GRAYBURG/SAN ANDRES #214	COWDEN SOUTH	9.0	ODESSA NATURAL CO
8137376	F-10-033590	4217900000	108	PERKINS E #2	PANHANDLE EAST	7.9	COLTEXO CORP
-CLAYTON W WILLIAMS JR				RECEIVED: 06/18/81 JA: TX			
8137205	F-03-031230	4205100000	102-2	GIESENSCHLAG-WUENSCHER #1	GIDDINGS	0.0	VALERO TRANSMISSI
8137260	F-03-032196	4205100000	102-?	HERMAN SCHULTZ #1	GIDDINGS	0.0	VALERO TRANSMISSI
-CLEMCO INC				RECEIVED: 06/18/81 JA: TX			
8137211	F-01-031496	4216331862	103	HENDERSON LTM ENTER NC 1	PEARSALL (AUSTIN CHALK)	250.0	TGP INC
-COASTAL OIL & GAS CORP				RECEIVED: 06/18/81 JA: TX			
8137297	F-10-032682	4237530742	103	BIVINS 1742RC	PANHANDLE (RED CAVE)	4.0	COLORADO INTERSTA
8137489	F-10-035324	4237530805	103	BIVINS 3702RC	PANHANDLE (RED CAVE)	6.0	COLORADO INTERSTA
8137453	F-10-034784	4237530762	103	BIVINS 5506 S	PANHANDLE (RED CAVE)	57.0	COLORADO INTERSTA
8137298	F-10-032683	4237530717	103	BIVINS 8040 RC	PANHANDLE (RED CAVE)	3.0	COLORADO INTERSTA
8137606	F-10-036019	4237530829	103	MASTERSON A 8403P	PANHANDLE (RED CAVE)	38.0	COLORADO INTERSTA
8137604	F-10-036016	4237530831	103	MASTERSON A 8408RC	PANHANDLE (RED CAVE)	6.0	COLORADO INTERSTA
8137477	F-10-035152	4237530752	103	MASTERSON D 1401RC	PANHANDLE (RED CAVE)	1.0	COLORADO INTERSTA
8137495	F-10-035496	4237530832	103	MASTERSON 8347RC	PANHANDLE (RED CAVE)	36.0	COLORADO INTERSTA
-COLA PETROLEUM INC				RECEIVED: 06/18/81 JA: TX			
8137562	F-7C-035919	4238331640	103	GORDON 138 #2	CALVIN (DEAN)	0.0	UNION TEXAS PETRO
8137553	F-7C-035830	4238331731	103	LEONA 166 #2	CALVIN (DEAN)	19.1	UNION TEXAS PETRO
8137581	F-7C-035915	4246131626	103	PRICE 29 #2	CALVIN (DEAN)	0.0	UNION TEXAS PETRO
8137474	F-7C-035078	4238331638	103	NOACH 164 #1	CALVIN (DEAN)	31.0	UNION TEXAS PETRO
-COLLIER DIAMOND C OILS INC				RECEIVED: 06/18/81 JA: TX			
8137488	F-04-035312	4247922211	103	G A COX NO 2 RRC ID #76472	LAS TIENDAS (OLMOS)	28.0	DELHI GAS PIPELIN
8137484	F-04-035258	4247931958	103	G A COX NO 4 RRC ID #82020	LAS TIENDAS (OLMOS)	5.0	DELHI GAS PIPELIN
-COLUMBIA GAS DEVELOPMENT CORP				RECEIVED: 06/18/81 JA: TX			
8137413	F-03-034084	4228730777	102-2	LINDEN & FRANK POWERS NC 1	GIDDINGS (AUSTINCHALK)	0.0	PHILLIPS PETROLEU
-COMINCO AMERICAN INC				RECEIVED: 06/18/81 JA: TX			

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JD NO	JA DKT	API NO	D SEC CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
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8137264	F-10-032215	4242100000	108	CATOR NO 1	TEXAS HUGGTON (BROWN DCL	4.0	DIAMOND SHAMROCK
8137262	F-10-032208	4219500000	108	COLLARD NO 1	HANSFORD (HEPLER)	6.0	NORTHERN NATURAL
8137265	F-10-032222	4242100000	108	GASSAWAY-GURLEY NC 1	TEXAS HUGOTON (BROWN DCL	18.0	DIAMOND SHAMROCK
-CONOCO INC				RECEIVED: 06/18/81 JA: TX			
8137540	F-10-035807	4206500000	108	BURNETT NO 46A	WEST PANHANDLE	15.0	CITIES SERVICE GA
8137539	F-10-035806	4206500000	108	BURNETT NO 59A	WEST PANHANDLE	15.0	CITIES SERVICE GA
8137333	F-78-033012	4243331103	103	F E SCOGGINS #6 ID #04185	ASPERMONT LAKE (CANYON S	0.4	CITIES SERVICE OI
8137366	F-08-033410	4238900000	108	FORD GERALDINE UNIT #155 ID #21021	GERALDINE FORD	0.3	EL PASO NATURAL G
8137538	F-10-035805	4206500000	108	GIRTHA MCCONNELL NO 1	WEST PANHANDLE	21.0	CITIES SERVICE GA
8137282	F-08-032419	4213533511	103	GIST UNIT #128 ID #19273	FOSTER	3.7	ODESSA NATURAL CO
8137193	F-08-030805	4213533489	103	GIST UNIT #132 ID #19373	FOSTER	3.7	ODESSA NATURAL CO
8137615	F-10-036038	4206500000	108	S B BURNETT - G NC 10	CARSON - HUTCHINSON	2.2	PHILLIPS PETROLEU
8137614	F-10-036036	4206500000	108	S B BURNETT - G NC 14	CARSON - HUTCHINSON	0.2	PHILLIPS PETROLEU
8137613	F-10-036035	4206500000	108	S B BURNETT - G NO 17	CARSON - HUTCHINSON	16.5	PHILLIPS PETROLEU
8137617	F-10-036040	4206500000	108	S B BURNETT - G NC 6	CARSON - HUTCHINSON	1.2	PHILLIPS PETROLEU
8137616	F-10-036039	4206500000	108	S B BURNETT - G NC 5	CARSON - HUTCHINSON	3.0	PHILLIPS PETROLEU
8137618	F-10-036041	4206500000	108	S B BURNETT G - NC 2	CARSON - HUTCHINSON	3.0	PHILLIPS PETROLEU
8137123	F-08-026565	4200300000	108	W H BONER A #12 IC #01663	FUHRMAN - MASCHO	0.8	PHILLIPS PETROLEU
8137339	F-78-033054	4243331114	103	W Z RUTHERFORD-F-#1	FRANKIRK E (PALO PINTO)	28.1	CITIES SERVICE OI
-CORDOVA RESOURCES INC				RECEIVED: 06/18/81 JA: TX			
8137303	F-78-032714	4213300000	102-4	REBA CADE NO 2 IC NC 78573	PIONEER N (CADDO)	0.0	ODESSA NATURAL CO
8137304	F-78-032715	4213300000	102-4	SOOTER NO 2 WELL ID NO 90132	PIONEER N (CADDO)	0.0	ODESSA NATURAL CO
8137304	F-78-032715	4213300000	103	SOOTER NO 2 WELL ID NO 90132	PIONEER N (CADDO)	0.0	ODESSA NATURAL CO
-CORPUS CHRISTI LEASEHOLDS INC				RECEIVED: 06/18/81 JA: TX			
8137228	F-04-031874	4200700000	102-4	STATE TRACT 78 NC 1	GOOSE ISLAND SOUTH (N-4	0.0	CENTRAL POWER & L
-CORPUS CHRISTI OIL AND GAS CO				RECEIVED: 06/18/81 JA: TX			
8137490	F-02-035327	4270330210	102-4	STATE TRACT 659-L SW/4 WELL #1-U	SIX SIXTY (4200) FIELD	0.0	HOUSTON PIPELINE
-CPC EXPLORATION INC				RECEIVED: 06/18/81 JA: TX			
8137146	F-03-027796	4205130728	102-4	BIRD #1 WELL RRC # 13000	CALDWELL (AUSTIN CHALK)	100.0	FERGUSON CROSSING
-CRB OIL & GAS INC				RECEIVED: 06/18/81 JA: TX			
8137320	F-01-032884	4217730663	102-4	JACKSON NO 1	PEACH CREEK (AUSTIN CHAL	146.0	CLAJON GAS CO
-CUMMINS & WALKER OIL CO INC				RECEIVED: 06/18/81 JA: TX			
8137369	F-04-033466	4224900000	103	NOLLKAMPER NC 1	WADE CITY (2700 N)	110.0	VALERO GATHERING
8137368	F-04-033465	4224900000	103	STECH GAS UNIT NC 1	WADE CITY (2700 N)	110.0	VALERO GATHERING
-D L BISHOP				RECEIVED: 06/18/81 JA: TX			
8137112	F-7C-025680	4210500000	103	WEGER UNIT #511 RRC #05562	WEGER (SAN ANDRES)	0.1	J L DAVIS
-D L DORLAND				RECEIVED: 06/18/81 JA: TX			
8137258	F-08-032098	4222732143	102-4	EDWARDS M M G #1 - 26042	DORLAND (FUSSELMAN)	24.0	GETTY OIL CO
-D W VAREL				RECEIVED: 06/18/81 JA: TX			
8137450	F-09-034753	4249700000	103	ROY C COFFEE GU WELL #2	BOONSVILLE (BEND CONGL G	299.3	NATURAL GAS PIPEL
-DALLAS TRUST CO				RECEIVED: 06/18/81 JA: TX			
8137188	F-78-030435	4236332463	102-2	BRANSON-JEFFRIES UNIT NC 1	SANTO EAST (3800 CONGL)	613.6	SOUTHWESTERN GAS
8137188	F-78-030435	4236332463	103	BRANSON-JEFFRIES UNIT NC 1	SANTO EAST (3800 CONGL)	613.6	SOUTHWESTERN GAS
-DAVIS OIL COMPANY				RECEIVED: 06/18/81 JA: TX			
8137485	F-01-035262	4212731910	102-4	H E STUMBERG #1	CATARINA FARMS (OLMOS)	54.0	VALERO TRANSMISSI
-DIAMOND SHAMROCK CORPORATION				RECEIVED: 06/18/81 JA: TX			
8137552	F-10-035826	4235700000	108	PHILO BUTLER NO 2	TWIN	2.0	NORTHERN NATURAL
-EDWIN L COX				RECEIVED: 06/18/81 JA: TX			
8137038	F-02-015464	4212330966	102-4	ANGERSTEIN #3-L	COTTONWOOD CREEK SOUTH (	180.0	LONE STAR GAS CO
8137039	F-02-017186	4212330995	102-4	PUEHRIG #5-P	COTTONWOOD CREEK SOUTH (	30.0	LONE STAR GAS CO
-EL PASO NATURAL GAS COMPANY				RECEIVED: 06/18/81 JA: TX			
8137229	F-10-031887	4208726023	108	BETENBOUGH A #1	PANHANDLE EAST	15.0	EL PASO NATURAL G
8137161	F-7C-028975	4243515207	108	DEPFRRY A #2	SONORA (CANYON UPPER)	15.0	EL PASO NATURAL G

							FIELD NAME	PROD	PURCHASER
8137162	F-7C-028RE	4243536702	108		DEBERRY A #8		SONORA CANYON UPPER GAS	15.0	EL PASO NATURAL G
8137644	F-10-019318	4235730914	103		PARNELL #1		PARSELL MORROW UPPER	548.0	EL PASO NATURAL G
8137364	F-7C-03530	4241316880	108		SHEEN A #2 FIELD SALE		FORT MCKAVITT (CANYON)	27.0	EL PASO NATURAL G
8137196	F-7C-030872	4243519227	108		THOMSON 62 #1		SONORA CANYON UPPER	20.0	EL PASO NATURAL G
-ELF AQUITAINE INC					RECEIVED: 06/18/81 JA: TX				
8137781	F-04-032710	4247932619	102-2		CARR #5		CARR (LOBO 10100) PROPCS	100.0	UNITED TEXAS TRAN
-ENERGY RESERVES GROUP INC					RECEIVED: 06/18/81 JA: TX				
8137440	F-7C-034567	4238331716	103		OWEN D CHILDRESS #2		CALVIN (DEAN)	23.0	UNION TEXAS PETRO
8137574	F-7C-035RP9	4238331944	103		VESTER HUGHES #16		SPRABERRY (TREND AREA)	18.7	EL PASO NATURAL G
-ENRE CORP					RECEIVED: 06/18/81 JA: TX				
8137359	F-7C-033218	4213731570	103		COOPER #1 (14706)		SITTERLE (3800)	6.0	BENGAL GAS TRANSM
8137358	F-7C-033214	4242931561	103		ELLIOTT A #3 (80032)		CAL-M (BEND CONGL)	785.0	BENGAL GAS TRANSM
-ENSERCH EXPLORATION INC					RECEIVED: 06/18/81 JA: TX				
8137511	F-09-035731	4249732023	103		A E ALBRIGHT A NC 2		BOOKSVILLE	187.0	LONE STAR GAS CO
8137225	F-03-031771	4221300000	108		REN HEARNE NO 5		OPELIKA	6.0	LONE STAR GAS CO
8137510	F-05025730	4228900000	108		BESSIE ALBRITTON A NO 1		RED OAK	15.0	LONE STAR GAS CO
8137506	F-05-035725	4228900000	108		FRANK LEGALLEY NO 1		RED OAK	19.0	LONE STAR GAS CO
8137508	F-05-035727	4228900000	108		JAMES DONAHOE NO 1		RED OAK	21.0	LONE STAR GAS CO
8137504	F-05-035723	4228900000	108		O D VERCHER NO 1		RED OAK	17.0	LONE STAR GAS CO
8137505	F-05-035724	4228900000	108		R A PORTER NO 1		RED OAK	18.0	LONE STAR GAS CO
8137509	F-05-035729	4228900000	108		R M BELGER NO 1		RED OAK	13.0	LONE STAR GAS CO
8137507	F-05-035726	4228900000	108		T E HARCROW UNIT 1 NO 1		RED OAK	8.0	LONE STAR GAS CO
-ESENJAY PETROLEUM CORP					RECEIVED: 06/18/81 JA: TX				
8137077	F-02-024112	4202531154	103		JOYCE NOLEN NO 1-T 87967		BLANCONIA (4810)	300.0	UNITED GAS PIPELI
-ESTATE OIL & GAS CORP					RECEIVED: 06/18/81 JA: TX				
8137047	F-05-020657	4216130547	103		C N WILLIFORD GAS UNIT NO 1		REED (TRAVIS PEAK)	347.0	TEXAS UTILITIES F
-EXXON CORPORATION					RECEIVED: 06/18/81 JA: TX				
*8137072	F-06-023864	4240130831	102-3		ARNETTE G GREGORY #1		OAK HILL N W (COTTON VAL	450.0	ARMCO STEEL CORP
*8137571	F-04-035883	4204730842	103		D J SULLIVAN B 47 (09357)		CARL PETERS (E-3)	14.6	ARMCO STEEL CORP
8137393	F-10-033763	4239330762	103		FLOWERS TRUST 2 U		MENDOTA NW (DOUGLAS LO)	43.0	TRANSWESTERN PIPE
8137396	F-08-033785	4237133199	103		FORT STOCKTON UNIT #617		FT STOCKTON (YATES LOWER	21.0	NUECES CO
8137557	F-08-035844	4237133316	103		FT STOCKTON UNIT #1526		FT STOCKTON (YATES LOWER	27.0	NUECES CO
8137394	F-08-033785	4200332549	103		FULLERTON CLEARFORK UNIT #1125		FULLERTON	15.0	PHILLIPS PETROLEU
8137447	F-08-034720	4200332548	103		FULLERTON CLEARFORK UNIT #1217		FULLERTON	20.0	PHILLIPS PETROLEU
8137395	F-08-033786	4200332486	103		FULLERTON CLEARFORK UNIT #2631		FULLERTON	15.0	PHILLIPS PETROLEU
8137331	F-08-032964	4210332400	103		J B TUBB A/C 1 #237L		SAND HILLS (TUBB)	8.0	EL PASO NATURAL G
8137399	F-08-033796	4210332423	103		J B TUBB A/C 1 #241L		SAND HILLS (TUBB)	19.0	EL PASO NATURAL G
8137398	F-08-033795	4210332423	103		J B TUBB A/C 1 #241U		SAND HILLS (MCKNIGHT)	15.0	EL PASO NATURAL G
*8137113	F-06-025727	4236530866	102-3		J C BROWN #2		CARTHAGE (COTTON VALLEY)	500.0	ARMCO STEEL CORP
8137454	F-08-034794	4247532064	103		JOHN H WILSON TRUSTEE D #5		RHODA WALKER (CANYON 590	6.0	CLAJON GAS CO
*8137594	F-04-035955	4227331408	103		K R ALAZAN 341 (88056)		MADERO (M-48)	730.0	ARMCO STEEL CORP
*8137564	F-04-035875	4227331434	102-4		K R ALAZAN 346-F (90318)		ALAZAN (I-43 S)	146.0	ARMCO STEEL CORP
*8137570	F-04-035882	4227331473	103		K R ALAZAN 353-C (91173)		MADERO EAST (J-69)	730.0	ARMCO STEEL CORP
*8137565	F-04-035881	4227331473	103		K R ALAZAN 353-T (90586)		MADERO EAST (J-92)	548.0	ARMCO STEEL CORP
*8137566	F-04-035878	4227331490	103		K R ALAZAN 357 (92271)		MADERO (J-24)	730.0	ARMCO STEEL CORP
*8137572	F-04-035884	4227331466	102-4		K R CANELO 43-F (09742)		CANELO (F-80)	25.0	ARMCO STEEL CORP
*8137608	F-04-036022	4227331480	103		K R CHILTIPIN 88 (92365)		HINOJOSA NORTH (E-95)	1600.0	ARMCO STEEL CORP
*8137481	F-04-035203	4227331510	102-4		K R LOS SAUCES 5 (09733)		BISHOP EAST (H-71)	47.0	ARMCO STEEL CORP
*8137568	F-04-035880	4226130544	103		K R SAN JOSE DE LA PARRA 28-D		CALANDRIA (H-79)	365.0	ARMCO STEEL CORP
*8137582	F-04-035715	4226131571	103		K R SAN JOSE DE LA PARRA 31-D		CALANDRIA (8600 FRIO)	1100.0	ARMCO STEEL CORP
*8137583	F-04-035716	4226130571	103		K R SAN JOSE DE LA PARRA 31-F		CALANDRIA (I-45)	900.0	ARMCO STEEL CORP
*8137563	F-04-035874	4226130580	103		K R SAN JOSE DE LA PARRA 33-F		CALANDRIA (4850)	770.0	ARMCO STEEL CORP
*8137567	F-04-035879	4227331505	103		K R STRATTON T-43-C (09770)		STRATTON (R-2 UPPER SD)	32.0	ARMCO STEEL CORP

				SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
*8137561	F-04-035871	4227330593		103		K R VISNAGA 15-F (78639)	YEARY (I-96)	292.0	ARMCO STEEL CORP
*8137377	F-04-033665	4227331257		103		KING RANCH ALAZAN 317 (82220)	MADERO (J-24)	600.0	ARMCO STEEL CORP
*8137390	F-04-033758	4227331307		103		KING RANCH ALAZAN 318 (82294)	ALAZAN NORTH (J-36)	1460.0	ARMCO STEEL CORP
*8137461	F-04-034675	4227331345		102-4		KING RANCH ALAZAN 331-D	HINOJOSA N (G-08)	50.0	ARMCO STEEL CORP
*8137391	F-04-033741	4227331385		103		KING RANCH ALAZAN 339 (86027)	MADERO EAST (J-69)	550.0	ARMCO STEEL CORP
*8137459	F-04-034673	4227331194		102-4		KING RANCH BORREGOS M-13-E	ESCONDIDO CREEK (20-I-1)	150.0	ARMCO STEEL CORP
*8137460	F-04-034674	4227331281		102-4		KING RANCH BORREGOS M-18-E	ESCONDIDO CREEK (20-I-1)	80.0	ARMCO STEEL CORP
*8137381	F-04-033707	4227331164		102-4		KING RANCH BORREGOS M-9-ED (08950)	ESCONDIDO CREEK (20-I-1)	15.0	ARMCO STEEL CORP
*8137380	F-04-033694	4227331470		103		KING RANCH BORREGOS 555-C (90505)	BORREGOS (J-3)	160.0	ARMCO STEEL CORP
*8137384	F-04-033718	4227331388		102-4		KING RANCH CANELO 40-D (86725)	CANELO (H-07)	200.0	ARMCO STEEL CORP
*8137379	F-04-033690	4227331245		103		KING RANCH LAGUNA LARGA 17 (86718)	EL FAISANO (V-4)	163.0	ARMCO STEEL CORP
*8137389	F-04-033737	4227331262		102-4		KING RANCH RANCHO PLOMO 19	BIG CAESAR W	1.0	ARMCO STEEL CORP
*8137066	F-04-023075	4224930924		103		KING RANCH TIJERINA J-134 (82226)	T-C-B	365.0	ARMCO STEEL CORP
E137467	F-04-034935	4204730881		103		MCGILL BROS 460 (IC PENDING)	KELSEY DEEP (ZONE 18-E)	350.0	TRUNKLINE GAS CO
8137558	F-04-035845	4200332642		103		MEANS SAN ANDRES UNIT #1674	MEANS	20.0	PHILLIPS PETROLEU
8137487	F-08-035289	4200332535		103		MEANS/SAN ANDRES/ UNIT #2260	MEANS	35.0	PHILLIPS PETROLEU
*8137378	F-04-033695	4226130502		102-4		MRS S K EAST 100 (90060)	RITA (N-34)	120.0	ARMCO STEEL CORP
*8137565	F-04-035878	4226130564		102-4		MRS S K EAST 111-C (91689)	RITA NE (J-57)	803.0	ARMCO STEEL CORP
*8137573	F-04-035886	4226130568		102-4		MRS S K EAST 112 (91114)	RITA (J-90)	1039.0	ARMCO STEEL CORP
*8137593	F-04-035954	4226130583		102-4		MRS S K EAST 115-F (09690)	RITA NE (J-71)	180.0	ARMCO STEEL CORP
*8137607	F-04-036020	4226130592		103		MRS S K EAST 119-F (92279)	RITA N E (I-70)	650.0	ARMCO STEEL CORP
8137230	F-04-032004	4226130429		102-4		MRS S K EAST 94-C (91940)	RITA (9-B&C II)	183.0	NATURAL GAS PIPEL
8137397	F-10-033793	4229530850		103		NORTH FOLLETT GU-2 #2L	FOLLETT (MORROW UPPER)	750.0	TRANSWESTERN PIPE
8137116	F-10-026270	4235700000		108		PERRYTON GAS UNIT-1 #1	PERRYTON (NOVI LOWER)	20.8	TRANSWESTERN PIPE
*8137562	F-04-035873	4235531544		103		PITA ISLAND GU #2 WELL #4	PITA ISLAND (J-55)	1172.0	ARMCO STEEL CORP
*8137385	F-04-033720	4204730663		102-4		RJK JR TR LOS MUERTOS 26 (82504)	EL AZUL (H-42)	360.0	ARMCO STEEL CORP
*8137387	F-04-033732	4248930578		103		RJK JR TR STILLMAN PASTURE 36-F	TORDILLA (I-31)	548.0	ARMCO STEEL CORP
8137559	F-8A-035846	4216532001		103		ROBERTSON CLFK UNIT #8203	ROBERTSON N (CLFK 7100)	30.0	PHILLIPS PETROLEU
E137448	F-8A-034727	4216531973		103		ROBERTSON CLFK UNIT #9601	ROBERTSON N (CLFK 7100)	30.0	PHILLIPS PETROLEU
*8137388	F-04-033734	4226130407		103		SANTA FE RANCH MULA PASTURE 16	STILLMAN	480.0	ARMCO STEEL CORP
8137408	F-04-033904	4226130556		103		SARITA OIL & GAS UNIT 157-F (06793)	SARITA (11 A&B E)	110.0	NATURAL GAS PIPEL
8137407	F-04-033902	4226130601		102-4		SARITA OIL & GAS UNIT 159-D	SARITA (16-K W)	730.0	NATURAL GAS PIPEL
8137267	F-04-032234	4204730886		103		SCOTT AND HOPPER 38	SCOTT AND HOPPER (7600'	550.0	TENNESSEE GAS PIP
*8137386	F-04-033725	4227331391		103		SEELIGSON 21-H UNIT 110E-E (87804)	ZONE 21-B TREND	169.0	ARMCO STEEL CORP
*8137049	F-06-021353	4234730354		103		TRAWICK GAS UNIT 5 #3	TRAWICK (TRAVIS PEAK)	560.0	ARMCO STEEL CORP
*8137048	F-06-021352	4234730406		103		TRAWICK GAS UNIT 8 #3	TRAWICK (TRAVIS PEAK)	700.0	ARMCO STEEL CORP
*8137065	F-04-022952	4204700307		103		VIBORAS FIELD G U #1 V-80-D (81673)	VIBORAS	402.0	ARMCO STEEL CORP
8137288	F-08-032448	4249500000		108		W A MCCUTCHEN B #12C	KEYSTONE (MCKEE)	6.0	SID RICHARDSON GA
*8137076	F-06-024099	4240130757		102-3		WILLIAM MICKLE TCCN #1	OAKHILL NW (COTTON VALLE	450.0	ARMCO STEEL CORP
-F L LIVINGSTON				RECEIVED: 06/18/81 JA: TX					
8137203	F-08-031188	4249500000		108		J B WALTON #14 103258	KERMIT FIELD	12.0	CABOT CORP
-FAGADAU ENERGY CORP				RECEIVED: 06/18/81 JA: TX					
8137434	F-7B-034397	4242932779		102-4		FAGADAU ENERGY CORP BROWN WELL NO 1	FOUR J (CONGL 3650)	0.0	
8137434	F-7B-034397	4242932779		103		FAGADAU ENERGY CORP BROWN WELL NO 1	FOUR J (CONGL 3650)	0.0	
-FISHER-WEBB INC				RECEIVED: 06/18/81 JA: TX					
8137592	F-7B-035953	4244131712		103		RODE A NO 3	LAKE ABILENE (4000)	50.0	FORT CHADBOURNE C
8137411	F-04-034027	4235531585		102-4		STATE TRACT 55 NO 1	CRANE ISLAND SOUTH (J-2	1100.0	HOUSTON PIPELINE
8137636	F-7B-036090	4244131718		103		WELLS NO 3	LAKE ABILENE (4000)	50.0	FORT CHADBOURNE C
-FOREST OIL CORPORATION				RECEIVED: 06/18/81 JA: TX					
8137050	F-04-021431	4247900000		102-4		MURPHY-BROOKS GAS UNIT WELL NO 2	PITA A W (VICKSBURG)	1000.0	CHANNEL INDUSTRIE
8137293	F-04-032557	4247932686		102-3		ROSA B DE BENEVIDES NO 1	WILDCAT	720.0	HOUSTON PIPE LINE
-G M LEHNERTZ				RECEIVED: 06/18/81 JA: TX					
8137212	F-06-032795	4236500000		108		A J REED NO 1-L 30322	CARTHAGE (TRAVIS PEAK)	20.5	UNITED GAS PIPELI

JD NO	LP AT	API NO	S SEC CAT WELL NAME	FIELD NAME	PROD	PURCHASER
-GAGE & CO			RECEIVED: 06/18/81 JA: TX			
8137239	F-09-032033	4223733238	103 G W ACREE #2 (20503)	RUSMAG SE (CONGL 4900)	0.0	LONE STAR GAS
8137491	F-09-035394	4223733237	103 TOM BERRY B #1	MARYETTA SE (CONGL)	0.0	SOUTHWESTERN GAS
-GENE POWELL			RECEIVED: 06/18/81 JA: TX			
8137476	F-06-035128	4236503097	107-TF JOHN W WALTON GAS UNIT WELL #1	BETHANY (COTTON VALLEY)	120.0	TENNESSEE GAS PIP
-GENESIS PETROLEUM CORP			RECEIVED: 06/18/81 JA: TX			
8137283	F-03-032422	4232100000	103 STATE TRACT 310 NO 1-L	OLIVER POINT S (3950)	365.0	DOW CHEMICAL USA
-GEODYNAMICS OIL & GAS			RECEIVED: 06/18/81 JA: TX			
8137466	F-03-034923	4205131073	102-2 J HYVL #1	CALDWELL (AUSTIN CHALK)	50.0	CHAMPLIN PETROLEU
8137281	F-03-032417	4205131186	102-2 KAZMIR UNIT NO 1	GIDDINGS (AUSTIN CHALK)	95.0	CLAJON GAS CO
8137435	F-03-034409	4205131368	102-2 PATTERSON D #1	STONE CITY (AUSTIN CHALK	64.0	CLAJON GAS CO
-GEORGE S GALBRAITH			RECEIVED: 06/18/81 JA: TX			
8137342	F-78-033079	4241733269	103 W H MCKELVAIN #1	INDIANA KNOLL (CONGL)	20.0	DELHI GAS PIPELIN
-GETTY OIL COMPANY			RECEIVED: 06/18/81 JA: TX			
8137209	F-03-031488	4205100000	102-2 O A NOVOSAD #1	GIDDINGS (AUSTIN CHALK)	123.0	FERGUSON CROSSING
8137210	F-03-031488	4205130758	102-2 GIESENSCHLAG #1	GIDDINGS (AUSTIN CHALK)	0.5	FERGUSON CROSSING
8137494	F-88-035485	4216531646	103 GMK (SAN ANDRES) NO 505	GMK (SAN ANDRES)	2.0	PHILLIPS PETROLEU
8137119	F-06-026458	4236531069	103 PENNA-SIKES #3	CARTHAGE	367.0	DELHI GAS PIPELIN
8137119	F-06-026458	4236531069	107-TF PENNA-SIKES #3	CARTHAGE	367.0	DELHI GAS PIPELIN
8137135	F-03-027225	4205130810	102-2 R H KNOLLE WELL #1	GIDDINGS (AUSTIN CHALK)	72.0	FERGUSON CROSSING
8137135	F-03-027225	4205130810	103 R H KNOLLE WELL #1	GIDDINGS (AUSTIN CHALK)	72.0	FERGUSON CROSSING
-GLEN G SWARTS			RECEIVED: 06/18/81 JA: TX			
8137061	F-78-022723	4242932365	102-4 E J THOMPSON 33 WELL#2	BRETCHS CONGL	131.4	LONE STAR GAS CO
-GOLDKING PRODUCTION COMPANY			RECEIVED: 06/18/81 JA: TX			
8137140	F-02-027637	4229732242	102-4 PATRICIA CROCKER NO 1	MIKESKA N (WILCOX 10300)	270.0	VALLEY GAS TRANSM
-GRACE PETROLEUM CORPORATION			RECEIVED: 06/18/81 JA: TX			
8137305	F-06-032717	4234730476	102-4 JOPLING NO 1	GARRISON	200.0	
-GULF OIL CORPORATION			RECEIVED: 06/18/81 JA: TX			
8137071	F-03-023668	4215731041	103 R A WOLTERS ET AL B NO 28	THOMPSON SOUTH	300.0	UNITED TEXAS TRAN
8137605	F-03-036018	4204130442	103 W F ODOM UNIT I WELL NO 1	KURTEN (WOODBINE)	35.0	PRODUCERS GAS CO
8137635	F-03-036089	4204130451	103 W F ODOM UNIT II WELL NO 1	KURTEN (AUSTIN CHALK)	35.0	PRODUCERS GAS CO
8137343	F-08-033892	4210332306	103 W N WADDELL ET AL NO 1153	SAND HILLS (JUDKINS)	134.0	H & T GATHERING
8137345	F-08-033106	4210332294	103 W N WADDELL ET AL NO 1164	SAND HILLS (JUDKINS)	336.0	H & T GATHERING
-GUNN OIL CO			RECEIVED: 06/18/81 JA: TX			
8137197	F-8A-031116	4226930893	102-4 GUNN OIL CO -- J J GIBSON 2-1	TOM (B CONGL)	0.0	PALO DURO PIPELIN
8137197	F-8A-031116	4226930893	103 GUNN OIL CO -- J J GIBSON 2-1	TOM (B CONGL)	0.0	PALO DURO PIPELIN
-H L HUFFMAN			RECEIVED: 06/18/81 JA: TX			
8137368	F-7C-032760	4241330972	103 R L HENDERSON NO 3-X WELL	DOVE CREEK FIELD CANYON	73.0	CRA INC
-HANSON MINERALS CO			RECEIVED: 06/18/81 JA: TX			
8137097	F-02-025014	4212330880	103 FROEHLICH GAS UNIT #1-T	MEYERSVILLE S E (MV II-C	172.5	TEXAS EASTERN TRA
8137070	F-02-023407	4212330958	103 W H RUSCHHAUPT GAS UNIT #1	MEYERSVILLE E (MASSIVE I	182.5	TEXAS EASTERN TRA
-HENDERSON CLAY PRODUCTS INC			RECEIVED: 06/18/81 JA: TX			
8137111	F-06-025665	4240130953	102-6 E B ALFORD NO 1	OAKHILL (COTTON VALLEY)	365.0	DELHI GAS PIPELIN
8137111	F-06-025665	4240130953	107-TF E B ALFORD NO 1	OAKHILL (COTTON VALLEY)	365.0	DELHI GAS PIPELIN
8137609	F-06-035967	4240130721	102-0 J MCWILLIAMS WELL #1 RRC #80228	CYRIL (COTTON VALLEY) FI	50.0	HENDERSON CLAY PR
-HNG OIL COMPANY			RECEIVED: 06/18/81 JA: TX			
8137483	F-7C-035209	4243532416	103 ASKEW & GLIMP 55 #4 (91516)	SAWYER (CANYON)	17.2	INTRATEX GAS CO
8137483	F-7C-035209	4243532416	107-TF ASKEW & GLIMP 55 #4 (91516)	SAWYER (CANYON)	17.2	INTRATEX GAS CO
8137482	F-03-035207	4224331422	102-4 BLAUW PAETZ #7	STOWELL EAST (STEWART)	25.5	WINNIE PIPELINE C
8137482	F-03-035207	4224331422	103 BLAUW PAETZ #7	STOWELL EAST (STEWART)	25.5	WINNIE PIPELINE C
8137478	F-04-035167	4235531497	103 CHAPMAN HEIRS A 113 #20-U	ARNOLD DAVID (9400)	116.8	HOUSTON PIPELINE
8137588	F-04-035943	4235531369	102-4 CHAPMAN HEIRS A 114-2	ARNOLD DAVID (10400C)	2024.0	HOUSTON PIPELINE
8137588	F-04-035943	4235531369	103 CHAPMAN HEIRS A 114-2	ARNOLD DAVID (10400C)	2024.0	HOUSTON PIPELINE

[illegible]	[illegible]	[illegible]	L	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8137526	F-7C-035768	4243532437		103		DAVID 109 #6	SAWYER (CANYON)	54.8	INTRATEX GAS CO
8137526	F-7C-035768	4243532437		107	TF	DAVID 109 #6	SAWYER (CANYON)	54.8	INTRATEX GAS CO
8137589	F-08-035945	4237132613		103		FITZGERALD 17 #2 79901	PERRY BASS/DEVONIAN/	247.3	INTRATEX GAS CO
8137590	F-08-035946	4247531866		103		FULLER 125 #1 25452	RHODA WALKER (CANYON 590	18.3	CLAJON GAS CO
8137371	F-04-033468	4247932813		102	2	HIRSCH EST 1766 #1 ID #91289	BIG COWBOY	110.0	HOUSTON PIPELINE
8137371	F-04-033468	4247932813		103		HIRSCH EST 1766 #1 ID #91289	BIG COWBOY	110.0	HOUSTON PIPELINE
8137170	F-10-029404	4221131186		102	4	HOOVER 52 #1 89018	HEMPHILL-HOOVER (10850)	274.0	PALO DURO PIPELIN
8137170	F-10-029404	4221131186		103		HOOVER 52 #1 89018	HEMPHILL-HOOVER (10850)	274.0	PALO DURO PIPELIN
8137455	F-04-034798	4250531152		102	2	LAUREL OSCAR M #3 (89435)	LAS CVEJAS (WILCOX 9100)	75.1	HOUSTON PIPELINE
8137455	F-04-034798	4250531152		103		LAUREL OSCAR M #3 (89435)	LAS CVEJAS (WILCOX 9100)	75.1	HOUSTON PIPELINE
8137471	F-08-035008	4243130609		103		MCDONALD 170 #1	CREDO E (CISCO UPPER)	81.0	PHILLIPS PETROLEU
8137296	F-7C-032590	4241330853		103		NIXON 190-1 (86278)	SAWYER/CANYON/	2.9	INTRATEX GAS CO
8137296	F-7C-032590	4241330853		107	TF	NIXON 190-1 (86278)	SAWYER/CANYON/	2.9	INTRATEX GAS CO
8137479	F-08-035171	4238930963		102	2	SABINE STATE 12 #2 77696	AYLESWORTH (CHERRY CANYO	92.3	INTRATEX GAS CO
8137479	F-08-035171	4238930963		103		SABINE STATE 12 #2 77696	AYLESWORTH (CHERRY CANYO	92.3	INTRATEX GAS CO
8137445	F-7C-034676	4243532415		103		VANDERSTUCKEN 21 #2 (91379)	SAWYER/CANYON	36.5	INTRATEX GAS CO
8137445	F-7C-034676	4243532415		107	TF	VANDERSTUCKEN 21 #2 (91379)	SAWYER/CANYON	36.5	INTRATEX GAS CO
8137415	F-04-034086	4247932554		102	2	VAQUILLAS RANCH 136 #1	CARR (WILCOX)	361.6	HOUSTON PIPELINE
8137415	F-04-034086	4247932554		103		VAQUILLAS RANCH 136 #1	CARR (WILCOX)	361.6	HOUSTON PIPELINE
8137414	F-04-034085	4247932858		102	2	VAQUILLAS RANCH 136-A #1	CARR (WILCOX)	46.1	HOUSTON PIPELINE
8137414	F-04-034085	4247932858		103		VAQUILLAS RANCH 136-A #1	CARR (WILCOX)	46.1	HOUSTON PIPELINE
8137402	F-04-033848	4250531248		102	2	VELA EMILIANO #1	ROLETA (8150)	46.3	HOUSTON PIPELINE
8137402	F-04-033848	4250531248		103		VELA EMILIANO #1	ROLETA (8150)	46.3	HOUSTON PIPELINE
8137392	F-04-033747	4250531134		102	2	VELA SERAPIO HEIRS #2	ROLETA (8500)	570.0	HOUSTON PIPELINE
8137392	F-04-033747	4250531134		103		VELA SERAPIO HEIRS #2	ROLETA (8500)	570.0	HOUSTON PIPELINE
8137317	F-03-032830	4224531382		103		W M STOEGER #4	STOWELL S (ENGLIN)	86.8	WINNIE PIPELINE C
-HORIZON OIL & GAS CO OF TEXAS				RECEIVED: 06/18/81 JA: TX					
8137231	F-10-032018	4219500000		108		#1 ELODGETT (#03258)			
8137232	F-10-032019	4235700000		108		#1 POPE (#03957)	HORIZON - CLEVELAND	4.5	NORTHERN NATURAL
8137235	F-10-032023	4235700000		108		#2 CLEMENT (#03035)	HORIZON - CLEVELAND	4.3	NORTHERN NATURAL
8137233	F-10-032020	4235730205		108		#3 CLEMENT (#03905)	HORIZON - CLEVELAND	1.8	NORTHERN NATURAL
8137236	F-10-032024	4219500000		108		BUZZARD (OIL) #1-144 (#02253)	HORIZON - CLEVELAND	3.3	NORTHERN NATURAL
8137234	F-10-032022	4219530109		108		ETTER - BUZZARD A (#03855)	HORIZON - CLEVELAND	4.4	NORTHERN NATURAL
8137237	F-10-032025	4235730209		108		WASHER (#3904)	HORIZON - CLEVELAND	9.0	NORTHERN NATURAL
							HORIZON - CLEVELAND	2.0	NORTHERN NATURAL
-HOUSTON OIL & MINERALS CORPORATION				RECEIVED: 06/18/81 JA: TX					
8137405	F-7C-033684	4245130647		102	4	HOBLIT-JACOBS ET AL #3C	ALLEN HILL (STRAWN A)	113.0	LONE STAR GAS CO
8137405	F-7C-033684	4245130647		103		HOBLIT-JACOBS ET AL #3C	ALLEN HILL (STRAWN A)	113.0	LONE STAR GAS CO
8137404	F-7C-033870	4245130647		102	4	HOBLIT-JACOBS ET AL #3T	ALLEN HILL (STRAWN B)	45.0	LONE STAR GAS CO
8137404	F-7C-033870	4245130647		103		HOBLIT-JACOBS ET AL #3T	ALLEN HILL (STRAWN B)	45.0	LONE STAR GAS CO
-HUGHES & HUGHES				RECEIVED: 06/18/81 JA: TX					
8137626	F-03-036072	4228700000		103		MAE #2 UNIT	GIDDINGS (AUSTIN CHALK)	450.0	CLAJON GAS CO
-HUMBLE EXPLORATION CO INC				RECEIVED: 06/18/81 JA: TX					
8137096	F-03-024666	4229730717		102	2	ANNABELLE SCHOTTS - 13448	GIDDINGS (AUSTIN CHALK)	59.0	PHILLIPS PETROLEU
8137096	F-03-024666	4229730717		103		ANNABELLE SCHOTTS - 13448	GIDDINGS (AUSTIN CHALK)	59.0	PHILLIPS PETROLEU
8137052	F-03-021873	4247730325		102	2	CATHY MITCHELL #1 - 12584	GIDDINGS	100.0	PHILLIPS PETROLEU
8137052	F-03-021873	4247730325		103		CATHY MITCHELL #1 - 12584	GIDDINGS	100.0	PHILLIPS PETROLEU
8137274	F-03-032267	4214930789		102	4	MONA MUSSELWHITE #1 91660	GIDDINGS AUSTIN CHALK GA	1259.0	PHILLIPS PETROLEU
8137274	F-03-032267	4214930789		103		MONA MUSSELWHITE #1 91660	GIDDINGS AUSTIN CHALK GA	1259.0	PHILLIPS PETROLEU
8137102	F-03-025517	4214930645		102	2	MYRTLE E MATTINGLY - 13196	GIDDINGS - BUDA	161.0	PHILLIPS PETROLEU
8137102	F-03-025517	4214930645		103		MYRTLE E MATTINGLY - 13196	GIDDINGS - BUDA	161.0	PHILLIPS PETROLEU
8137051	F-03-021775	4214930376		102	2	PRISCILLA #1 - 12615	GIDDINGS	121.0	PHILLIPS PETROLEU
8137051	F-03-021775	4214930376		103		PRISCILLA #1 - 12615	GIDDINGS	121.0	PHILLIPS PETROLEU
8137053	F-03-022376	4228730370		102	2	SANDY #1 - 11992	GIDDINGS	148.9	PHILLIPS PETROLEU
8137053	F-03-022376	4228730370		103		SANDY #1 - 11992	GIDDINGS	148.9	PHILLIPS PETROLEU

JD NO	OP AT	API NO	D SEC CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
-IFA ENTERPRISES			RECEIVED: 06/18/81 JA: TX				
8137456	F-7C-034824	4223531555	103	ETHEL E AULT ET AL #2	ARDEN S (CANYON SD LO)	168.1	ESPERANZA PIPELIN
-IKE LOVELADY INC			RECEIVED: 06/18/81 JA: TX				
8137372	F-7C-033471	4243532417	102-4	WEST NO 1L WELL	INTERSTATE (ELLENBURGER)	365.0	
-INDEPENDENT EXPLORATION CO			RECEIVED: 06/18/81 JA: TX				
8137632	F-7B-036094	4236731730	102-4	ARMAND JONES #1 ID NO 89489	BUCKNER (STRAWN)	98.0	EMPIRE PIPELINE C
8137168	F-01-029340	4250731255	102-2	I T PRYOR #D-1	PRYOR EAST (SAN MIGUEL)	0.0	VALERO TRANSMISSI
8137172	F-01-029461	4250731240	102-2	KRIST HUBERT #1	PRYOR EAST (OLMOS)	0.0	VALERO TRANSMISSI
-INTERNATIONAL OIL & GAS CORP			RECEIVED: 06/18/81 JA: TX				
8137078	F-7C-024382	4210531804	103	UNIVERSITY 3-1	PERNER RANCH (DEVONIAN)	959.0	DELHI GAS CORP
-J B PRODUCTION CO			RECEIVED: 06/18/81 JA: TX				
8137446	F-7C-034694	4229931535	103	RICHARD B HEINZE NO 1	URBAN (MILES)	0.0	ODESSA NATURAL CO
-J B TERRELL JR			RECEIVED: 06/18/81 JA: TX				
8137527	F-7B-035770	4215131057	103	ARLIE CASSLE #2 ID #15505	VELTA (CANYON)	40.0	PALO DURO PIPELIN
8137520	F-7B-035760	4215131159	103	HOLLY TOLER SOUTH #2 ID 15610	KEELER-WIMBERLY (CANYON	28.0	PALO DURO PIPELIN
8137498	F-7B-035679	4215131160	103	R O ROBERTSON #1 ID #16957	KEELER-WIMBERLY (CANYON	17.0	PALO DURO PIPELIN
-JACK WORSHAM			RECEIVED: 06/18/81 JA: TX				
8137591	F-10-035952	4223330904	103	BURNETT #6-122	PANHANDLE	0.0	PANHANDLE EASTERN
-JAMES K ANDERSON INC			RECEIVED: 06/18/81 JA: TX				
8137631	F-7C-036062	4239531837	102-4	DAVENPORT NO 1	MYRNA LYNN (GARDNER)	18.0	UNION TEXAS PETRO
-JCO PIPE & SUPPLY INC			RECEIVED: 06/18/81 JA: TX				
8137273	F-10-032258	4206500000	108	SAILER 03326 WELL #2 DOCKET F	PANHANDLE	16.0	GETTY OIL CO
8137272	F-10-032257	4206500000	108	SAILOR 03326 WELL #3	PANHANDLE	16.0	GETTY OIL CO
8137271	F-10-032256	4206500000	108	SAILOR 03326 WELL #4	PANHANDLE	16.0	GETTY OIL CO
8137270	F-10-032255	4206500000	108	SAILOR 03326 WELL #5	PANHANDLE	16.0	GETTY OIL CO
8137269	F-10-032254	4206500000	108	SAILOR 03326 WELL #6	PANHANDLE	16.0	GETTY OIL CO
8137268	F-10-032253	4206500000	108	SAILOR 03326 WELL #8	PANHANDLE	16.0	GETTY OIL CO
-JOE W ELSBURY JR			RECEIVED: 06/18/81 JA: TX				
8137457	F-03-034860	4219931375	102-4	DOTY JACKSON B WELL #4	JACKSON DOTY (YEGUA A SD	100.0	ARCO OIL & GAS CO
-JOHN DEETER			RECEIVED: 06/18/81 JA: TX				
8137042	F-04-019174	4235531453	102-4	RIVERS ESTATE NO 1 WELL	VICKSBURG (8750)	400.0	HOUSTON PIPE LINE
-JOHN L COX			RECEIVED: 06/18/81 JA: TX				
8137251	F-08-032055	4231732247	103	ELIZABETH MEEK #1 RRC#26323	SPRABERRY (TREND AREA)	10.0	PHILLIPS PETROLEU
8137254	F-7C-032058	4246131625	103	H F NEAL ESTATE #3 (RRC #07736)	SPRABERRY (TREND AREA)	10.0	PHILLIPS PETROLEU
8137253	F-08-032057	4231732239	103	J C EPLEY #1-X (RRC #26187)	SPRABERRY (TREND AREA)	10.0	ALPINE OIL CO
8137248	F-7C-032050	4246131621	103	J R STEWART #1 (RRC #08689)	BENEDUM (FUSSELMAN)	12.0	EL PASO NATURAL G
8137242	F-7C-032047	4246131606	103	LYNCH 7 #1 (RRC #08567)	SPRABERRY (TREND AREA)	10.0	PHILLIPS PETROLEU
8137245	F-08-032046	4231732234	103	MABEE RANCH #5 (RRC #25704)	LACAFF (DEAN)	10.0	NORTHERN NATURAL
8137249	F-08-032052	4231732249	103	MABEE 13 #1 (RRC #26195)	MABEE	0.0	
8137250	F-7C-032054	4246131657	103	MCGILL B #2 (RRC #08537)	MCGILL (SPRABERRY)	10.0	PHILLIPS PETROLEU
8137247	F-7C-032048	4238331765	103	ROCKER B P #15-X (RRC #05173)	SPRABERRY (TREND AREA)	10.0	EL PASO NATURAL G
8137246	F-7C-032047	4238331753	103	ROCKER B P #5-X (RRC #05173)	SPRABERRY (TREND AREA)	10.0	EL PASO NATURAL G
8137244	F-08-032045	4243130819	103	ROSS FOSTER #2 (RRC #25792)	CONGER (PENN)	10.0	NORTHERN NATURAL
8137243	F-08-032044	4243130820	103	ROSS FOSTER B#2 (RRC #25793)	CONGER (PENN)	10.0	NORTHERN NATURAL
8137241	F-7C-032041	4246131605	103	WANDA HANKS #3 (RRC #08347)	MCGILL (SPRABERRY)	10.0	PHILLIPS PETROLEU
8137252	F-7C-032056	4246131635	103	WANDA HANKS #4 RRC #08347	MCGILL (SPRABERRY)	5.0	PHILLIPS PETROLEU
8137240	F-7C-032040	4238331663	103	WOLTERS EST B #2 (RRC 08313)	SPRABERRY (TREND AREA)	10.0	EL PASO NATURAL G
-JOHN R THOMPSON OPERATING INC			RECEIVED: 06/18/81 JA: TX				
8137352	F-02-033154	4202531226	103	B H HICKMAN NO 1-C	BEEVILLE NORTH (2660)	110.0	HOUSTON PIPELINE
8137351	F-02-033153	4202531226	103	B H HICKMAN NO 1-T	BEEVILLE NORTH (2700)	50.0	HOUSTON PIPE LINE
-JOY PETROLEUM CORP			RECEIVED: 06/18/81 JA: TX				
8137637	F-8A-036124	4216500000	103	SANDY L #2	CHAPMON NORTH (STRAWN)	0.0	PHILLIPS PETROLEU
-JS OIL CO INC			RECEIVED: 06/18/81 JA: TX				

JD NO	JA DKT	API NO	D SEC CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8137442	F-02-034585	4239131300	102-4	HYNES MINERAL TRUST A #2	REFUGIO-FOX (5420 SAND)	0.0	UNITED GAS PIPELI
8137442	F-02-034585	4239131300	103	HYNES MINERAL TRUST A #2	REFUGIO-FOX (5420 SAND)	0.0	UNITED GAS PIPELI
8137338	F-02-033051	4239131374	102-4	HYNES MINERAL TRUST B #1	REFUGIO-FOX (5200)	0.0	UNITED GAS PIPELI
8137338	F-02-033051	4239131374	103	HYNES MINERAL TRUST B #1	REFUGIO-FOX (5200)	0.0	UNITED GAS PIPELI
-K K OIL CO				RECEIVED: 06/18/81 JA: TX			
8137115	F-7C-028154	4238300000	103	UNIVERSITY THOMASCA #4	WEGER NORTH GRAYBURG	0.0	BIG LAKE GASOLINE
-K L H OIL & GAS INC				RECEIVED: 06/18/81 JA: TX			
8137486	F-73-035265	4204932582	103	MOORE ESTATE #1	CHAMBERS (CONGL) FIELD	201.0	ODESSA NATURAL CO
-KAMLOK INC				RECEIVED: 06/18/81 JA: TX			
8137355	F-03-033206	4224500000	103	ADAMS & HAGGARTY WELL NO 10	BIG HILL WEST (MARG 7600	265.0	TEXAS EASTERN TRA
-KBD				RECEIVED: 06/18/81 JA: TX			
8137142	F-7B-027677	4213300000	108	MCCRACKEN #4 RRC#14247	PENN (RANGER)	0.0	ODESSA NATURAL CO
-KEITH D GRAHAM				RECEIVED: 06/18/81 JA: TX			
8137403	F-03-033864	4205131271	102-2	CANATELLA UNIT #1	GIDDINGS (AUSTIN CHALK)	85.4	CHAMPLIN PETROLEU
-KERR-MCGEE CORPORATION				RECEIVED: 06/18/81 JA: TX			
8137286	F-10-032440	4223330836	103	PITTS NO 113	PANHANDLE (HUTCHINSON)	18.0	GETTY OIL CO
-L & B OIL CO INC				RECEIVED: 06/18/81 JA: TX			
8137176	F-7C-029768	4226700000	102-4	AWBREY KOTHMANN #2	KOTHMANN RANCH (STRAWN 1	34.0	PRESSURE TRANSPOR
-L M YOUNG				RECEIVED: 06/18/81 JA: TX			
8137555	F-7B-035842	4204932475	102-4	W R CHAMBERS C (92669)	CHAMBERS (CONGL)	208.0	ODESSA NATURAL CO
-LADD PETROLEUM CORPORATION				RECEIVED: 06/18/81 JA: TX			
8137037	F-7B-013497	4236731246	103	STANLEY UNIT NO 3-C	TCTC (LINE M-1)	80.0	LONE STAR GAS CO
-LANKFORD OIL CO				RECEIVED: 06/18/81 JA: TX			
8137625	F-7C-036072	4210532345	107-TF	OZONA TOWNSITE NO 2	OZONA (CANYON)	183.0	INTRATEX GAS CO
-LARIO OIL & GAS COMPANY				RECEIVED: 06/18/81 JA: TX			
8137441	F-08-034574	4237133175	103	STATE BREEN #2	MESA VISTA/WICHITA ALBAN	46.7	DELHI GAS PIPELIN
-LEAR PETROLEUM CORPORATION				RECEIVED: 06/18/81 JA: TX			
8137226	F-03-031795	4218530256	102-2	LEAR #1 H BELL	IOLA (SUBCLARKSVILLE)	547.0	PRODUCERS GAS CO
-LEON GAINES OPERATOR				RECEIVED: 06/18/81 JA: TX			
8137350	F-09-033145	4207700000	108	REX GATES 18613	WATSON	1.5	FEGADEU ENERGY CO
-LONGHORN RESOURCES INC				RECEIVED: 06/18/81 JA: TX			
8137357	F-7B-033212	4236731252	103	NEWBERRY #1-T (91397)	MCBY DICK (MARBLE FALLS)	219.0	SOUTHWESTERN GAS
-M & B OIL & GAS PROPERTIES INC				RECEIVED: 06/18/81 JA: TX			
8137309	F-04-032763	4247932798	102-4	RAY ADAMI NC 2	ADAMI SOUTH	164.0	VALERO TRANSMISSI
-M R JOHNSON JR				RECEIVED: 06/18/81 JA: TX			
8137064	F-09-02283	4236300000	103	GREGG-FINLEY 181	GENESIS (3050)	60.0	SUN GAS GATHERING
-MADERA R F				RECEIVED: 06/18/81 JA: TX			
8137336	F-7B-033044	4205932352	103	FLEMING O #1 ID-15358	PUTNAM NORTH (DUFFER)	72.5	BENGAL GAS TRANSM
8137335	F-7B-033043	4205932436	103	FLEMING O #2 ID-15358	PUTNAM NORTH (DUFFER)	9.7	BENGAL GAS TRANSM
-MARALO INC				RECEIVED: 06/18/81 JA: TX			
8137046	F-7B-020501	4235330775	102-2	WHITESIDE 66-1	GROUP S (SADDLE CREEK)	11.0	PALO DURO PIPELIN
-MARK IV ENERGY				RECEIVED: 06/18/81 JA: TX			
8137365	F-01-033331	4249330619	103	MILTON C PUTLER #1 06619	SUTIL (AUSTIN)	73.0	CLAJON GAS CO
-MARSHALL EXPLORATION INC				RECEIVED: 06/18/81 JA: TX			
8137165	F-7B-029221	4236332369	102-4	BAKER #1	BRANSON N (BIG SALINE)	185.0	SOUTHWESTERN GAS
8137165	F-7B-029221	4236332369	103	BAKER #1	BRANSON N (BIG SALINE)	185.0	SOUTHWESTERN GAS
8137075	F-7B-023983	4236332303	102-4	DUNNAWAY #1	BRANSON N (UPPER CONGLOM	110.0	SOUTHWESTERN GAS
8137075	F-7B-023983	4236332303	103	DUNNAWAY #1	BRANSON N (UPPER CONGLOM	110.0	SOUTHWESTERN GAS
8137074	F-7B-023971	4236332247	102-4	HARWELL #1	BRANSON N (BIG SALINE)	550.0	SOUTHWESTERN GAS
8137074	F-7B-023971	4236332247	103	HARWELL #1	BRANSON N (BIG SALINE)	550.0	SOUTHWESTERN GAS
8137073	F-7B-023965	4236332217	102-4	J B DAVIS #1	BRANSON N (BIG SALINE)	1850.0	SOUTHWESTERN GAS
8137073	F-7B-023965	4236332217	103	J B DAVIS #1	BRANSON N (BIG SALINE)	1850.0	SOUTHWESTERN GAS
8137141	F-06-027641	4236531090	103	SPRADLEY #1-UT	BELLE BOWER (TRAVIS PEAK	490.0	UNITED GAS PIPELI

[illegible]	[illegible]	[illegible]	L	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
-MARTIN OIL & GAS CO						RECEIVED: 06/18/81 JA: TX			
8137121	F-03-026484	4205130644		102-4		LEO HEIN LEASE NO 12964	CALDWELL (AUSTIN CHALK)	0.0	CLAJON GAS CO
8137501	F-03-035716	4205130626		102-4		PITTS-RUNYAN NO.1 WELL	CALDWELL (AUSTIN CHALK)	0.0	CLAJON GAS CO
8137502	F-03-035718	4205130681		102-4		WALSH NO 1 WELL LEASE NO 13427	CALDWELL (AUSTIN CHALK)	0.0	CLAJON GAS CO
-MCCARRICK GOUGER & MITCHELL						RECEIVED: 06/18/81 JA: TX			
8137275	F-02-032279	4229700000		102-4		JAMES D SULLIVAN NO 6	MAXINE EAST (6800)	0.0	NATURAL GAS PIPEL
-MCCOMMONS OIL COMPANY						RECEIVED: 06/18/81 JA: TX			
8137306	F-09-032721	4223732076		103		BALLOW #1	JACK COUNTY (REG GAS)	43.8	SOUTHWESTERN GAS
-MCCORMICK OPERATING CO						RECEIVED: 06/18/81 JA: TX			
8137167	F-08-029234	4231732203		102-4		B LILLARD #1	J L M (MISSISSIPPIAN)	85.0	NORTHERN NATURAL
8137167	F-08-029234	4231732203		103		B LILLARD #1	J L M (MISSISSIPPIAN)	85.0	NORTHERN NATURAL
8137449	F-08-034736	4231732233		102-4		FRED NO 1	J L P (MISSISSIPPIAN)	20.0	NORTHERN NATURAL
8137449	F-08-034738	4231732233		103		FRED NO 1	J L P (MISSISSIPPIAN)	20.0	NORTHERN NATURAL
-MEADCO PROPERTIES						RECEIVED: 06/18/81 JA: TX			
8137492	F-7C-035434	4223531464		102-2		#1 UT-11 RRC ID #08581	ELA SUGG (CISCO)	1.0	CRA INC
8137493	F-7C-035435	4223531609		102-2		#2 CRAVENS 20 RRC ID #08752	ELA SUGG (CISCO)	14.6	NORTHERN NATURAL
-MESA PETROLEUM						RECEIVED: 06/18/81 JA: TX			
8137629	F-7C-036077	4210531925		108		HOOVER #1-10	OZONA	16.0	DELHI GAS PIPELIN
8137628	F-7C-036076	4210531929		108		HOOVER #1-48	OZONA	16.0	DELHI GAS PIPELIN
8137630	F-7C-036078	4210531924		108		MILLSPAUGH #3-38	OZONA (CANYON SAND)	9.0	DELHI GAS PIPELIN
8137627	F-7C-036075	4210531923		108		MOODY #2-33	OZONA/CANYON SAND	12.0	DELHI GAS PIPELIN
8137221	F-7C-031597	4210531986		108		MOODY 2-39	OZONA (CANYON SAND)	2.5	DELHI GAS PIPELIN
8137220	F-7C-031596	4210532043		108		MOODY 3-37	OZONA (CANYON SAND)	7.0	DELHI GAS PIPELIN
-MGF OIL CORP						RECEIVED: 06/18/81 JA: TX			
8137500	F-08-035690	4231732175		103		BLOCKER A #1	SPRAYBERRY (TREND AREA)	33.3	PHILLIPS PETROLEU
-MITCHELL ENERGY CORPORATION						RECEIVED: 06/18/81 JA: TX			
8137041	F-09-016835	4223700000		108		C A LAWRENCE #1 28719	BOONSVILLE (BEND CONGL G	8.0	NATURAL GAS PIPEL
8137179	F-09-030146	4249700000		108		C A LAWRENCE #1 28719	BOONSVILLE (BEND CONGL G	8.8	NATURAL GAS PIPEL
8137332	F-7B-032994	4236700000		108		D M WEBB #1	RENO (CONGLOMERATE)	0.0	SOUTHWESTERN GAS
8137159	F-09-028865	4249700000		108		DAISY TAYLOR A #1T 12098	ALVORD (CADDO CONGL)	5.0	NATURAL GAS PIPEL
8137623	F-7B-036056	4236700000		108		F B BALLARD #1 70496	PCOLVILLE SW (MARBLE FAL	1.1	SOUTHWESTERN GAS
8137577	F-09-035908	4249700000		108		HAZEL COBB #1 28604	BOONSVILLE (BEND CONGL G	11.8	NATURAL GAS PIPEL
8137219	F-09-031592	4249700000		108		HUDSON-KING #2 77571	BOONSVILLE (BEND CONGL G	10.0	NATURAL GAS PIPEL
8137620	F-09-036048	4249700000		108		HUTCHINSON -B-/KATIE 17762	MORRIS (CONSOLIDATE CONG	5.1	UPHAM OIL & GAS C
8137621	F-09-036053	4249700000		108		I L ROBINSON #1 43271	MILES-JACKSON (CADDO)	11.2	NATURAL GAS PIPEL
8137222	F-7B-031634	4236300000		108		L O MCKEE #1 64075	GRAFORD (BEND CONGL)	12.0	SOUTHWESTERN GAS
8137624	F-7B-036058	4236300000		108		L O MCKEE #1 64075	GRAFORD (BEND CONGL)	10.5	SOUTHWESTERN GAS
8137158	F-09-028638	4249731933		103		MABEL WALKER #2	RHOPE (ATOKA)	180.0	NATURAL GAS PIPEL
8137622	F-09-036054	4249700000		108		MATHIS-GREGORY GU #1 29128	BOONSVILLE (BEND CONGL G	7.9	NATURAL GAS PIPEL
8137576	F-09-035906	4223700000		108		ROBERTSON-DEATS #1 16822	J R CLAYTON RANCH (CADDO	1.0	SOUTHWESTERN GAS
8137195	F-09-030864	4249731859		103		T C W B #25	CAP YATES (CONSOLIDATED	20.0	NATURAL GAS PIPEL
8137218	F-09-031590	4249700000		108		W H HOBBS #1	BOONSVILLE (BEND CONGL G	0.0	NATURAL GAS PIPEL
8137619	F-09-036045	4249700000		108		WIRT DAVIS #1 34723	BOONSVILLE (BEND CONGL G	11.8	NATURAL GAS PIPEL
8137180	F-09-030147	4223700000		108		Z H BORDEN C #1 21341	DUNES (CONGLOMERATE)	7.0	CITIES SERVICE GA
-MOBIL PROD TEXAS & NEW MEXICO INC						RECEIVED: 06/18/81 JA: TX			
8137255	F-7C-032063	4244330256		103		BANNER ESTATE NO 7	BROWN-BASSETT (STRAWN)	547.0	EL PASO NATURAL G
8137634	F-10-036087	4242100000		108		BRADLEY B NO 1	TEXAS HUGOTON	18.2	PHILLIPS PETROLEU
8137515	F-08-035748	4246131731		103		HARDWICKE-UNIVERSITY SEC 48 #10	MCELROY	32.9	PHILLIPS PETROLEU
8137516	F-08-035745	4246131730		103		HARDWICKE-UNIVERSITY SEC 48 #12	MCELROY	43.8	PHILLIPS PETROLEU
8137633	F-10-036086	4221130416		108		LESTER B URSCHEL NO 14	CANADIAN/NE/DOUGLAS	15.9	PIONEER NATURAL G
-MOBIL PRODUCING TEXAS & NEW MEXICO						RECEIVED: 06/18/81 JA: TX			
8137473	F-7C-035072	4215130001		102-4		BRUCE COX UNIT NO 1	ALKALI CREEK SW (FLIPPEN	11.3	
8137480	F-02-035178	4239131427		103		F B ROOKE & SONS NO S-1	LA HOSA WEST (3900 SD)	67.5	UNITED GAS PIPELI

-MONSANTO COMPANY				RECEIVED: 06/18/81 JA: TX				
8137238	F-65-032025	4221330072	102-4	VIRGIL HAMMOCK WELL NO 1		EUSTACE (SMACKOVER) FIEL	0.0	LONE STAR GAS CO
-MORAN EXPLORATION INC				RECEIVED: 06/18/81 JA: TX				
8137603	F-7C-036004	4223530165	108	ROCKER B E #8		SPRABERRY (TREND AREA)	13.4	NORTHERN NATURAL
-MORMAC OIL & GAS CO				RECEIVED: 06/18/81 JA: TX				
8137201	F-04-031158	4235531656	102-4	A P REGMUND NO 1-C		FARENTHOLD N (5500)	180.0	NUE-WELLS PIPELIN
8137199	F-04-031154	4235531656	102-4	A P REGMUND NO 1-T		FARENTHOLD N (VICKSBURG	180.0	NUE-WELLS PIPELIN
8137206	F-04-031381	4224931279	102-4	CHARLES W MUIL NO 1		CAPTAIN LUCEY (5320)	180.0	NUE-WELLS PIPELIN
-MUELLER ENGINEERING CORP				RECEIVED: 06/18/81 JA: TX				
8137315	F-02-032808	4229700003	108	FREEBORN 2-C		RAMIRENA SW/4000/	18.0	VALLEY GAS TRANSM
-MWJ PRODUCING COMPANY				RECEIVED: 06/18/81 JA: TX				
8137148	F-08-028124	4217300000	103	TXL 23 A 1-X		SPRABERRY TREND AREA	59.0	EL PASO NATURAL G
-NATURAL ENERGY PRODUCTION CO				RECEIVED: 06/18/81 JA: TX				
8137059	F-09-022454	4223700000	103	ACREE #1 (19713)		RUS-MAG N (ATOKA CONGL C	44.0	LONE STAR GAS CO
8137099	F-09-025093	4223700000	103	COOPER #1		JACK COUNTY REGULAR	0.0	CITIES SERVICE GA
8137100	F-09-025094	4249200000	103	J D CRAFT #1 (19970)		WISE COUNTY REGULAR	0.0	NATURAL GAS PIPEL
8137057	F-09-022451	4249700000	103	J NEWTON MAXWELL #1 (86270)		BOONSVILLE (BEND CONGL G	256.0	NATURAL GAS PIPE
8137058	F-09-022452	4249700000	103	NELLIE FLOWERS #1 (83231)		ALVORD (ATOKA CONGL)	150.0	TEXAS UTILITIES F
8137055	F-09-022438	4249700000	103	OTIS RITCHEY #1 (79044)		BOONSVILLE (BEND CONGL G	131.0	LONE STAR GAS CO
8137056	F-09-022439	4249700000	103	SAM ACOLA C #1 (80768)		BOONSVILLE (BEND CONGL G	18.0	LONE STAR GAS CO
8137098	F-09-025091	4249700000	103	WHEELER #1 (19971)		WISE COUNTY REGULAR	0.0	CITIES SERVICE GA
8137054	F-09-022437	4249700000	103	WOLFENBARGER #1 (81878)		BOONSVILLE (BEND CONGL G	172.0	NATURAL GAS PIPE
-NICO ENERGY CORP				RECEIVED: 06/18/81 JA: TX				
8137175	F-03-029661	4205100000	102-2	WHITENER B NO 1		GIDDINGS (AUSTIN CHALK)	0.0	CLAJON GAS CO
8137175	F-03-029661	4205100000	103	WHITENER B NO 1		GIDDINGS (AUSTIN CHALK)	0.0	CLAJON GAS CO
-NORTH AMERICAN ROYALTIES INC				RECEIVED: 06/18/81 JA: TX				
8137451	F-08-034772	4222732207	102-4	FLANAGAN #2 (26152)		RED DRAW (FUSS) FIELD	100.0	PHILLIPS PETROLEU
-NUCORP ENERGY INC				RECEIVED: 06/18/81 JA: TX				
8137416	F-01-034161	4217730395	103	RUDDOCK VACCINATING SERVICE #05847		PILGRIM (AUSTIN CHALK)	28.0	TIPPERARY GATHERI
-O H & R E CALLICOTT				RECEIVED: 06/18/81 JA: TX				
8137108	F-78-025548	4236731277	103	SADIE SKIDMORE #5023		WEATHERFORD SW (STRAWN)	120.0	BUCKNER GAS CO
8137109	F-78-025549	4236731277	103	SADIE SKIDMORE #5023		WEATHERFORD (STRAWN)	120.0	BUCKNER GAS CO
-OILWELL OPERATORS INC				RECEIVED: 06/18/81 JA: TX				
8137344	F-10-033100	4217900000	108	MELTON A #3 02909		PANHANDLE	12.0	PIONEER NATURAL G
-OJB INC				RECEIVED: 06/18/81 JA: TX				
8137330	F-7C-032940	4210500000	103	PIERCE-HENDERSON 7-4		OZONA (CANYON SAND)	146.0	VALERO TRANSMISSI
8137330	F-7C-032940	4210500000	107-TF	PIERCE-HENDERSON 7-4		OZONA (CANYON SAND)	146.0	VALERO TRANSMISSI
-ORIGINALA INC				RECEIVED: 06/18/81 JA: TX				
8137499	F-09-035682	4223733015	103	WILLIE RUTH RICHARDS ETAL #18		CARY PAG N (5180)	29.0	TEXAS UTILITIES F
-PANCAKE-WATTS				RECEIVED: 06/18/81 JA: TX				
8137578	F-7B-035912	4204932531	103	EDINGTON #1 (92549)		PALO DAVIS (DUFFER)	200.0	SOUTHWEST GAS PIP
-PARADOX PETROLEUM CO				RECEIVED: 06/18/81 JA: TX				
8137036	F-10-008415	4239300000	103	#1-25 CHRISTIE-TIPPS		RED DEER CREEK (GRANITE	180.0	TRANSWESTERN PIPE
-PARAFFINE OIL CORP				RECEIVED: 06/18/81 JA: TX				
8137261	F-02-032206	4205731033	102-4	P H WELDER A NO 2		CHRISTINA (G-11)	90.0	SEAGULL PIPELINE
8137261	F-02-032206	4205731033	103	P H WELDER A NO 2		CHRISTINA (G-11)	90.0	SEAGULL PIPELINE
8137289	F-02-032524	4205731040	102-4	P H WELDER B NO 9-U		KATIE WELDER (L-1)	10.0	FLORIDA GAS TRANS
8137276	F-02-032375	4205730962	102-4	P H WELDER D NO 1-U		KATIE WELDER (N-8)	18.0	SEAGULL PIPELINE
8137276	F-02-032375	4205730962	103	P H WELDER D NO 1-U		KATIE WELDER (N-8)	10.0	SEAGULL PIPELINE
8137375	F-02-033551	4205731016	102-4	P H WELDER D NO 3-U		KATIE WELDER (N-1)	16.0	SEAGULL PIPELINE
8137375	F-02-033551	4205731016	103	P H WELDER D NO 3-U		KATIE WELDER (N-1)	16.0	SEAGULL PIPELINE
-PEND OREILLE OIL & GAS CO				RECEIVED: 06/18/81 JA: TX				
8137410	F-02-033954	4229732521	102-4	C S NELSON TRUST ET AL #3		LIMES (WILCOX 10900) FIE	0.0	TRANSCONTINENTAL

[illegible]	[illegible]	[illegible]	[illegible] SEC CAT WELL NAME	FIELD NAME	PROD	PURCHASER
-PENNZOIL PRODUCING COMPANY			RECEIVED: 06/18/81 JA: TX			
8137194	F-04-030847	4250531148	107-DP A TREVINO NO 1	FANDANGO (WILCOX 15500)	546.0	
8137444	F-04-034622	4250531837	102-4 JENNINGS NO 38	JENNINGS W (WILCOX 7700)	235.0	NATURAL GAS PIPEL
8137292	F-06-032558	4206730325	103 OAKLAND CORPORATION NC 2	KILDARE (COTTON VALLEY)	750.0	TEXAS EASTERN TRA
8137292	F-06-032558	4206730325	107-TF OAKLAND CORPORATION NO 2	KILDARE (COTTON VALLEY)	750.0	TEXAS EASTERN TRA
-PHILCON DEVELOPMENT CO			RECEIVED: 06/18/81 JA: TX			
8137311	F-10-032795	4221131250	103 HUMPHREYS #3	HUMPHREYS (DOUGLAS)	274.0	CITIES SERVICE GA
-PHILLIPS PETROLEUM COMPANY			RECEIVED: 06/18/81 JA: TX			
8137133	F-10-027217	4223300000	108 COCKRELL RANCH #33	PANHANDLE HUTCHINSON	8.4	GETTY OIL CO
8137105	F-10-025515	4223330742	103 DUBOISE #3	PANHANDLE HUTCHINSON	0.0	EL PASO NATURAL G
8137496	F-08-03564*	4200363240	103 EMBAR-B #41 (012699)	EMBAR (PERMIAN)	2.2	EL PASO NATURAL G
8137464	F-08-034904	4213533519	103 GS ADOBE #2405 (18713)	GOLDSMITH (5600)	10.6	EL PASO NATURAL G
8137106	F-10-025546	4223330870	103 INGERTON C #3	PANHANDLE HUTCHINSON	0.0	EL PASO NATURAL G
8137107	F-10-025547	4234130584	103 JARVIS #2	PANHANDLE MOORE	0.0	EL PASO NATURAL G
8137131	F-10-027135	4242100000	108 JUDD A #1	STRATFORD	21.0	TRANSWESTERN PIPE
8137136	F-10-027367	4217930759	103 LEHMAN #4	PANHANDLE GRAY	14.0	
8137189	F-10-030507	4242100000	108 LENORA #1	TEXAS HUGOTON	20.4	PANHANDLE EASTERN
8137257	F-08-032074	4249530508	108 MCCABE #47	HALLEY	3.6	EL PASO NATURAL G
8137280	F-08-032375	4249530509	108 MCCABE #48	HALLEY	2.7	EL PASO NATURAL G
8137279	F-08-032378	4249530510	108 MCCABE #49	HALLEY	3.0	EL PASO NATURAL G
8137278	F-08-032377	4249531026	108 MCCABE #50	HALLEY	2.0	EL PASO NATURAL G
8137546	F-7C-033121	4246102373	108 N PEMBROOK S #32-01	SPRABERRY (TREND AREA)	4.3	NORTHERN NATURAL
8137256	F-08-032072	4213506435	108 N PENWELL #117	PENWELL	1.1	EL PASO NATURAL G
8137307	F-08-032725	4200304614	108 UNIVERSITY ANDREWS #46	EMBAR (PERMIAN)	17.2	EL PASO NATURAL G
8137472	F-10-035064	4217900000	108 WHEAT #7	PANHANDLE GRAY	0.0	
-PICKARD OIL CO / J W KIRK INC			RECEIVED: 06/18/81 JA: TX			
8137462	F-02-034689	4217531402	103 UTLEY NO 1	MELROSE (7700)	0.0	UNITED GAS PIPE L
-POST PETROLEUM COMPANY INC			RECEIVED: 06/18/81 JA: TX			
8137294	F-10-032565	4223330858	103 KIRK 866 #1T	SHIRLEY (CLEVELAND)	0.0	NORTHERN NATURAL
-PRO OIL 80-1 LTD			RECEIVED: 06/18/81 JA: TX			
8137118	F-7C-026357	4245130626	102-2 PRO OIL GLASS #1	S S R (CANYON UPPER) FIE	300.0	ODESSA NATURAL CO
-QUEST PETROLEUM INC			RECEIVED: 06/18/81 JA: TX			
8137321	F-09-032895	4223700000	103 JACKIE WORTHINGTON NO 1	ROOKESVILLE (BEND-CONGL)	500.0	SOUTHWESTERN GAS
-QUINTANA PETROLEUM CORP			RECEIVED: 06/18/81 JA: TX			
8137419	F-02-034264	4217531384	102-4 F O MARSHALL #1	PETERS CREEK - YEGUA	182.0	UNITED GAS PIPELI
-QUINTEX PETROLEUM CORP			RECEIVED: 06/18/81 JA: TX			
8137126	F-03-026853	4203931531	102-4 J PRICE NO 2 WELL - U	ARCOLA (6750 FRIO) (PROP	380.0	TENNGASCO
8137127	F-03-026854	4203931531	103 J PRICE WELL NO 2	ARCOLA (7300 FRIO)	376.0	TENNGASCO
-R A W ENERGY CORP			RECEIVED: 06/18/81 JA: TX			
8137166	F-7C-029225	4236731950	102-4 WILHITE 1-T	TOTC(BEND CONGL 5350)	250.0	NATURAL GAS PIPEL
-R H ENGELKE			RECEIVED: 06/18/81 JA: TX			
8137198	F-02-031145	4225931176	103 JOHN M BENNETT B NO 2	LA SALLE	209.1	TENNESSEE GAS PIP
-R H SIEGFRIED INC			RECEIVED: 06/18/81 JA: TX			
8137361	F-09-033278	4249700000	103 R L MORRIS-A-NO 22	CHICO WEST (CADDO CONGL	196.0	NATURAL GAS PIPEL
-R L BURNS CORP			RECEIVED: 06/18/81 JA: TX			
8137532	F-7C-035761	4243530988	108 MAYER 1 NO 2	SAWYER (CANYON)	19.5	VALERO TRANSMISSI
8137295	F-7C-032568	4243530981	108 MAYER 49 NO 2	SAWYER (CANYON) FIELD	17.8	VALERO TRANSMISSI
-R LACY INC			RECEIVED: 06/18/81 JA: TX			
8137469	F-06-034957	4236531068	103 PARRON WELL NO 1 RRC #10238	CARTHAGE (TRAVIS PEAK 64	3.0	ARKANSAS LOUISIAN
8137367	F-06-033455	4236500000	108 J W COOKE WELL #1 RRC #29750	CARTHAGE (UPPER PETTIT)	13.0	NATURAL GAS PIPEL
8137470	F-06-034958	4236531017	103 ROQUEMORE WELL NO 3 RRC# 10252	CARTHAGE (TRAVIS PEAK 64	4.0	ARKANSAS LOUISIAN
-R M HILL			RECEIVED: 06/18/81 JA: TX			
8137518	F-09-035758	4250334200	103 ALLAR 1-A #20545	EDPENOS E MARBLE FALLS C	18.0	LONE STAR GAS CO

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JD NO	JA DKT	API NO	D SEC CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
-REALITOS ENERGY CORP				RECEIVED: 06/18/81 JA: TX			
8137177	F-02-029945	4723531438	102-4	GUADALUPE SANCHEZ NC 1	WILDCAT-PROPOSED MORALES	185.0	TENNESSEE GAS PIP
-REPUBLIC GAS GATHERING SYSTEMS INC				RECEIVED: 06/18/81 JA: TX			
8137101	F-05-025248	4229330461	103	JACK PHILLIPS #2	PERSONVILLE N/COTTON VAL	250.0	DELHI GAS PIPELIN
8137101	F-05-025248	4229330461	107-TF	JACK PHILLIPS #2	PERSONVILLE N/COTTON VAL	250.0	DELHI GAS PIPELIN
-ROBERT P LAMMERTS				RECEIVED: 06/18/81 JA: TX			
8137067	F-03-023088	4214900000	102-2	#1 REINSCH ET AL	GIDDINGS (AUSTIN CHALK)	0.0	PHILLIPS PETROLEU
-ROCKWOOD RESOURCES INC				RECEIVED: 06/18/81 JA: TX			
8137587	F-03-035941	4208931154	102-4	M ROSENBERG A NO 1	CECIL NOBLE (10400)	0.0	TENNESSEE GAS PIP
-ROY E KIMSEY				RECEIVED: 06/18/81 JA: TX			
8137155	F-08-028345	4238931058	107-DP	LINDSAY 325 NC 1 WELL	WILDCAT	54.7	
-S K TUTHILL & B J BARBEE				RECEIVED: 06/18/81 JA: TX			
8137187	F-09-030280	4250334019	102-4	LYNCH UNIT NO 1	GRAHAM E (CADDO) FIELD	60.0	SOUTHWESTERN GAS
8137187	F-09-030280	4250334019	103	LYNCH UNIT NO 1	GRAHAM E (CADDO) FIELD	60.0	SOUTHWESTERN GAS
-SAGE ENERGY CORP				RECEIVED: 06/18/81 JA: TX			
8137452	F-08-034777	4213533398	103	TXL G #4 RRC #25740 #4	COWDEN (NORTH DEEP)	22.9	PHILLIPS PETROLEU
-SAMEDAN OIL CORPORATION				RECEIVED: 06/18/81 JA: TX			
8137599	F-03-035965	4222530362	102-4	DELL LAND COMPANY C #1	FT TRINIDAD NE (GEORGETO	40.0	LONE STAR GAS CO
8137319	F-04-032881	4270230146	102-2	STATE TRACT 818L NC F-2	SAMEDAN FRIO	1500.0	EL PASO NATURAL G
8137328	F-04-032937	4270230153	102-2	STATE TRACT 818L NC F-3	SAMEDAN FRIO	1500.0	EL PASO NATURAL G
8137329	F-04-032938	4270230150	102-2	STATE TRACT 818L NC H-1A	SAMEDAN FRIO	1500.0	EL PASO NATURAL G
8137327	F-04-032934	4270207586	102-2	STATE TRACT 942-S NC E-1	SAMEDAN FRIO	350.0	EL PASO NATURAL G
-SAXET OIL CORPORATION				RECEIVED: 06/18/81 JA: TX			
8137586	F-08-035932	4230100000	108	WHEAT A/C 126 WELL NO 2	WHEAT	2.8	PHILLIPS PETROLEU
-SAXON OIL COMPANY				RECEIVED: 06/18/81 JA: TX			
8137325	F-7C-032929	4246131650	103	HANKS NO 2	SPRABERRY (TREND AREA)	11.3	PHILLIPS PETROLEU
8137429	F-7C-034330	4246131653	103	HANKS NO 4	SPRABERRY (TREND AREA)	11.3	PHILLIPS PETROLEU
8137347	F-08-033123	4231732286	103	HUFFAKER NO 1	BREEDLOVE EAST	13.9	PHILLIPS PETROLEU
8137324	F-7C-032928	4217331098	103	LANE UNIT B NC 1	CALVIN (DEAN)	25.6	UNION TEXAS PETRO
8137348	F-08-033124	4231732207	103	ROLLOW NO 1	BREEDLOVE EAST	28.5	PHILLIPS PETROLEU
8137428	F-7C-034329	4238331836	103	WEATHERBY F NC 5	SPRABERRY (TREND AREA)	24.1	PHILLIPS PETROLEU
-SCANDRILL CO				RECEIVED: 06/18/81 JA: TX			
8137129	F-09-027050	4250333971	103	KURK NO 6	NAPECO (MISS)	17.9	SUN GAS GATHERING
-SCHKADE BROS DRILLING CO				RECEIVED: 06/18/81 JA: TX			
8137595	F-7B-035958	4213332720	103	EDWARD MILLER #1 (16641)	FOSTER (MARBLE FALLS)	18.0	ODESSA NATURAL CO
8137596	F-7B-035959	4213332720	103	EDWARD MILLER #2 (16641)	FOSTER (MARBLE FALLS)	18.0	ODESSA NATURAL CO
-SEELY OIL CO				RECEIVED: 06/18/81 JA: TX			
8137458	F-7B-034870	4241733598	103	MCFARLANE A #1 - ID #52218	MCFARLANE (MISS)	108.0	DELHI GAS PIPELIN
-SHAH EXPLORATION CO INC				RECEIVED: 06/18/81 JA: TX			
8137437	F-09-034490	4250300000	103	SHAH HINSON D	YOUNG COUNTY REGULAR	2.0	GAS ASSOCIATED SY
8137436	F-09-034489	4250300000	103	SHAH YCA 89d-E	YOUNG COUNTY REGULAR	2.0	GAS ASSOCIATED SY
-SHELL OIL CO				RECEIVED: 06/18/81 JA: TX			
8137512	F-08-035745	4213500000	108	E HARPER UNIT NO 335	HARPER	1.0	PHILLIPS PETROLEU
8137513	F-05-035746	4210300000	108	MCCLINTIC UNIT NC 82	MCELROY	0.8	PHILLIPS PETROLEU
8137069	F-08-023306	4247537757	103	SEALY SMITH FOUNDATION NO 154	MONAHANS (CLEAR FORK)	30.0	EL PASO NATURAL G
-SHILLELAGH CORP				RECEIVED: 06/18/81 JA: TX			
8137316	F-7B-032821	4242932724	103	LEDBETTER #2 RRC # 16745	STEPHENS COUNTY REGULAR	227.0	LONE STAR GAS CO
-SIMPSON-MANN OIL PRODUCERS				RECEIVED: 06/18/81 JA: TX			
8137602	F-7C-036000	4210533267	103	J M BAGGETT EST ET AL A #5-2	ADAMS-BAGGETT RANCH (CAN	212.7	VALERO TRANSMISSI
8137602	F-7C-036000	4210533267	107-TF	J M BAGGETT EST ET AL A #5-2	ADAMS-BAGGETT RANCH (CAN	212.7	VALERO TRANSMISSI
-SOUTHLAND ROYALTY CO				RECEIVED: 06/18/81 JA: TX			
8137117	F-08-026337	4213500000	103	MIDLAND FARMS #10	NORTH COWDEN	50.0	AMOCO PRODUCTION
8137132	F-7C-027152	4238300000	108	O F BOYD A #2-44	CALVIN	9.3	UNION TEXAS PETRO

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JD NO	JA DKT	API NO	D SEC(1) SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
-SOUTHWESTERN GAS EXPLORATION				RECEIVED: 06/18/81 JA: TX			
8137068	F-78-023241	4236731063	103	C G TALBOT #4	BUCK RANCH (STRAWN)	0.0	SOUTHWESTERN GAS
-SPINDLETOP OIL & GAS CO				RECEIVED: 06/18/81 JA: TX			
*8137334	F-78-033037	4236732006	103	HARRIS NO 1	SPRINGTOWN (5500)	250.0	LONE STAR GAS CO
8137174	F-78-029653	4236731920	102-4	HUTCHESON 1-T (92318)	SPRINGTOWN (5500)	180.0	LONE STAR GAS CO
8137174	F-78-029653	4236731920	103	HUTCHESON 1-T (92318)	SPRINGTOWN (5500)	180.0	LONE STAR GAS CO
8137178	F-78-030057	4236731845	102-4	MATHIS 1-T	SPRINGTOWN (CONYN)	45.0	LONE STAR GAS CO
8137178	F-78-030057	4236731845	103	MATHIS 1-T	SPRINGTOWN (CONYN)	45.0	LONE STAR GAS CO
-STRINGER OIL & GAS				RECEIVED: 06/18/81 JA: TX			
8137542	F-08-035809	4231732280	103	R C BAILEY NO 1 (26397)	SPRABERRY (TREND AREA)	4.0	PHILLIPS PETROLEU
8137541	F-08-035808	4231732262	103	W S GIBBS NO 1 (26403)	SPRABERRY (TREND AREA)	5.0	PHILLIPS PETROLEU
-SUN OIL COMPANY (DELAWARE)				RECEIVED: 06/18/81 JA: TX			
8137421	F-6E-034290	4218300000	108	A BACLE NO 1	EAST TEXAS	1.0	WARREN PETROLEUM
8137529	F-04-035776	4242731423	103	A MCKINNEY NO 29	SUN/F-1-M4950	2.0	TRANSCONTINENTAL
8137528	F-01-035775	4218500000	108	C KNOBLOCH NO 39	DARST CREEK (BUDA)	1.0	PHILLIPS PETROLEU
8137531	F-01-035778	4218500000	108	C KNOBLOCH NO 41	DARST CREEK (BUDA)	0.8	PHILLIPS PETROLEU
8137530	F-01-035777	4218500000	108	C KNOBLOCH NO 52	DARST CREEK (BUDA)	1.0	PHILLIPS PETROLEU
8137310	F-8A-032793	4221932949	103	CENTRAL LEVELLAND UNIT #171-A	LEVELLAND	4.9	AMOCO PRODUCTION
8137425	F-6E-034296	4218300000	108	EDDIE MITCHELL NO 2	EAST TEXAS	1.0	WARREN PETROLEUM
8137422	F-6E-034291	4240100000	108	FINNEY NO 1	EAST TEXAS	0.1	PARADE CO
8137424	F-6E-034295	4218300000	108	G S MATTOX NO 1	EAST TEXAS	0.4	WARREN PETROLEUM
8137601	F-02-035997	4239100000	108	HEARD J F B NO 8	GRETA (L-15)	16.7	UNITED TEXAS TRAN
8137323	F-7B-032913	4243330995	103	I S MCMILLIN A/C 2 #9	FRANKIRK NE (CANYON)	4.5	CITIES SERVICE CO
8137169	F-04-029358	4235531520	102-4	MCCANN STATE UNIT A NO 4	ARNOLD-DAVID	213.0	TRANSCONTINENTAL
8137259	F-04-032164	4235500000	102-4	STATE TRACT 423 NO 10	RED FISH BAY	931.0	UNITED GAS PIPELI
8137423	F-6E-034292	4245900000	108	WEBB NO 5	EAST TEXAS	0.5	UNITED GAS PIPE L
-SUNDANCE OIL CO				RECEIVED: 06/18/81 JA: TX			
8137040	F-05-018174	4229300000	102-3	#1 N E SHORTER - ID #84331	FARRAR S E (BOSSIER SAND	0.0	DELHI GAS PIPELIN
-SUPERIOR OIL CO				RECEIVED: 06/18/81 JA: TX			
8137125	F-04-026719	4221500000	108	F I JOHNSON #4	MONTE CHRISTO FIELD	12.0	FLORIDA GAS TRANS
8137120	F-04-026474	4221531008	103	F I JOHNSON NO 10	MONTE CHRISTO (9000)	0.0	
8137173	F-03-029512	4201530463	107-DP	WOOLS PETROLEUM GAS UNIT NO 1	NEW ULM	0.0	COLUMBIA GAS TRAN
-TANA OIL & GAS CORP				RECEIVED: 06/18/81 JA: TX			
8137156	F-02-028408	4229700000	102-4	BURKS NO 1	CLAY WEST - UNDESIGNATED	1100.0	EL PASO NATURAL G
-TAUBERT & STEED				RECEIVED: 06/18/81 JA: TX			
8137227	F-09-031798	4249731885	102-4	DAVENPORT 1 I D #89563	CRAFTON NORTH (CADDO CON	346.8	TEXAS UTILITIES F
-TEE OPERATING CO				RECEIVED: 06/18/81 JA: TX			
8137134	F-02-027224	4223931517	102-2	KLEKAR NO 1	STEWART (6030) FIELD	365.0	LONE STAR GAS CO
8137134	F-02-027224	4223931517	103	KLEKAR NO 1	STEWART (6030) FIELD	365.0	LONE STAR GAS CO
8137079	F-03-024483	4215731034	102-2	WELLS FARGO NO 1	PECAN GROVE (7950) FIELD	300.0	
8137079	F-03-024483	4215731034	102-4	WELLS FARGO NO 1	PECAN GROVE (7950) FIELD	300.0	
8137095	F-03-024824	4215731040	102-2	WENZEL WELL NO 1	WILDCAT FIELD	0.0	LONE STAR GAS CO
8137095	F-03-024824	4215731040	103	WENZEL WELL NO 1	WILDCAT FIELD	0.0	LONE STAR GAS CO
-TEMAGAMI OIL & GAS INC				RECEIVED: 06/18/81 JA: TX			
8137354	F-03-033173	4205130696	102-2	HOWARD-TYLER UNIT NO 1	CALDWELL (AUSTIN CHALK)	37.0	CLAJON GAS CO
-TERRELL OIL CO				RECEIVED: 06/18/81 JA: TX			
8137519	F-7B-035759	4215131060	103	BONDS AND GRIFFIN #1 A I D #16633	VELTA (CANYON) FIELD	76.0	PALO DURO PIPELIN
-TETRA PETR INC & CROUCH PETR CO				RECEIVED: 06/18/81 JA: TX			
8137406	F-10-033857	4219500000	103	WILMETH-BROCK #1	HANSFORD (MORROW UPPER)	109.5	NORTHERN NATURAL
-TEX-STAR PETROLEUM				RECEIVED: 06/18/81 JA: TX			
8137554	F-7C-035840	4239931752	103	ALDRIDGE #4 (08552)	BURNEY (GRAY)	105.0	UNION TEXAS PETRO
-TEXACO INC				RECEIVED: 06/18/81 JA: TX			
8137314	F-08-032805	4243130935	103	E B COPE #1	CONGER SW (PENN)	277.0	

8137287	F-08-032447	4247532209	103	STATE OF TEXAS FW #2	WAR-WINK S (WOLFCAMP)	253.0		
-TEXAS AMERICAN OIL CORP			RECEIVED: 06/18/81 JA: TX					
8137556	F-08-035843	4232930922	103	BAUMANN NO 1 RRC #26549	AZELEA (DEVONIAN)	1.3	PHILLIPS PETROLEU	
-TEXAS INTERNATIONAL PET CORP			RECEIVED: 06/18/81 JA: TX					
8137517	F-03-035753	4205131177	102-2	BOHACEK #2	GIDDINGS (AUSTIN CHALK)	401.0	CLAJON GAS CO	
8137461	F-03-033844	4205131176	102-2	BOHACEK #4	GIDDINGS (AUSTIN CHALK)	292.0	CLAJON GAS CO	
8137400	F-03-033843	4205130881	102-2	BUGG #4	GIDDINGS (AUSTIN CHALK)	110.0	CLAJON GAS CO	
8137497	F-08-035647	4233531791	103	EDWIN PARKS #19	DIXON (ODOM LIME)	138.0	SUN GAS CO	
8137412	F-03-034062	4205131245	102-2	LAMB A #3	GIDDINGS (AUSTIN CHALK)	474.0	CLAJON GAS CO	
8137223	F-03-031687	4205131113	102-2	STERN #1	GIDDINGS (AUSTIN CHALK)	547.0	CLAJON GAS CO	
-TEXAS OIL & GAS CORP			RECEIVED: 06/18/81 JA: TX					
8137128	F-05-027029	4216130606	102-4	CAPPS #1	REED N (COTTON VALLEY LI	500.0		
8137128	F-05-027025	4216130606	107-TF	CAPPS #1	REED N (COTTON VALLEY LI	500.0		
8137144	F-08-027755	4237100000	103	CHAMPLIN CITIES SERVICE #2-L	PUTNAM (WOLFCAMP)	325.0	NORTHERN NATURAL	
8137143	F-08-027754	4237100000	103	CHAMPLIN CITIES SERVICE #2-U	PUTNAM (WICHITA-ALBANY)	365.0	NORTHERN NATURAL	
8137145	F-08-027756	4237100000	103	CHAMPLIN CITIES SERVICE #3	PUTNAM (WICHITA-ALBANY)	325.0	NORTHERN NATURAL	
8137208	F-06-031409	4207330359	102-4	DIXON A #1-X	WHITE OAK CREEK (TRAVIS	0.4	DELHI GAS PIPELIN	
8137208	F-06-031409	4207330359	103	DIXON A #1-X	WHITE OAK CREEK (TRAVIS	0.4	DELHI GAS PIPELIN	
8137204	F-06-031206	4207330342	102-4	DIXON C #1	WHITE OAK CREEK (TRAVIS	1000.0	DELHI GAS PIPELIN	
8137204	F-06-031206	4207330342	103	DIXON C #1	WHITE OAK CREEK (TRAVIS	1000.0	DELHI GAS PIPELIN	
8137207	F-06-031407	4207330316	102-4	DORRIS #1	COON CREEK (RODESSA)	0.1	DELHI GAS PIPELIN	
8137207	F-06-031407	4207330316	103	DORRIS #1	COON CREEK (RODESSA)	0.1	DELHI GAS PIPELIN	
8137213	F-05-031512	4228930315	102-4	GAIL KING #2	BEAR GRASS (COTTON VALLE	0.2	DELHI GAS PIPELIN	
8137213	F-05-031512	4228930315	103	GAIL KING #2	BEAR GRASS (COTTON VALLE	0.2	DELHI GAS PIPELIN	
8137363	F-02-033316	4228531556	103	HANCOCK #4-3	PROVIDENT CITY FIELD	0.0	TEXAS EASTERN TRA	
8137063	F-05-022845	4229330487	102-4	HEATON #1	OAKS (COTTON VALLEY LIME	750.0		
8137063	F-05-022845	4229330487	103	HEATON #1	OAKS (COTTON VALLEY LIME	750.0		
8137164	F-05-029208	4216130450	102-4	JACKSON B #1	REED (BOSSIER SAND)	100.0	DELHI GAS PIPELIN	
8137164	F-05-029208	4216130450	107-TF	JACKSON B #1	REED (BOSSIER SAND)	100.0	DELHI GAS PIPELIN	
8137212	F-06-031510	4207330302	102-4	LEWIS A #1	COON CREEK (RODESSA)	0.1	DELHI GAS PIPELIN	
8137212	F-06-031510	4207330302	103	LEWIS A #1	COON CREEK (RODESSA)	0.1	DELHI GAS PIPELIN	
8137214	F-06-031513	4207330337	103	MCCLENDON GAS UNIT #1-3	WHITE OAK CREEK (RODESSA	0.1	DELHI GAS PIPELIN	
8137110	F-06-025580	4207330378	102-2	T D LITTLE #1	WILDCAT	500.0		
8137110	F-06-025580	4207330378	103	T D LITTLE #1	WILDCAT	500.0		
8137045	F-06-019719	4240130843	103	YOUNGBLOOD A #1	PONE (TRAVIS PEAK GAS)	0.0		
-TEXFEL PETROLEUM CORP			RECEIVED: 06/18/81 JA: TX					
8137080	F-7B-024641	4244100000	103	WESSELS B #1	AUDAS-GRAHAM (CAPPS LIME	996.0	UNION TEXAS PETRO	
-THOMAS D COFFMAN INC			RECEIVED: 06/18/81 JA: TX					
8137299	F-03-032685	4214930824	102-2	HAJOVSKY NO 2 101183	GIDDINGS (AUSTIN CHALK)	18.3	CLAJON GAS CO	
-TORREYANA OIL CORP			RECEIVED: 06/18/81 JA: TX					
8137523	F-8A-035764	4207931147	103	C S DEAN A #2	SLAUGHTER	240.0	AMOCO PRODUCTION	
8137524	F-8A-035765	4207931175	103	C S DEAN A #3	SLAUGHTER	215.4	AMOCO PRODUCTION	
8137525	F-8A-035766	4207931354	103	C S DEAN A 4	SLAUGHTER	220.0	AMOCO PRODUCTION	
8137060	F-8A-022565	4207931147	103	C S DEAN A#2	SLAUGHTER	240.0	AMOCO PRODUCTION	
-TRANS-AMERICAN DEVELOPMENT CORP			RECEIVED: 06/18/81 JA: TX					
8137266	F-7B-032230	4204900000	108	MIKLAR-MCCLEERY #1 WELL (RRC#85889)	BROWN COUNTY REGULAR (PA	5.5	SIOUX PIPELINE CO	
8137300	F-7B-032690	4204900000	108	TADC #1 GARNETT-CLARK (I D #84761)	BROWN COUNTY REGULAR (PA	6.3	SIOUX PIPELINE CO	
8137277	F-7B-03237E	4204900000	108	WAYNE-HOWARD #1 (ID#15456)	BROWN COUNTY REGULAR	5.1	SIOUX PIPELINE CO	
-TRANSIERRA EXPLORATION CORP			RECEIVED: 06/18/81 JA: TX					
8137522	F-7B-035762	4213330186	108	PLOWMAN AND VINES NC 1	EASTLAND COUNTY REGULAR	36.0	LONE STAR GAS CO	
-TRAVELERS OIL CO			RECEIVED: 06/18/81 JA: TX					
8137521	F-10-035761	4206530854	103	BURNETT C #3 91517	WEST PANHANDLE	4.0	PHILLIPS PETROLEU	
-TROJAN OIL PRODUCTION & SERVICES IN			RECEIVED: 06/18/81 JA: TX					

JC NO	JA CNT	API NO	T SEC CAT WELL NAME
8137427	F-7C-034314	4239931437	103 E H DEAN #1 (08268)
-TSPI INC			RECEIVED: 06/18/81 JA: TX
8137420	F-10-034270	4223330993	103 PEANUT NO 1
8137430	F-10-034361	4223330999	103 PEANUT NO 2
-U S OPERATING INC			RECEIVED: 06/18/81 JA: TX
8137062	F-03-022728	4228730525	102-2 DEBBIE NO 1 (12554)
8137062	F-03-022728	4228730525	103 DEBBIE NO 1 (12554)
8137157	F-03-028631	4228730684	102-2 SUZANNE NO 1
-UNION TEXAS PETROLEUM			RECEIVED: 06/18/81 JA: TX
8137356	F-7C-033209	4223531442	103 FARMAR 45-10 #1
-V F NEUHAUS			RECEIVED: 06/18/81 JA: TX
8137302	F-04-032712	4242731456	103 DON CAMERON ET AL UNIT #3-A
-VANDERBILT RESOURCES CORPORATION			RECEIVED: 06/18/81 JA: TX
8137081	F-02-024735	4246931486	102-4 NEUMANN NO 1
-VORTT EXPLORATION CO INC			RECEIVED: 06/18/81 JA: TX
8137151	F-7B-028195	4236300000	102-4 BENIE H PEAK UNIT I NO 1
8137183	F-7B-030233	4236332476	102-4 BENIE H PEAK UNIT II #1
8137150	F-7B-028194	4213306000	102-4 FRED BROWN NO 3
8137152	F-7B-028196	4236300000	102-4 GOREE-HICKS UNIT NO 1
8137149	F-7B-028193	4236300000	102-4 H BUCHANAN UNIT #1
8137185	F-7B-030236	4236332429	102-4 H GLOVER UNIT I #1
8137184	F-7B-030234	4236332427	102-4 MELTON TERRY UNIT I #1
8137182	F-7B-030232	4236332344	102-4 RHODES - GREEN UNIT II #1
8137181	F-7B-030231	4236332428	102-4 SQUIRES HEIRS UNIT I #1
8137186	F-7B-030241	4236332455	102-4 W T DUNAWAY UNIT I #1
8137153	F-7B-028197	4213300000	102-4 WRIGHT-ROPER NO 1
-W A MONCRIEF JR			RECEIVED: 06/18/81 JA: TX
8137215	F-7B-031346	4236730845	108 WINSTEAD NO 1
8137217	F-7B-031574	4236730179	108 WINSTON #2 (U)
-W L BRUCE OPERATOR			RECEIVED: 06/18/81 JA: TX
8137104	F-10-025378	4234100000	108 RESER #3 RRC#03705
8137103	F-10-025377	4234100000	108 RESER #5 RRC#03709
-W L PULS			RECEIVED: 06/18/81 JA: TX
8137313	F-03-032800	4224531441	103 JOSIE ENGLIN #2
-W R EDWARDS JR			RECEIVED: 06/18/81 JA: TX
8137514	F-10-035747	4223300000	103 BEARKILLER #1
8137575	F-10-035891	4223700000	103 SANFORD ESTATE #16
8137114	F-10-026055	4223330821	103 SANFORD ESTATES #11
-WAGNER & BROWN			RECEIVED: 06/18/81 JA: TX
8137370	F-7C-033467	4210533143	103 ROY #1-7
8137370	F-7C-033467	4210533143	107-TF ROY #1-7
-WALTER EXPLORATION INC			RECEIVED: 06/18/81 JA: TX
8137284	F-09-032428	4249700000	108 MCKAMY UNIT NO 1 ID #43252
8137285	F-09-032430	4249700000	108 MCKAMY UNIT NO 2 ID #43253
-WARRIOR MANAGEMENT & PENINSULA			RECEIVED: 06/18/81 JA: TX
8137362	F-04-033274	4235531588	102-4 MANLEY ALMA NO 1
8137362	F-04-033274	4235531588	103 MANLEY ALMA NO 1
-WES-TEX DRILLING COMPANY			RECEIVED: 06/18/81 JA: TX
8137340	F-7B-033063	4235330919	103 COMPTON #2
-WILSON ENERGY INC			RECEIVED: 06/18/81 JA: TX
8137200	F-7C-031155	4210500000	103 MAGGIE NEAL #5
8137138	F-7C-027431	4210500000	103 UNIVERSITY 2 #5
8137463	F-7C-034893	4210500000	103 UNIVERSITY 2 C #3

FIELD NAME	FROD	PURCHASER
BIG ED (GARDNER LIME)	10.0	LONE STAR GAS CO
PANHANDLE HUTCHINSON COU	110.0	PANHANDLE PRODUCI
PANHANDLE HUTCHINSON COU	110.0	PANHANDLE PRODUCI
GIDDINGS (AUSTIN CHALK)	100.0	PGP GAS PRODUCTS
GIDDINGS (AUSTIN CHALK)	100.0	PGP GAS PRODUCTS
GIDDINGS (AUSTIN CHALK)	200.0	PGP GAS PRODUCTS
ROCK PEN (CANYON) CANYON	36.2	CRA INC
LA COPITA (VICKSBURG Z S	360.0	FLORIDA GAS TRANS
BULLOCKS CHURCH (3700) P	100.0	INTRASTATE GATHER
MINERAL WELLS S (STRAWN	150.0	SOUTHWESTERN GAS
MINERAL WELLS S (STRAWN	0.0	SOUTHWESTERN GAS
MANGUM NORTH (3200)	365.0	SOUTHWESTERN GAS
MINERAL WELLS S (STRAWN	150.0	SOUTHWESTERN GAS
MINERAL WELLS S (CONGL)	0.0	SOUTHWESTERN GAS
MINERAL WELLS (STRAWN A)	0.0	SOUTHWESTERN GAS
MINERAL WELLS (STRAWN A)	0.0	SOUTHWESTERN GAS
MINERAL WELLS S (R-G CON	0.0	SOUTHWESTERN GAS
MINERAL WELLS S (STRAWN	0.0	SOUTHWESTERN GAS
MINERAL WELLS (STRAWN A)	0.0	SOUTHWESTERN GAS
MAGNUM N (BEND LOWER)	180.0	SOUTHWESTERN GAS
WEATHERFORD SW (STRAWN)	9.9	SOUTHWESTERN GAS
ALEDO SE (1200 STRAWN) W	5.5	SOUTHWESTERN GAS
PANHANDLE FIELD	0.0	PHILLIPS PET CO
PANHANDLE FIELD	0.0	PHILLIPS PET CO
STOWELL S (ENGLIN)	0.0	WINNIE PIPELINE C
PANHANDLE HUTCHINSON	93.0	PANHANDLE PRODUCI
PANHANDLE HUTCHINSON	98.0	PANHANDLE PRODUCI
PANHANDLE HUTCHINSON COU	0.0	
OZONA (CANYON SAND)	365.0	NORTHERN NATURAL
OZONA (CANYON SAND)	365.0	NORTHERN NATURAL
BOONSVILLE (BEND CONGL G	11.0	NATURAL GAS PIPEL
BOONSVILLE (BEND CONGL G	2.0	NATURAL GAS PIPEL
MOBIL-DAVID (BASAL ANDER	1000.0	HOUSTON PIPE LINE
MOBIL-DAVID (BASAL ANDER	1000.0	HOUSTON PIPE LINE
JMM (CANYON)	200.0	SUN OIL CO
WEGER (NORTH)	15.0	BIG LAKE GASOLINE
FARMER (SAN ANDRES)	18.0	BIG LAKE GASOLINE
FARMER (SAN ANDRES)	182.0	BIG LAKE GASOLINE

JC NO	DA MAT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
-WINDSOR PRODUCING CO				RECEIVED: 06/18/81 JA: TX					
8137611	F-03-036033	4228730656		102-2		B J STORK #2	GIDDINGS AUSTIN CHALK (G	36.5	PGP GAS PRODUCTS
8137611	F-03-036033	4228730656		103		B J STORK #2	GIDDINGS AUSTIN CHALK (G	36.5	PGP GAS PRODUCTS
8137612	F-03-036034	4228730806		102-2		FRANCES #1	GIDDINGS (AUSTIN CHALK)	109.5	PGP GAS PRODUCTS
8137612	F-03-036034	4228730806		103		FRANCES #1	GIDDINGS (AUSTIN CHALK)	109.5	PGP GAS PRODUCTS
8137610	F-03-03602	4228730815		102-2		LOWERY #1	GIDDINGS (AUSTIN CHALK)	109.5	PGP GAS PRODUCTS
8137610	F-03-03602	4228730815		103		LOWERY #1	GIDDINGS (AUSTIN CHALK)	109.5	PGP GAS PRODUCTS
-WM GRUENERWALD & ASSOC INC				RECEIVED: 06/18/81 JA: TX					
8137373	F-10-033496	4237530741		103		MASTERSON G #17R 03839	PANHANDLE (RED CAVE)	43.7	COLORADO INTERSTA
-ZENITH EXPLORATION COMPANY				RECEIVED: 06/18/81 JA: TX					
8137609	F-01-036024	4216331941		103		ESTHER BERRY NO 6	BERRY (FRIO) FIELD	260.0	TRANSCONTINENTAL

Other Purchasers: 8137334 EMPIRE P L CORP; for all other control numbers preceded by (*) the additional purchaser is E I DUPONT DE NEMOURS & 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" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission on or before July 31, 1981.

Categories within each NGPA section are indicated by the following codes:

Section 102–1: New OCS lease
102–2: New well (2.5 mile rule)
102–3: New well (1000 ft rule)
102–4: New onshore reservoir
102–5: New reservoir on old OCS lease
Section 107–DP: 15,000 feet or deeper
107–GB: Geopressured brine
107–CS: Coal Seams
107–DV: Devonian shale
107–PE: Production enhancement
107–TF: New tight formation
107–RT: Recompletion tight formation
Section 108: Stripper well
108–SA: Seasonally affected
108–ER: Enhanced recovery
108–PB: Pressure buildup

Kenneth F. Plumb,

Secretary

[FR Doc. 81-20849 Filed 7-15-81; 8:45 am]

BILLING CODE 6450-85-M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: July 10, 1981.

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
KANSAS CORPORATION COMMISSION									
-W B OSBORN JR (OPERATOR)						RECEIVED: 06/16/81 JA: KS			
8137867	K80-0898	1509300000			108-ER	MODIE #2	HUGOTON	19.2	CITIES SERVICE GA
OHIO DEPARTMENT OF NATURAL RESOURCES									
-ALMCO INC						RECEIVED: 06/16/81 JA: OH			
8137638		3410322475			103	ALBERS #1	GRANGER	20.0	
8137638		3410322475			107-TF	ALBERS #1	GRANGER	20.0	
-AMERICAN WELL MANAGEMENT						RECEIVED: 06/16/81 JA: OH			
8137639		3412725121			103	PARKER WOODS #2A	HOPEWELL	18.0	
-APPALACHIAN PETROLEUM CORP						RECEIVED: 06/16/81 JA: OH			
8137640		3412122337			107-DV	WALLACE HANSON #3	JACKSON	3.5	EAST OHIO GAS CO
-BELDEN & BLAKE CORPORATION						RECEIVED: 06/16/81 JA: OH			
8137643		3415123494			103	J SCHUMACHER #2-341083	MARLBORO	36.5	EAST OHIO GAS CO
8137641		3415122850			103	W & C BUCHER #2-34837	SUGARCREEK	36.5	EAST OHIO GAS CO
8137641		3415122850			107-TF	W & C BUCHER #2-34837	SUGARCREEK	36.5	EAST OHIO GAS CO
8137642		3415123485			103	W & H WENTLING COMM #1-341074	SUGARCREEK	36.5	EAST OHIO GAS CO
8137642		3415123485			107-TF	W & H WENTLING COMM #1-341074	SUGARCREEK	36.5	EAST OHIO GAS CO
-BUCKHORN OIL COMPANY INC						RECEIVED: 06/16/81 JA: OH			
8137654A		3407523054			103	CONNER #1	RICHLAND	20.0	COLUMBIA GAS TRAN
8137654B		3407523054	D		107-TF	CONNER #1	RICHLAND	20.0	COLUMBIA GAS TRAN
8137655A		3407523079			103	CONNER #2	RICHLAND	20.0	COLUMBIA GAS TRAN
8137655B		3407523079	D		107-TF	CONNER #2	RICHLAND	20.0	COLUMBIA GAS TRAN
-CARBONIT EXPLORATION INC						RECEIVED: 06/16/81 JA: OH			
8137658		3411122058			103	BLAIR #1	WASHINGTON TOWNSHIP	0.0	TEXAS EASTERN TRA
8137657		3411122050			103	KNOWLTON #1 A (NORTH)	WASHINGTON TOWNSHIP	0.0	TEXAS EASTERN TRA
8137656		3411122028			103	KNOWLTON #1 B SOUTH	WASHINGTON TOWNSHIP	0.0	TEXAS EASTERN TRA
8137660		3411122286			103	RALPH L PARKS (EAST) #1	BETHEL TOWNSHIP	0.0	TEXAS EASTERN TRA
8137659		3411122285			103	RALPH L PARKS #1 WEST	BETHEL TOWNSHIP	0.0	TEXAS EASTERN TRA
-CLARENCE SHERMAN						RECEIVED: 06/16/81 JA: OH			
8137840		3415723585			103	HUPPICH #1	AUBURN	20.0	
8137841		3415723586			103	HUPRICH #2	AUBURN	20.0	
8137842		3415723587			103	HUPRICH #3	AUBURN	20.0	
-COLUMBIA GAS TRANSMISSION CORP						RECEIVED: 06/16/81 JA: OH			
8137661		3415520162			108	TCO CONLEY UNIT #1 720044	NORTHERN DIST STE OF OHI	20.0	COLUMBIA GAS TRAN
-CRYSTAL ENERGY						RECEIVED: 06/16/81 JA: OH			
8137662		3408322857			103	CHARLES MERLYN STEVENS #1	JELLOWAY	36.0	
8137663		3410322491			103	KENNETH & ELLEN BREYLEY #1	SPENCER	36.0	
8137663		3410322491			107-TF	KENNETH & ELLEN BREYLEY #1	SPENCER	36.0	
-CYCLOPS CORP						RECEIVED: 06/16/81 JA: OH			
8137664		3403124096			103	C PEW #6	KEENE	50.0	

JD NO	DA INT	API NO	T	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
-DAVID SHAFER OIL PRODUCERS INC		RECEIVED: 06/16/81 JA: CH							
8137638		3415320947		103		R C FIRESTONE #4-A	BATH	5.0	EAST OHIO GAS CO
8137639		3415320949		103		RAYMOND C FIRESTONE #2-D	BATH	5.0	EAST OHIO GAS CO
-DOMESTIC OIL & GAS CO		RECEIVED: 06/16/81 JA: CH							
8137665		3403123916		103		FRITZ #1 3916	BLISSFIELD	3.0	COLUMBIA GAS TRAN
8137665		3403123916		107-TF		FRITZ #1 3916	BLISSFIELD	3.0	COLUMBIA GAS TRAN
8137666		3403124077		107-TF		HEAK #1 4077	BLISSFIELD	3.0	
-DORAN & ASSOCIATES INC		RECEIVED: 06/16/81 JA: CH							
8137667		3407522992		103		ABE G YODER #1	BERLIN	12.0	COLUMBIA GAS TRAN
8137667		3407522992		107-TF		ABE G YODER #1	BERLIN	12.0	COLUMBIA GAS TRAN
8137668		3407522994		103		ALBERT D MILLER #1	BERLIN	12.0	COLUMBIA GAS TRAN
8137668		3407522994		107-TF		ALBERT D MILLER #1	BERLIN	12.0	COLUMBIA GAS TRAN
8137671		3407523043		103		ALBERT J YODER #1	BERLIN	12.0	COLUMBIA GAS TRAN
8137671		3407523043		107-TF		ALBERT J YODER #1	BERLIN	12.0	COLUMBIA GAS TRAN
8137672		3407523053		103		ELI B YODER #1	BERLIN	12.0	COLUMBIA GAS TRAN
8137672		3407523053		107-TF		ELI B YODER #1	BERLIN	12.0	COLUMBIA GAS TRAN
8137673		3407523067		103		EMANUEL D MILLER #1	BERLIN	12.0	COLUMBIA GAS TRAN
8137673		3407523067		107-TF		EMANUEL D MILLER #1	BERLIN	12.0	COLUMBIA GAS TRAN
8137669		3407522995		103		PAUL FREY #1	BERLIN	12.0	COLUMBIA GAS TRAN
8137669		3407522995		107-TF		PAUL FREY #1	BERLIN	12.0	COLUMBIA GAS TRAN
8137670		3407522996		103		WYMAN RABER #1	BERLIN	12.0	COLUMBIA GAS TRAN
8137670		3407522996		107-TF		WYMAN RABER #1	BERLIN	12.0	COLUMBIA GAS TRAN
-EARTH RESOURCES EXPL & DEV CORP		RECEIVED: 06/16/81 JA: CH							
8137675A		3415123415		103		E GARAUX ET AL #1	SANDY TWP	5.0	
8137675B		3415123415	D	107-TF		E GARAUX ET AL #1	SANDY TWP	5.0	
8137676A		3415123416		103		E GARAUX ET AL #3	PIKE	5.0	
8137676B		3415123416	D	107-TF		E GARAUX ET AL #3	PIKE	5.0	
8137677A		3415123417		103		GARAUX #4	PIKE	5.0	
8137677B		3415123417	D	107-TF		GARAUX #4	PIKE	5.0	
-EARTH RESOURCES EXPL DEV CORP		RECEIVED: 06/16/81 JA: CH							
8137674A		3415123414		103		GARAUX #2	PIKE	5.0	
8137674B		3415123414	D	107-TF		GARAUX #2	PIKE	5.0	
-EDCO DRILLING & PRODUCING INC		RECEIVED: 06/16/81 JA: CH							
8137685		3403123789		103		BL-1A CONNER	JEFFERSON	18.0	
8137684		3403123735		103		BL-2A BICKLE	JEFFERSON	18.0	
8137680		3403122956		103		DW-1A HUGG	JEFFERSON	18.0	NATIONAL GAS & OI
8137682		3403122985		103		DW-2A ALLEN	BETHLEHEM	18.0	NATIONAL GAS & OI
8137683		3403123109		103		DW-2A HUFF	JEFFERSON	18.0	NATIONAL GAS & OI
8137688		3411923935		103		DW-2A LANE	CASS	18.0	NATIONAL GAS & OI
8137686		3403123938		103		DW-2A MOORE	CASS	18.0	NATIONAL GAS & OI
8137687		3411923932		103		DW-3A LANE	CASS	18.0	NATIONAL GAS & OI
8137689		3411923953		103		DW-4A LANE	CASS	18.0	NATIONAL GAS & OI
8137690		3411924033		103		DW-7A LANE	CASS	18.0	NATIONAL GAS & OI
8137681		3403122984		103		DW/1A ALLEN	BETHLEHEM	18.0	NATIONAL GAS & OI
8137678		3403122882		103		ED-#1 FINLAY	BETHLEHEM	18.0	NATIONAL GAS & OI
8137679		3403122942		103		RD-#1 MIKESELL	PERRY	18.0	NATIONAL GAS & OI
-EDLICO INC		RECEIVED: 06/16/81 JA: CH							
8137691A		3408923831		103		OHIO AGRICULTURAL EXT CAMP INC #1	EDEN	20.0	COLUMBIA GAS TRAN
8137691B		3408923831	D	107-TF		OHIO AGRICULTURAL EXT CAMP INC #1	EDEN	20.0	COLUMBIA GAS TRAN
8137692A		3408923833		103		YOUNG #1	EDEN	20.0	COLUMBIA GAS TRAN
8137692B		3408923833	D	107-TF		YOUNG #1	EDEN	20.0	COLUMBIA GAS TRAN
-ENERGY RECOVERY CO		RECEIVED: 06/16/81 JA: CH							
8137695		3411925522		103		JACKSON #1	HOPEWELL	15.0	

JOB NO	JA INT	API NO	T	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8137694		3411925506		103		MADDEN #1	HOPEWELL	24.0	
8137694		3411925506		107-TF		MADDEN #1	HOPEWELL	24.0	
8137693		3411925478		103		TURNER #3	LICKING	15.0	
-ENNEY OILFIELD RENTAL CO		RECEIVED: 06/16/81 JA: OH							
8137763		3411922424		108		BLACKFORD #2		2.6	NATIONAL GAS
8137713		3411922499		108		BOETCHER #1		3.0	NATIONAL GAS
8137697		3411922349		108		DRUMM #1		1.6	NATIONAL GAS
8137702		3411922417		108		FORSYTHE - WHITMIRE #1		3.1	NATIONAL GAS
8137710		3411922465		108		FOSTER #1		3.0	NATIONAL GAS
8137701		3411922416		108		FRICK #1		12.8	NATIONAL GAS
8137706		3411922441		108		GIBBS #1		2.1	NATIONAL GAS
8137705		3411922438		108		GIBBS #2		2.6	NATIONAL GAS
8137714		3411922503		108		HOUK #1		0.7	NATIONAL GAS
8137698		3411922380		108		HOUK #2		2.1	NATIONAL GAS
8137711		3411922466		108		HOUK #3		1.8	NATIONAL GAS
8137717		3411922726		108		J STAKER #1		3.5	NATIONAL GAS
8137696		3411922257		108		L DIETRICK #1		6.5	NATIONAL GAS
8137704		3411922433		108		L DIETRICK #2		1.6	NATIONAL GAS
8137716		3411922668		108		LEE JOHNSON #1		2.8	NATIONAL GAS
8137712		3411922468		108		MCCUTCHEON #3		0.8	NATIONAL GAS
8137718		3411922754		108		MCCUTCHEON HOUK #1		1.2	NATIONAL GAS
8137708		3411922445		108		MCCUTCHEON 4		4.2	NATIONAL GAS
8137707		3411922442		108		MYERS #3		2.8	NATIONAL GAS
8137709		3411922446		108		MYERS #5		2.0	NATIONAL GAS
8137715		3411922560		108		PARPITTER #1		6.8	NATIONAL GAS
8137699		3411922408		108		R STAKER #3		2.3	NATIONAL GAS
8137700		3411922409		108		R STAKER #4		23.1	NATIONAL GAS
8137719		3411922771		108		SPILLMAN #1		4.7	NATIONAL GAS
-FRANKLIN GAS & OIL CO INC		RECEIVED: 06/16/81 JA: OH							
8137724		3415122986		103		BETTY L NOFSINGER NO 1	BETHLEHEM	36.5	COLUMBIA GAS TRAN
8137724		3415122986		107-RT		BETTY L NOFSINGER NO 1	BETHLEHEM	36.5	COLUMBIA GAS TRAN
8137722		3415122937		103		CHARLES GONTER NO 1	SUGAR CREEK	18.0	COLUMBIA GAS TRAN
8137722		3415122937		107-RT		CHARLES GONTER NO 1	SUGAR CREEK	18.0	COLUMBIA GAS TRAN
8137721		3415122826		103		GEORGE W WERSTLER NO 1	BETHLEHEM	36.5	COLUMBIA GAS TRAN
8137721		3415122826		107-RT		GEORGE W WERSTLER NO 1	BETHLEHEM	36.5	COLUMBIA GAS TRAN
8137727		3415123166		103		GEORGE W WERSTLER NO 2	BETHLEHEM	25.0	COLUMBIA GAS TRAN
8137727		3415123166		107-TF		GEORGE W WERSTLER NO 2	BETHLEHEM	25.0	COLUMBIA GAS TRAN
8137720		3415122766		103		H A MUSKOPF NO 1	SUGAR CREEK	22.0	COLUMBIA GAS TRAN
8137720		3415122766		107-RT		H A MUSKOPF NO 1	SUGAR CREEK	22.0	COLUMBIA GAS TRAN
8137728		3415123341		103		JOHN & REBA REGULA NO 1	SUGAR CREEK	0.0	COLUMBIA GAS TRAN
8137728		3415123341		107-TF		JOHN & REBA REGULA NO 1	SUGAR CREEK	0.0	COLUMBIA GAS TRAN
8137723		3415122985		103		MARGARET R MAXFIELD NO 1	BETHLEHEM	36.5	COLUMBIA GAS TRAN
8137723		3415122985		107-RT		MARGARET R MAXFIELD NO 1	BETHLEHEM	36.5	COLUMBIA GAS TRAN
8137726		3415123119		103		MARY REGULA & JOHN REGULA NO 1	BETHLEHEM	25.0	EAST OHIO GAS CO
8137726		3415123119		107-TF		MARY REGULA & JOHN REGULA NO 1	BETHLEHEM	25.0	EAST OHIO GAS CO
8137725		3415122987		103		SHELDON L BATES UNIT NO 1	BETHLEHEM	36.5	COLUMBIA GAS TRAN
8137725		3415122987		107-RT		SHELDON L BATES UNIT NO 1	BETHLEHEM	36.5	COLUMBIA GAS TRAN
-GIANT PETROLEUM CORPORATION		RECEIVED: 06/16/81 JA: OH							
8137729		3400721657		103		MOORE #2	ROME	20.0	EAST OHIO GAS CO
-GREEN GAS COMPANY		RECEIVED: 06/16/81 JA: OH							
8137730		3403520981		103		V TUMA NO 1	OLMSTEAD	0.5	EAST OHIO GAS CO
-HORTIN & HUFFMAN		RECEIVED: 06/16/81 JA: OH							
8137737		3407522135		108		CHARLES & MARY LOU HEADER #1		5.0	EAST OHIO GAS CO

[illegible]	JA CT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8137734		3400523171		108		D & C DAVIES #1		2.0	COLUMBIA GAS TRAN
8137738		3407522137		108		DAVID & WILMA HEFFELFINGER #1		2.0	EAST OHIO GAS CO
8137736		3407522080		108		FORREST HUTCHLER #1		30.0	EAST OHIO GAS CO
8137739		3407522135		108		FRED & EVELYN CLARK #1		2.0	COLUMBIA GAS TRAN
8137735		3400523225		108		LARRY G & BARBARA S HOOVER #1		10.0	COLUMBIA GAS TRAN
8137741		3409921155		108		RALPH MALMSPERRY #1		20.0	EAST OHIO GAS CO
8137740		3408322568		108		ROBERT K & TRUDY KAUFFMAN #1		4.0	COLUMBIA GAS TRAN
-JACOBSON EXPLORATION		RECEIVED: 06/16/81 JA: CH							
8137742A		3407522861		103		FIRE BAUGH #7	PRAIRIE	0.0	COLUMBIA GAS TRAN
8137742B		3407522861	D	107-TF		FIRE BAUGH #7	PRAIRIE	0.0	COLUMBIA GAS TRAN
-JAMES R BERNHARDT		RECEIVED: 06/16/81 JA: CH							
8137644		3410322164		107-TF		ALBERS WELL #1	GRANGER	7.0	COLUMBIA GAS TRAN
8137648		3410322277		107-TF		ALBERS WELL #2	GRANGER	7.0	COLUMBIA GAS TRAN
8137649		3410322278		107-TF		ALBERS WELL #3	GRANGER	7.0	COLUMBIA GAS TRAN
8137646		3410322268		107-TF		BROWN WELL #1	GRANGER	7.0	COLUMBIA GAS TRAN
8137653		3410322503		107-TF		BURNSKILL WELL #1	GRANGER	7.0	COLUMBIA GAS TRAN
8137652		3410322445		107-TF		L ALBERS WELL #1	GRANGER	7.0	
8137647		3410322269		107-TF		P & S D CHRISTOPHER #1	GRANGER	7.0	COLUMBIA GAS TRAN
8137645		3410322151		107-TF		STROUP-BETHEL WELL #1	GRANGER	7.0	COLUMBIA GAS TRAN
8137650		3410322324		107-TF		STROUP-BETHEL WELL #2	GRANGER	7.0	COLUMBIA GAS TRAN
8137651		3410322360		107-TF		TURNER #1	GRANGER	7.0	COLUMBIA GAS TRAN
-K S T OIL & GAS CO INC		RECEIVED: 06/16/81 JA: CH							
8137744		3415320857		103		BELL #3	NORTHAMPTON	140.0	
8137745		3415320866		103		BELL #4	NORTHAMPTON	135.0	
8137748		3415320919		103		DEVAN VALE ACRES INC #1	NORTHAMPTON	150.0	
8137749		3415320920		103		DEVAN VALE ACRES INC #2	NORTHAMPTON	170.0	
8137747		3415320918		103		FEUCHT #1	NORTHAMPTON	316.0	
8137750		3415720922		108		HARDWIDGE #1		6.4	EAST OHIO GAS CO
8137743		3405921146		108		LUCAS #1		6.4	EAST OHIO GAS CO
8137746		3415320917		103		PAPA #1	NORTHAMPTON	200.0	
8137751		3415721466		108		ROMIG #1		6.3	EAST OHIO GAS CO
8137752		3415723559		103		ZURCHER #2	ZURCHER	110.0	
-LAKE REGION OIL INC		RECEIVED: 06/16/81 JA: CH							
8137753		3407522405		107-TF		BETH AMY #1	MECHANIC	20.0	COLUMBIA GAS TRAN
8137755		3407522740		107-TF		C W STRAITS #1	MECHANIC	15.0	COLUMBIA GAS TRAN
8137756		3410322325		107-TF		JAMES & PERIANNE ST VINCENT #1	SPENCER	10.0	COLUMBIA GAS TRAN
8137754		3407522423		107-TF		JOHN W CUSTUS #1	MECHANIC	15.0	COLUMBIA GAS TRAN
-LEADER EQUITIES INC		RECEIVED: 06/16/81 JA: CH							
8137760		3411924600		103		GERALD E MCHENRY #1	SALEM	15.0	
8137760		3411924600		107-RT		GERALD E MCHENRY #1	SALEM	15.0	
8137758		3411924551		103		LOUIS J KOLB #1	MADISON	15.0	
8137758		3411924551		107-RT		LOUIS J KOLB #1	MADISON	15.0	
8137761		3411924601		103		MARGARET R KNICELY #1	SALEM	15.0	
8137761		3411924601		107-RT		MARGARET R KNICELY #1	SALEM	15.0	
8137757		3411924510		103		MILDRED ROSS ETAL #1	CASS	14.0	
8137757		3411924510		107-RT		MILDRED ROSS ETAL #1	CASS	14.0	
8137759		3411924555		103		MILDRED ROSS ETAL #2	CASS	15.0	
8137759		3411924555		107-RT		MILDRED ROSS ETAL #2	CASS	15.0	
8137762		3411924773		103		W H PICKENS #1	SALEM	15.0	
8137762		3411924773		107-RT		W H PICKENS #1	SALEM	15.0	
-MB OPERATING CO INC		RECEIVED: 06/16/81 JA: CH							
8137781		3415123173		103		R & T GUY #1	SUGAR CREEK	32.9	REPUBLIC STEEL CO
8137781		3415123173		107-TF		R & T GUY #1	SUGAR CREEK	32.9	REPUBLIC STEEL CO

JD NO	DA DAT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
81377764		3415123161		103		BIRCHER #1	NIMISHILLEN	10.2	REPUBLIC STEEL CO
81377765		3415123161	D	107	TF	BIRCHER #1	NIMISHILLEN	10.2	REPUBLIC STEEL CO
8137794		3415123260		103		BROEMSON UNIT #1	NIMISHILLEN	6.6	REPUBLIC STEEL CO
8137794		3415123260		107	TF	BROEMSON UNIT #1	NIMISHILLEN	6.6	REPUBLIC STEEL CO
81377854		3415123220		103		BROWN UNIT #1-A	NIMISHILLEN	5.5	REPUBLIC STEEL CO
81377855		3415123220	D	107	TF	BROWN UNIT #1-A	NIMISHILLEN	5.5	REPUBLIC STEEL CO
81377864		3415123221		103		CARPER FARM UNIT #1	NIMISHILLEN	8.0	REPUBLIC STEEL CO
81377865		3415123221	D	107	TF	CARPER FARM UNIT #1	NIMISHILLEN	8.0	REPUBLIC STEEL CO
81377894		3415123231		103		CARPER UNIT #1	NIMISHILLEN	7.3	REPUBLIC STEEL CO
81377895		3415123231	D	107	TF	CARPER UNIT #1	NIMISHILLEN	7.3	REPUBLIC STEEL CO
8137796		3415123278		103		CLINE UNIT #1	BETHLEHEM	9.1	REPUBLIC STEEL CO
8137796		3415123278		107	TF	CLINE UNIT #1	BETHLEHEM	9.1	REPUBLIC STEEL CO
8137783		3415123181		103		COCHRAN UNIT #1	LAKE	23.7	REPUBLIC STEEL CO
8137783		3415123181		107	TF	COCHRAN UNIT #1	LAKE	23.7	REPUBLIC STEEL CO
8137772		3415123155		103		D & B MILLHONE #1	BETHLEHEM	29.2	REPUBLIC STEEL CO
8137772		3415123155		107	TF	D & B MILLHONE #1	BETHLEHEM	29.2	REPUBLIC STEEL CO
8137769		3415123151		103		D HARTLINE #1	SUGAR CREEK	54.8	REPUBLIC STEEL CO
8137769		3415123151		107	TF	D HARTLINE #1	SUGAR CREEK	54.8	REPUBLIC STEEL CO
81377934		3415123257		103		DEAL UNIT #1-A	BETHLEHEM	45.6	REPUBLIC STEEL CO
81377935		3415123257	D	107	TF	DEAL UNIT #1-A	BETHLEHEM	45.6	REPUBLIC STEEL CO
81377904		3415123232		103		ENTERPRISE ACRES #1	NIMISHILLEN	9.1	REPUBLIC STEEL CO
81377905		3415123232	D	107	TF	ENTERPRISE ACRES #1	NIMISHILLEN	9.1	REPUBLIC STEEL CO
81377634		3415122983		103		FLINTKOTE CO #14	NIMISHILLEN	14.6	REPUBLIC STEEL CO
81377635		3415122983	D	107	TF	FLINTKOTE CO #14	NIMISHILLEN	14.6	REPUBLIC STEEL CO
81377644		3415123041		103		FLINTKOTE CO #17	MARLBORO	6.6	REPUBLIC STEEL CO
81377645		3415123041	D	107	TF	FLINTKOTE CO #17	MARLBORO	6.6	REPUBLIC STEEL CO
81377784		3415123170		103		FLINTKOTE CO #19	MARLBORO	11.0	REPUBLIC STEEL CO
81377785		3415123170	D	107	TF	FLINTKOTE CO #19	MARLBORO	11.0	REPUBLIC STEEL CO
81377794		3415123171		103		FLINTKOTE CO #20	NIMISHILLEN	5.5	REPUBLIC STEEL CO
81377795		3415123171	D	107	TF	FLINTKOTE CO #20	NIMISHILLEN	5.5	REPUBLIC STEEL CO
81377994		3415123279		103		FLINTKOTE CO UNIT #18	MARLBORO	32.9	REPUBLIC STEEL CO
81377995		3415123279	D	107	TF	FLINTKOTE CO UNIT #18	MARLBORO	32.9	REPUBLIC STEEL CO
8137800		3415123295		103		FLINTKOTE UNIT #16	PLAIN	21.9	REPUBLIC STEEL CO
8137800		3415123295		107	TF	FLINTKOTE UNIT #16	PLAIN	21.9	REPUBLIC STEEL CO
8137801		3415123256		103		G BURGER UNIT #1-A	NIMISHILLEN	11.0	REPUBLIC STEEL CO
8137801		3415123256		107	TF	G BURGER UNIT #1-A	NIMISHILLEN	11.0	REPUBLIC STEEL CO
8137767		3415123106		103		GRABLE UNIT #1	LAKE	21.9	REPUBLIC STEEL CO
8137767		3415123106		107	TF	GRABLE UNIT #1	LAKE	21.9	REPUBLIC STEEL CO
8137780		3415123172		103		J & D DILLON #1	SUGAR CREEK	36.5	REPUBLIC STEEL CO
8137780		3415123172		107	TF	J & D DILLON #1	SUGAR CREEK	36.5	REPUBLIC STEEL CO
81377664		3415123085		103		J C STEINER UNIT #3	LAKE	11.0	REPUBLIC STEEL CO
81377665		3415123085	D	107	TF	J C STEINER UNIT #3	LAKE	11.0	REPUBLIC STEEL CO
8137795		3415123261		103		KIBLER UNIT #1	NIMISHILLEN	9.1	REPUBLIC STEEL CO
8137795		3415123261		107	TF	KIBLER UNIT #1	NIMISHILLEN	9.1	REPUBLIC STEEL CO
8137774		3415123158		103		L & K GOFF #1	BETHLEHEM	29.2	REPUBLIC STEEL CO
8137774		3415123158		107	TF	L & K GOFF #1	BETHLEHEM	29.2	REPUBLIC STEEL CO
8137770		3415123152		103		L & M FRANKS #1	BETHLEHEM	58.4	REPUBLIC STEEL CO
8137770		3415123152		107	TF	L & M FRANKS #1	BETHLEHEM	58.4	REPUBLIC STEEL CO
8137796		3415123271		103		LAHR UNIT #1	BETHLEHEM	27.3	REPUBLIC STEEL CO
8137796		3415123271		107	TF	LAHR UNIT #1	BETHLEHEM	27.3	REPUBLIC STEEL CO
8137768		3415123127		103		LAKE-MARL UNIT #3	LAKE	4.4	REPUBLIC STEEL CO
8137768		3415123127		107	TF	LAKE-MARL UNIT #3	LAKE	4.4	REPUBLIC STEEL CO
8137784		3415123154		103		LAUTZENHEISER UNIT #1-A	BETHLEHEM	80.3	REPUBLIC STEEL CO
8137784		3415123154		107	TF	LAUTZENHEISER UNIT #1-A	BETHLEHEM	80.3	REPUBLIC STEEL CO

[illegible]	[illegible]	[illegible]	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8137775		3415123160		103		MARTIG UNIT #1	MARLBORO	11.0	REPUBLIC STEEL CO
8137775		3415123160		107	TF	MARTIG UNIT #1	MARLBORO	11.0	REPUBLIC STEEL CO
8137782		3415123174		103		MERRY UNIT #1	SUGAR CREEK	45.6	REPUBLIC STEEL CO
8137782		3415123174		107	TF	MERRY UNIT #1	SUGAR CREEK	45.6	REPUBLIC STEEL CO
8137792		3415123235		103		RAMSEY #1	NIMISHILLEN	7.3	REPUBLIC STEEL CO
8137792		3415123235		107	TF	RAMSEY #1	NIMISHILLEN	7.3	REPUBLIC STEEL CO
8137791A		3415123234		103		SCHULZ #1	NIMISHILLEN	14.6	REPUBLIC STEEL CO
8137791L		3415123234	D	107	TF	SCHULZ #1	NIMISHILLEN	14.6	REPUBLIC STEEL CO
8137787		3415123222		103		SHAMMO UNIT #1	NIMISHILLEN	4.4	REPUBLIC STEEL CO
8137787		3415123222		107	TF	SHAMMO UNIT #1	NIMISHILLEN	4.4	REPUBLIC STEEL CO
8137765A		3415123071		103		SHILLING UNIT #1	PERRY	131.4	REPUBLIC STEEL CO
8137765S		3415123071	D	107	TF	SHILLING UNIT #1	PERRY	131.4	REPUBLIC STEEL CO
8137773		3415123157		103		STUDER UNIT #1	BETHLEHEM	36.5	REPUBLIC STEEL CO
8137773		3415123157		107	TF	STUDER UNIT #1	BETHLEHEM	36.5	REPUBLIC STEEL CO
8137771		3415123154		103		V & D BOUGHMAN #1	SUGAR CREEK	36.5	REPUBLIC STEEL CO
8137771		3415123154		107	TF	V & D BOUGHMAN #1	SUGAR CREEK	36.5	REPUBLIC STEEL CO
8137777		3415123162		103		VAUGHN UNIT #1	SUGAR CREEK	51.1	REPUBLIC STEEL CO
8137777		3415123162		107	TF	VAUGHN UNIT #1	SUGAR CREEK	51.1	REPUBLIC STEEL CO
8137797		3415123272		103		WADE UNIT #1	BETHLEHEM	36.5	REPUBLIC STEEL CO
8137797		3415123272		107	TF	WADE UNIT #1	BETHLEHEM	36.5	REPUBLIC STEEL CO
8137788A		3415123227		103		WHITLOW #1	NIMISHILLEN	11.0	REPUBLIC STEEL CO
8137788L		3415123227	D	107	TF	WHITLOW #1	NIMISHILLEN	11.0	REPUBLIC STEEL CO
-OXFORD OIL CO				RECEIVED: 06/16/81 JA: CH					
8137802A		3407522945		103		MARGARET MILLER #5	PRAIRIE	10.0	
8137802S		3407522945	D	107	TF	MARGARET MILLER #5	PRAIRIE	10.0	
-PEDGECO INC				RECEIVED: 06/16/81 JA: CH					
8137803A		3408923805		103		HAWKE #1	EDEN	20.0	COLUMBIA GAS TRAN
8137803S		3408923805	D	107	TF	HAWKE #1	EDEN	20.0	COLUMBIA GAS TRAN
-PENWIM JOINT VENTURE				RECEIVED: 06/16/81 JA: CH					
8137807		3411924497		108		PARKER #1		3.3	COLUMBIA GAS TRAN
8137805		3411924490		108		PARKER #2		3.3	COLUMBIA GAS TRAN
8137804		3411924488		108		PARKER #3		3.3	COLUMBIA GAS TRAN
8137806		3411924456		108		PARKER #4		3.3	COLUMBIA GAS TRAN
8137811		3411924550		108		PARKER #5-A		3.3	COLUMBIA GAS TRAN
8137808		3411924506		108		PARKER #6		3.3	COLUMBIA GAS TRAN
8137809		3411924520		108		PARKER #7		3.3	COLUMBIA GAS TRAN
8137810		3411924521		108		PARKER #8		3.3	COLUMBIA GAS TRAN
-PETROLEUM ENERGY DEVELOPMENT CORP				RECEIVED: 06/16/81 JA: CH					
8137812		3416922476		103		PAMER JOHN #1	CANNAN	30.0	
-PHILLIPS ENERGY CORPORATION				RECEIVED: 06/16/81 JA: CH					
8137813		3409321064		107	RT	GRAFTON HONOR FARM #1	EATON	10.0	COLUMBIA GAS TRAN
8137814		3409321065		107	RT	GRAFTON HONOR FARM #2	EATON	10.0	COLUMBIA GAS TRAN
8137815		3409321066		107	RT	GRAFTON HONOR FARM #3	EATON	10.0	COLUMBIA GAS TRAN
-POMINEX INC				RECEIVED: 06/16/81 JA: CH					
8137821		3409922472		103		ESTHER KOUBA UNIT #1	FREEDOM	6.0	K S T OIL & GAS C
8137821		3409922472		107	TF	ESTHER KOUBA UNIT #1	FREEDOM	6.0	K S T OIL & GAS C
8137816		3409920649		103		FRANK FOSTER #1	FREEDOM	5.0	K S T OIL & GAS C
8137816		3409920649		107	TF	FRANK FOSTER #1	FREEDOM	5.0	K S T OIL & GAS C
8137817		3409922284		103		FRANK FOSTER #4	FREEDOM	5.0	K S T OIL & GAS C
8137817		3409922284		107	TF	FRANK FOSTER #4	FREEDOM	5.0	K S T OIL & GAS C
8137818		3409922358		103		H & I ENTERPRISES UNIT #1	FREEDOM	6.0	K S T GAS & OIL C
8137818		3409922358		107	TF	H & I ENTERPRISES UNIT #1	FREEDOM	6.0	K S T GAS & OIL C
8137819		3409922359		103		H & I ENTERPRISES UNIT #2	FREEDOM	6.0	K S T OIL & GAS C
8137819		3409922359		107	TF	H & I ENTERPRISES UNIT #2	FREEDOM	6.0	K S T OIL & GAS C

JOB NO	DA CT	API NO	I	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8137820		3409922360		103		H & I ENTERPRISES UNIT #3	FREEDOM	6.0	K S T OIL & GAS C
8137820		3409922360		107-TF		H & I ENTERPRISES UNIT #3	FREEDOM	6.0	K S T OIL & GAS C
-PONDEROSA OIL COMPANY				RECEIVED: 06/16/81 JA: CH					
8137822		3407522981		103		JERRY D KLINE WELL #1	SALT CREEK	0.0	COLUMBIA GAS TRAN
8137822		3407522981		107-TF		JERRY D KLINE WELL #1	SALT CREEK	0.0	COLUMBIA GAS TRAN
-RELIANCE ENERGY				RECEIVED: 06/16/81 JA: CH					
8137827		3404520608		108		BLANCHE KIMMEL #1		10.0	COLUMBIA GAS TRAN
8137826		3404520603		108		CLYDE BAUMAN #1		10.0	COLUMBIA GAS TRAN
8137828		3404520611		108		G OREN & J YOUNG #1		10.0	COLUMBIA GAS TRAN
8137825		3404520601		108		ORA RICKETTS		10.0	COLUMBIA GAS TRAN
8137823		3404520597		108		RAY WILLIAMS #1		10.0	COLUMBIA GAS TRAN
8137824		3404520600		108		WILLARD WALSER #1		10.0	COLUMBIA GAS TRAN
-RESOURCE EXPLORATION INC				RECEIVED: 06/16/81 JA: CH					
8137831		3407521882	D	103		BERNARD #1	HARDY TOWNSHIP	20.0	COLUMBIA GAS TRAN
8137829		3407521866	D	103		EVERHART #1	HARDY TOWNSHIP	20.0	COLUMBIA GAS TRAN
8137830		3407521881	D	103		KNAPP #1	HARDY TOWNSHIP	20.0	COLUMBIA GAS TRAN
-ROYAL PETROLEUM V LTD				RECEIVED: 06/16/81 JA: CH					
8137833		3407522347		107-RT		SWARTZENTRUBER #1	PAINT	5.0	COLUMBIA GAS TRAN
8137832		3407522342		107-TF		YODER #1	PAINT	5.0	COLUMBIA GAS TRAN
-SANDHILL ENERGY INC (OH)				RECEIVED: 06/16/81 JA: CH					
8137835		3416320540		103		BENEDICT INC #6	MADISON	4.6	
8137834		3416320534		103		BEREA SANDSTONE	MADISON	5.2	
-SCHWANCO INC				RECEIVED: 06/16/81 JA: CH					
8137837		3415123105		103		ATWATER CLUBS INC - SPUHLER #1	LAKE	20.0	EAST OHIO GAS CO
8137837		3415123105		107-TF		ATWATER CLUBS INC - SPUHLER #1	LAKE	20.0	EAST OHIO GAS CO
8137836		3410322192		103		TRAMONTE #1	SHARON	20.0	COLUMBIA GAS OF O
8137836		3410322192		107-TF		TRAMONTE #1	SHARON	20.0	COLUMBIA GAS OF O
-SMYTHCO INC				RECEIVED: 06/16/81 JA: CH					
8137844		3410322187		103		ECKART #2	SHARON	20.0	COLUMBIA GAS OF O
8137844		3410322187		107-TF		ECKART #2	SHARON	20.0	COLUMBIA GAS OF O
-STEVENS GAS CO				RECEIVED: 06/16/81 JA: CH					
8137845		3408720226	D	108		EVA M STEVENS #1		1.5	COLUMBIA GAS TRAN
-SUPERIOR PETROLEUM INC				RECEIVED: 06/16/81 JA: CH					
8137846		3415723570		103		STUKIS-ERVIN #1	SANDY	0.0	EAST OHIO GAS CO
-UNIVERSAL EXPLORATION				RECEIVED: 06/16/81 JA: CH					
8137847		3410322539		103		SMITH UNIT #1	GUILFORD	75.0	
8137847		3410322539		107-TF		SMITH UNIT #1	GUILFORD	75.0	
-VIKING RESOURCES CORP				RECEIVED: 06/16/81 JA: CH					
8137853		3415123477		103		BOWLING UNIT #1	PARIS	30.0	
8137853		3415123477		107-TF		BOWLING UNIT #1	PARIS	30.0	
8137851		3415123450		103		BOYER - VINSON UNIT #2	PARIS	30.0	
8137851		3415123450		107-TF		BOYER - VINSON UNIT #2	PARIS	30.0	
8137852		3415123453		103		BOYER-VINSON UNIT #1	PARIS	30.0	
8137852		3415123453		107-TF		BOYER-VINSON UNIT #1	PARIS	30.0	
8137848		3415123447		103		FEHN UNIT #1	PARIS	30.0	
8137848		3415123447		107-TF		FEHN UNIT #1	PARIS	30.0	
8137854		3415123506		103		STONEHILL UNIT #1	PARIS	30.0	
8137854		3415123506		107-TF		STONEHILL UNIT #1	PARIS	30.0	
8137849		3415123448		103		WALKER UNIT #1	PARIS	30.0	
8137849		3415123448		107-TF		WALKER UNIT #1	PARIS	30.0	
8137850		3415123449		103		WALKER UNIT #2	PARIS	30.0	
8137850		3415123449		107-TF		WALKER UNIT #2	PARIS	30.0	
-W E SHRIDER CO				RECEIVED: 06/16/81 JA: CH					

JOB NO	DISTRICT	API NO	C	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8137843		3408923944		103		HAROLD MCDONALD #1	FRANKLIN	3.0	NEWZANE GAS CO
-WATERCO INC				RECEIVED: 06/16/81 JA: CH					
8137865		3410322204		103		PAPIK #1	GRANGER	20.0	COLUMBIA GAS TRAN
8137865		3410322204		107-TF		PAPIK #1	GRANGER	20.0	COLUMBIA GAS TRAN
8137866		3410322207		103		PAPIK #2	GRANGER	20.0	COLUMBIA GAS TRAN
8137866		3410322207		107-TF		PAPIK #2	GRANGER	20.0	COLUMBIA GAS TRAN
-WILLIAM F HILL				RECEIVED: 06/16/81 JA: CH					
8137732		3407522985		103		EDGAR R JOHNSTON #1	RICHLAND	7.0	
8137731		3407522680		107-TF		ELEANOR B HOSTUTLER #1	HARDY	6.0	
8137733		3407522997		107-TF		RICHARD FOWLER #1	KILLBUCK	7.0	
-WOA INC & MELLENCO INC				RECEIVED: 06/16/81 JA: CH					
8137862		3410322334		103		BRAINARD-LEATHERMAN #3	GRANGER	20.0	COLUMBIA GAS TRAN
8137862		3410322334		107-TF		BRAINARD-LEATHERMAN #3	GRANGER	20.0	COLUMBIA GAS TRAN
8137856		3410322099		103		FRANKS #1	SHARON	0.0	COLUMBIA GAS OF O
8137856		3410322099		107-TF		FRANKS #1	SHARON	0.0	COLUMBIA GAS OF O
8137855		3410322098		103		FRANKS #2	SHARON	20.0	COLUMBIA GAS OF O
8137855		3410322098		107-TF		FRANKS #2	SHARON	20.0	COLUMBIA GAS OF O
8137857		3410322141		103		LANG #2	GRANGER	20.0	COLUMBIA GAS OF O
8137857		3410322141		107-TF		LANG #2	GRANGER	20.0	COLUMBIA GAS OF O
8137858		3410322162		103		LEATHERMAN #1	GRANGER	20.0	COLUMBIA GAS TRAN
8137858		3410322162		107-TF		LEATHERMAN #1	GRANGER	20.0	COLUMBIA GAS TRAN
8137860		3410322270		103		LEATHERMAN #2	GRANGER	20.0	COLUMBIA GAS TRAN
8137860		3410322270		107-TF		LEATHERMAN #2	GRANGER	20.0	COLUMBIA GAS TRAN
8137859		3410322177		103		MCILVRIED #2	GRANGER	20.0	COLUMBIA GAS OF O
8137859		3410322177		107-TF		MCILVRIED #2	GRANGER	20.0	COLUMBIA GAS OF O
8137863		3410322354		103		MIHALIK-HOLCOMB #1	GRANGER	20.0	COLUMBIA GAS TRAN
8137863		3410322354		107-TF		MIHALIK-HOLCOMB #1	GRANGER	20.0	COLUMBIA GAS TRAN
8137861		3410322273		103		NOTEBAERT #1	BRUNSWICK HILLS	0.0	COLUMBIA GAS OF O
8137861		3410322273		107-TF		NOTEBAERT #1	BRUNSWICK HILLS	0.0	COLUMBIA GAS OF O
8137864		3410322364		103		SMITH #1	GRANGER	20.0	
8137864		3410322364		107-TF		SMITH #1	GRANGER	20.0	
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OKLAHOMA CORPORATION COMMISSION									
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-AN-SON CORPORATION				RECEIVED: 06/16/81 JA: CK					
8137869	09294	3503920368		102-A		GOLDIE #1	EAST CLINTON	2081.0	PRODUCERS GAS CO
8137880	09293	3501702702		103		KENNY #1	WILDCAT	639.0	DELHI GAS PIPE LI
-ANDOVER OIL COMPANY				RECEIVED: 06/16/81 JA: CK					
8137882	09328	3501700060		103		WEHMULLER #2-1		180.0	PHILLIPS PETROLEU
-ARCO OIL AND GAS COMPANY				RECEIVED: 06/16/81 JA: CK					
8137873	07938	3504721901		102-A		MABEL ESTILL #1	HILLSDALE	73.0	PANHANDLE EASTERN
-CROUCH PETROLEUM COMPANY				RECEIVED: 06/16/81 JA: CK					
8137871		3502520167		108-ER		STAFFORD #1	TOPEKA	0.0	WESTERN GAS INERS
-DECK OIL CO				RECEIVED: 06/16/81 JA: CK					
8137881	09336	3502502034		108		HANES TRUST #1-A	MIDWELL N W	16.2	PANHANDLE EASTERN
-GRACE PETROLEUM CORPORATION				RECEIVED: 06/16/81 JA: CK					
8137870	09492	3512120738		102-2		ORBISON 1-11		219.0	
-HARPER OIL COMPANY				RECEIVED: 06/16/81 JA: CK					
8137891	7663	3504321078		102-B		CARPENTER #1	WILDCAT	140.0	DELHI GAS PIPELIN
8137890	09052	3504321101		102-A		PORTER #1	WILDCAT	55.0	OKLAHOMA NATURAL
-JONES & PELLOW OIL CO				RECEIVED: 06/16/81 JA: CK					
8137878	09348	3508121111		103		CARPENTER 22-1	OLIVETT	73.0	SERVICE DRILLING
-L & T OIL & GAS INC				RECEIVED: 06/16/81 JA: CK					

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[illegible]	[illegible]	[illegible]	[illegible]	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8137868	09197	3507322761		103		HARRISON NO 3	SOONER TREND	159.0	CONOCO
-L G WILLIAMS OIL COMPANY INC				RECEIVED: 06/16/81		JA: CK			
8137872	06822	3501721368		102-2		(ESCO) LEHMAN 20-2	NORTHWEST YUKON	0.0	DELHI GAS PIPELIN
8137869	07322	3504321050		102-4		GORE #10-1	PUTNAM	0.0	PANHANDLE EASTERN
8137867	04668	3504320961		102-4		GORE 3-1	PUTNAM	490.0	PANHANDLE EASTERN
-LONG ROYALTY CO				RECEIVED: 06/16/81		JA: CK			
8137885	07097	3501700000		103		DENNEY #1	YUKON FIELD - SW/4 SW/4	0.0	CONOCO OIL CO
8137884	07095	3501700000		103		REINAUER #2	NORTH MUSTANG S/2 NE/4 S	400.0	MOBIL OIL CO
-MAPCO PRODUCTION COMPANY				RECEIVED: 06/16/81		JA: CK			
8137888	09155	3504520850		103		SCHOENHALS NO 2	WEST SHATTUCK	137.0	TRANSWESTERN PIPE
-P-T LTD 80				RECEIVED: 06/16/81		JA: CK			
8137874	08922	3504722319		103		SEMRAD #35-1	SOONER TREND	50.0	WELLHEAD ENTERPRI
-PCX CORP				RECEIVED: 06/16/81		JA: CK			
8137879	09304	3510321048		103		JIM #1	EAST BILLINGS	250.0	
-PORTS OF CALL OIL CO				RECEIVED: 06/16/81		JA: CK			
8137875	09296	3501721846		103		KAPLAN NO 2-1	NORTH MUSTANG	128.0	PHILLIPS PETROLEU
8137883	09299	3501700000		103		SHADE NO 12-2	NORTH MUSTANG	128.0	PHILLIPS PETROLEU
-SIMEX CORP				RECEIVED: 06/16/81		JA: CK			
8137876	09499	3513121642		102-2		DENEGAR #2	ROGERS	36.0	DIAMOND-S GAS SYS
-URBAN ENERGY CO				RECEIVED: 06/16/81		JA: CK			
8137877	DP888	3510522673		103		YIRSA NO 2	WOODY	30.0	BOOMER PIPELINE I
8137886	8890	3510522758		103		YIRSA NO 4	WOODY	100.0	BOOMER PIPELINE I

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" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission on or before July 31, 1981.

Categories within each NGPA section are indicated by the following codes:

Section 101–1: New OCS lease
102–2: New well (2.5 mile rule)
102–3: New well (1000 ft rule)
102–4: New onshore reservoir
102–5: New reservoir on old OCS lease
Section 107–DP: 15,000 feet or deeper
107–GB: Geopressured brine
107–CS: Coal seams
107–DV: Devonian shale
107–PE: Production enhancement
107–TF: New tight formation
107–RT: Recompletion tight formation
Section 108: Stripper well
108–SA: Seasonally affected
108–ER: Enhanced recovery
108–PB: Pressure buildup

Kenneth F. Plumb,

Secretary.

[FR Doc. 81–20830 Filed 7–15–81; 8:45 am]

BILLING CODE 6450–85–M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: July 10, 1981.

JD AD	DA KET	API SC	T SEC CAT	WELL NAME	FIELD NAME	PRCD	PURCHASER
********** PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES **********							
-ADOBE OIL & GAS CORPORATION			RECEIVED: 06/18/81 JA: PA				
8138071	7357	3706324420	103	CREEKSIDE WATER COMPANY #1	ERNEST	20.0	PEOPLES NATURAL G
-ANGERMAN ASSOCIATES INC			RECEIVED: 06/17/81 JA: PA				
8137917	7693	3706324256	103	A REBOVICH #2 IND-24256	W PA - UPPER DEVONIAN SA	20.0	PEOPLES NATURAL G
8137914	7690	3712921312	103	ADAM M RESSLAR #1 WES-21312	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137894	7670	3706324047	103	ALAN P HOVIS ET AL #3 - IND-24047	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137893	7669	3706324048	103	ALAN P HOVIS ET AL #4 - IND-24048	W PA - UPPER DEVONIAN SA	15.0	PEOPLES NATURAL G
8137895	7671	3706324046	103	ALLEN P HOVIS ET AL #2 - IND-24046	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137896	7672	3706324040	103	ALLEN P HOVIS ETAL #1 - IND-24040	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137955	7733	3705120221	103	BASEL V BREEDING #1 - FAY-20221	W PA - UPPER DEVONIAN SA	15.0	PEOPLES NATURAL G
8137923	7710	3712921361	103	BERT F OBER ESTATE #1 WES-21361	W PA - UPPER DEVONIAN SA	25.0	PEOPLES NATURAL G
8137947	7724	3706324563	103	BERTHA C BEALS #2 IND-24563	W PA - UPPER DEVONIAN SA	15.0	PEOPLES NATURAL G
8137949	7727	3706324105	103	C RAYMOND GLASSER #2 IND-24105	W PA - UPPER DEVONIAN SA	25.0	PEOPLES NATURAL G
8137921	7698	3712921259	103	CARMEN C PERNA #1 WES-21259	W PA - UPPER DEVONIAN SA	35.0	PEOPLES NATURAL G
8137940	7717	3712921341	103	CARRIE S COLE #3 - WES-21341	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137941	7718	3712921342	103	CARRIE S COLE #4 - WES-21342	W PENNA - UPPER DEVONIAN	45.0	PEOPLES NATURAL G
8137931	7708	3706324166	103	CHARLES KENNEDY #2 IND-24166	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137930	7707	3706324167	103	CHARLES KENNEDY #3 IND-24167	W PA - UPPER DEVONIAN SA	35.0	PEOPLES NATURAL G
8137919	7695	3712921216	103	CLARISSA I POUNDS #3 WES-21216	W PA - UPPER DEVONIAN SA	15.0	PEOPLES NATURAL G
8137907	7683	3712921370	103	DAVID H WELLS #2 WES-21370	W PA - UPPER DEVONIAN SA	20.0	PEOPLES NATURAL G
8137905	7681	3706325227	103	DOROTHEA BOWMAN #3 IND-25227	W PA - UPPER DEVONIAN SA	15.0	PEOPLES NATURAL G
8137906	7682	3706375331	103	DOROTHEA BOWMAN #4 IND-25331	W PA - UPPER DEVONIAN SA	25.0	PEOPLES NATURAL G
8137942	7719	3712921101	103	E R COST #4 - WES-21101	W PENNA - UPPER DEVONIAN	15.0	PEOPLES NATURAL G
8137943	7720	3712921224	103	E R COST #5 - WES-21224	W PA - UPPER DEVONIAN SA	25.0	PEOPLES NATURAL G
8137939	7716	3706324165	103	EDNA I HENRY #3 IND-24165	W PA - UPPER DEVONIAN SA	50.0	PEOPLES NATURAL G
8137934	7711	3706324275	103	EDNA I HENRY #4 IND-24275	W PA - UPPER DEVONIAN SA	25.0	PEOPLES NATURAL G
8137900	7676	3706324569	103	EMIL K ABEL #2 IND-24569	W PA - UPPER DEVONIAN SA	35.0	PEOPLES NATURAL G
8137901	7677	3706324570	103	EMIL K ABEL #3 IND-24570	W PA - UPPER DEVONIAN SA	25.0	PEOPLES NATURAL G
8137920	7697	3706324616	103	ERNEST E PIERCE #1 IND-24616	W PA - UPPER DEVONIAN SA	25.0	PEOPLES NATURAL G
8137927	7704	3712921171	103	ETTA S MITCHELL #1 WAS-21171	W PA - UPPER DEVONIAN SA	35.0	PEOPLES NATURAL G
8137946	7723	3706324431	103	FEDERAL LABS #1 IND-24431	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137898	7674	3706324649	103	FILBERT E JOBE #1 - IND-24649	W PA UPPER DEVONIAN SAND	25.0	PEOPLES NATURAL G
8137953	7731	3712921240	103	FLORENCE M BURKLEY #1 - IND-21240	W PA - UPPER DEVONIAN SA	35.0	PEOPLES NATURAL G
8137952	7730	3712921226	103	GEORGE G BURKLEY #1 - WES-21226	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137954	7732	3706324333	103	GEORGE M BROWN #3 IND-24333	W PA - UPPER DEVONIAN SA	25.0	PEOPLES NATURAL G
8137911	7687	3712921308	103	GOLDIE B SILLAMAN #1 WES-21308	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137957	7735	3706324387	103	HARRY E BEATTY #2 - IND-24387	W PA UPPER DEVONIAN SAND	15.0	PEOPLES NATURAL G
8137922	7699	3706324227	103	HARRY F ORR #2 IND-24277	W PA - UPPER DEVONIAN SA	15.0	PEOPLES NATURAL G
8137944	7721	3706324225	103	J A DIXON #7 - IND-24225	W PA - UPPER DEVONIAN SA	25.0	PEOPLES NATURAL G
8137904	7680	3706325442	103	J CLOID RINN #2 IND-25442	W PA - UPPER DEVONIAN SA	25.0	PEOPLES NATURAL G
8137908	7684	3706324257	103	JENNIE E WALLACE #4 IND-24257	W PA - UPPER DEVONIAN SA	15.0	PEOPLES NATURAL G

JD NT	JA NT	API NO	DIST	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8137956	7734	3712921235	103			JOHN R BRACKEN #1 - WES-21235	W PA - UPPER DEVONIAN SA	15.0	PEOPLES NATURAL G
8137948	7725	3712521177	103			JOSEPH BARR #1 WAS-21177	NOTTINGHAM-UPPER DEVONIA	15.0	PEOPLES NATURAL G
8137929	7706	3712921304	103			JOSEPH KOVALIK #4 WES-21304	W PA - UPPER DEVONIAN SA	35.0	PEOPLES NATURAL G
8137932	7709	3712921229	103			JOSEPH M KAHL #5 WES-21229	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137936	7713	3712921231	103			JOSEPH WILSON #1 WES-21231	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137909	7685	3712921410	103			L MYRTLE WADDLE #3 WES-21410	W PA - UPPER DEVONIAN SA	15.0	PEOPLES NATURAL G
8137892	7668	3706324039	103			MALVIN P WHITE #3 - IND-24039	W PA - UPPER DEVONIAN SA	35.0	PEOPLES NATURAL G
8137910	7686	3706324535	103			MARY E STRITTMATTER #4 IND-24535	W PA - UPPER DEVONIAN SA	35.0	PEOPLES NATURAL G
8137926	7703	3706324232	103			MUSSER FORESTS #4 IND-24232	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137925	7702	3706324238	103			MUSSER FORESTS #5 IND-24238	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137899	7675	3706324394	103			MUSSER FORESTS INC #2 - IND-24394	W PA - UPPER DEVONIAN SA	15.0	PEOPLES NATURAL G
8137918	7694	3706324250	103			N DEWITT RAY #5 IND-24299	W PA - UPPER DEVONIAN SA	25.0	PEOPLES NATURAL G
8137951	7729	3706324178	103			NORMAN CLAWSON #3 - IND-24178	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137935	7712	3706324433	103			NORMAN W CLAWSON #4 - IND-24433	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137912	7688	3712921369	103			PHILLIP SHEPLER #5 WES-21369	W PA - UPPER DEVONIAN SA	15.0	PEOPLES NATURAL G
8137902	7678	3706324567	103			RAYMOND E ANDERSON #1 #IND-24567	W PA - UPPER DEVONIAN SA	25.0	PEOPLES NATURAL G
8137903	7679	3706324568	103			ROSS H ANKENY #2 IND-24568	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137897	7673	3706324451	103			ROSS H ANKNEY #1 - IND-24457	W PA - UPPER DEVONIAN SA	15.0	PEOPLES NATURAL G
8137945	7722	3706324223	103			ROY M EWING #2 - IND-24223	W PA - UPPER DEVONIAN SA	35.0	PEOPLES NATURAL G
8137913	7689	3706324163	103			RUSSELLVILLE COAL CO IND-24163	W PA - UPPER DEVONIAN SA	15.0	PEOPLES NATURAL G
8137938	7715	3700522230	103			S G & A J DUNMIRE #2 ARM-22230	W PA - UPPER DEVONIAN SA	25.0	PEOPLES NATURAL G
8137933	7710	3712921306	103			T ARTHUR HIMLER #3 WES-21306	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137950	7728	3712921245	103			T M GERHARD #2 WES-21245	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137924	7701	3700522235	103			NAT'L KITTANNING BANK AR-22235	W PA - UPPER DEVONIAN SA	15.0	PEOPLES NATURAL G
8137916	7692	3706324429	103			WILLIAM C REPINE #2 IND-24429	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137915	7691	3706324430	103			WILLIAM C REPINE #3 IND-24430	W PA - UPPER DEVONIAN SA	45.0	PEOPLES NATURAL G
8137928	7705	3706324268	103			WILLIAM LIGHTCAP #4 IND-24268	W PA - UPPER DEVONIAN SA	25.0	PEOPLES NATURAL G
8137937	7714	3712921441	103			WILLIAM WILLARD #3 WES-21441	W PA - UPPER DEVONIAN SA	35.0	PEOPLES NATURAL G
-ARTHUR L HUFFMAN			RECEIVED: 06/18/81 JA: PA						
8138087	7819	3705900009	108			S A COEN WELL #1	GILMORE	3.6	PEOPLES NATURAL G
-BARON CREST INC			RECEIVED: 06/17/81 JA: PA						
8137963	7636	3706322250	108			ALVIN CRAIG #1	MCINTYRE	13.2	PEOPLES NATURAL G
8137962	7635	3706322253	108			DICK CRAIG #1	MCINTYRE	11.9	PEOPLES NATURAL G
8137964	7637	3706322311	108			LAWTON #2	ERNEST	7.3	PEOPLES NATURAL G
8137958	3372	3706322332	108			LIZZIE #1	MCINTYRE	7.7	PEOPLES NATURAL G
8137959	3373	3706322333	108			LIZZIE #2 (D G WERTZ)	MCINTYRE	7.7	PEOPLES NATURAL G
8137960	3374	3706322334	108			LIZZIE #3 (D G WERTZ)	MCINTYRE	7.7	PEOPLES NATURAL G
8137961	7634	3706322252	108			MCQUOWN #2	ERNEST	9.5	PEOPLES NATURAL G
8137965	7638	3706322326	108			RUSSELL CRAIG #2	MCINTYRE	4.3	PEOPLES NATURAL G
8137966	7639	3706322327	108			RUSSELL CRAIG #3	MCINTYRE	10.9	PEOPLES NATURAL G
-BEREA OIL AND GAS CORPORATION			RECEIVED: 06/17/81 JA: PA						
8137967	6885	3712328494	102-2			F & E NICHOLS #1	WILDCAT	20.0	COLUMBIA GAS TRAN
8137968	6886	3712328495	102-2			M J WOJTOWICZ UNIT #1	WILDCAT	20.0	COLUMBIA GAS TRAN
-BOYD & SHRIVER			RECEIVED: 06/17/81 JA: PA						
8137969	2096	3706323113	108			432 - BYLER	N MAHONING	12.0	CONSOLIDATED GAS
8137970	2115	3706323137	108			434 - MARSHALL	N MAHONING	12.0	CONSOLIDATED GAS
-CABOT OIL & GAS CORP			RECEIVED: 06/17/81 JA: PA						
8137971	7497	3703921115	102-2			JOHN ROBERTS #1	FAIRFIELD	50.0	TENNESSEE GAS PIP
8137972	7498	3703920966	102-2			RUDOLPH MION #1	FAIRFIELD	50.0	TENNESSEE GAS PIP
-CABOT OIL & GAS CORP			RECEIVED: 06/18/81 JA: PA						
8138073	7843	3703921147	102-2			MARION HAMILTON #1	FAIRFIELD	50.0	TENNESSEE GAS PIP
8138072	7842	3703921117	102-2			PHILIP WHEELING #1	FAIRFIELD	50.0	TENNESSEE GAS PIP
-CARL E MCCALL			RECEIVED: 06/18/81 JA: PA						

JD NO	JA RT	API NO	D SEC CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8138115	7748	3703125900	108	CARL MCCALL #1	PORTER	2.6	PEOPLES NATURAL G
-CASTLE GAS CO INC			RECEIVED: 06/17/81 JA: PA				
8137974	7646	3706325550	103	A CHUNORK #3 C-703 IND-25550	YOUNG	60.0	INDUSTRIAL ENERGY
8137973	7645	3706325473	103	CLAIR BROWN # 3 C-656 IND-25473	GRANT TOWNSHIP	55.0	COLUMBIA GAS TRAN
8137979	7651	3706326011	103	FERG P RICE # 1 C-659 IND-26011	GREEN TOWNSHIP	45.0	COLUMBIA GAS TRAN
8137980	7652	3706325517	103	HARRY A SHEARER #1 C-575 IND-25517	WHITE TOWNSHIP	50.0	PEOPLES NATURAL G
8137981	7653	3706325518	103	HARRY A SHEARER #2 C-576IND-25518	WHITE TOWNSHIP	50.0	PEOPLES NATURAL G
8137976	7648	3706325103	103	HARRY E NEESE # 3 C-610 IND-25103	YOUNG TOWNSHIP	55.0	PEOPLES NATURAL G
8137975	7647	3706325724	103	J E HILL #2 C-491 IND-25724	WHITE TOWNSHIP	50.0	COLUMBIA GAS TRAN
8137977	7649	3706325102	103	J K NICELY # 1 C-608 IND - 25102	YOUNG TOWNSHIP	55.0	PEOPLES NATURAL G
8137978	7650	3706325610	103	J K NICELY # 2 C-705 IND-25610	YOUNG TOWNSHIP	55.0	PEOPLES NATURAL G
8137982	7654	3706325390	103	STANLEY WALLS #1 C-627 IND-25390	GREEN TOWNSHIP	45.0	COLUMBIA GAS TRAN
-CHARLES A POPE			RECEIVED: 06/18/81 JA: PA				
8138137	7845	3703100000	108	SHICK WELL	REDBANK TOWNSHIP	1.0	PEOPLES NATURAL G
8138139	7847	3703100000	108	WOLFGANG WELL	REDBANK TOWNSHIP	1.0	PEOPLES NATURAL G
8138138	7846	3703100000	108	WYNCOOP WELL	REDBANK TOWNSHIP	1.0	PEOPLES NATURAL G
-CLARENCE E LOUDEN JR			RECEIVED: 06/18/81 JA: PA				
8138113	7815	3700500000	108	PEART NO 2 LP-20	OSCAR-ECHO	2.0	PEOPLES NATURAL G
8138112	7814	3700501456	108	PEART NO 3 LP-25	OSCAR-ECHO	10.0	PEOPLES NATURAL G
8138111	7813	3700521566	108	PEART NO 4 LP-26	OSCAR-ECHO	11.0	PEOPLES NATURAL G
8138114	7816	3700500000	108	TRUST NO 2 LP-13	OSCAR-ECHO	1.5	PEOPLES NATURAL G
8138110	7812	3700501589	108	W EVERETT BECK #1 2735	OSCAR-ECHO	4.0	PEOPLES NATURAL G
-COLLETTA M LINGENFELTER			RECEIVED: 06/17/81 JA: PA				
8138063	7553	3700500000	108	SAGER NO 2	MAYPORT	2.6	COLUMBIA GAS TRAN
8138062	7552	3700500000	108	SAGER NO 3	MAYPORT	2.6	COLUMBIA GAS TRAN
8138061	7551	3700500000	108	SAGER NO 4	MAYPORT	2.6	COLUMBIA GAS TRAN
-D L MCKEEVER			RECEIVED: 06/18/81 JA: PA				
8138121	7788	3712900000	108	C O WYLIE #24423	PINE RUN	1.5	PEOPLES NATURAL G
8138119	7786	3712900000	108	CHARLOTTE SMITH #28956	PINE RUN	1.5	PEOPLES NATURAL G
8138118	7785	3712920454	108	E L SHUSTER # 4524	LATROBE	3.5	PEOPLES NATURAL G
8138125	7792	3712900000	108	J C WYLIE #34738	PINE RUN	1.5	PEOPLES NATURAL G
8138122	7789	3712900000	108	J C WYLIE #34739	PINE RUN	1.5	PEOPLES NATURAL G
8138124	7791	3712900000	108	J KLINGENSMITH #34741	PINE RUN	1.5	PEOPLES NATURAL G
8138116	7783	3712934736	108	J SCOTT #34736	PINE RUN	1.5	PEOPLES NATURAL G
8138117	7784	3712933220	108	J W ELLWOOD #33220	PINE RUN	0.9	PEOPLES NATURAL G
8138127	7794	3712900000	108	J W ELLWOOD #34735	PINE RUN	0.9	PEOPLES NATURAL G
8138120	7787	3712902642	108	J W ELLWOOD #34740	PINE RUN	2.8	PEOPLES NATURAL G
8138126	7793	3712900000	108	M SILVIS #34737	PINE RUN	0.9	PEOPLES NATURAL G
8138123	7790	3712900000	108	WATSON #31419	PINE RUN	1.5	PEOPLES NATURAL G
-DALE M CAMPBELL			RECEIVED: 06/18/81 JA: PA				
8136078	7602	3712920853	108	LESTER W ALBRIGHT NO 1	ARMBRUST - GREENSBURG	17.2	STANDARD STEEL CO
8138076	7753	3712921084	108	PAUL E DOMASKY NO 1	ARMBRUST - GREENSBURG	10.4	STANDARD STEEL CO
8138077	7754	3712921244	108	SIEGFRIED J MUSHO NO 1	ARMBRUST - GREENSBURG	8.5	STANDARD STEEL CO
8138075	7752	3712920912	108	WILLIAM G SMAIL NO 1	ARMBRUST - GREENSBURG	7.6	PEOPLES NATURAL G
8138074	7751	3712921337	108	WILLIAM G SMAIL NO 2	ARMBRUST - GREENSBURG	7.6	PEOPLES NATURAL G
-DAMSON-LOUDEN CO LTD & MCC-LOUDEN L			RECEIVED: 06/17/81 JA: PA				
8137997	7587	3706321805	108	B LYDIC B587-1	SOUTH MAHONING	7.6	PEOPLES NATURAL G
8137998	7588	3706322139	108	B LYDIC B587-2	SOUTH MAHONING	7.6	PEOPLES NATURAL G
8137985	7513	3706320410	108	B PETERMAN B55-1	ARMSTRONG TWP	9.2	PEOPLES NATURAL G
8137986	7514	3706320731	108	B PETERMAN B55-2	ARMSTRONG TWP	9.2	PEOPLES NATURAL G
8137987	7515	3706321077	108	B PETERMAN B55-3	ARMSTRONG TWP	9.2	PEOPLES NATURAL G
8137984	7512	3706320547	108	C J & L L PETERMAN B46-1	ARMSTRONG TWP	8.7	PEOPLES NATURAL G
8138002	7592	3706323783	108	D HILL & F L SMITH B596-1	SOUTH MAHONING	7.6	PEOPLES NATURAL G

JD NO	JA TKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8137999	7589	3706321822		108		D W SIMPSON B588-1	SOUTH MAHONING	7.6	PEOPLES NATURAL G
8137992	7582	3700520959		108		E CORNMAN B583-1	BOGGS	3.1	PEOPLES NATURAL G
8138003	7593	3706323827		108		E L STREAMS B597-1	SOUTH MAHONING	7.6	PEOPLES NATURAL G
8137993	7583	3700520977		108		E MILLER HEIRS B584-1	WAYNE	3.7	PEOPLES NATURAL G
8137994	7584	3700521241		108		E MILLER HEIRS 584-2	WAYNE	3.7	PEOPLES NATURAL G
8137988	7572	3712500000		108		J L SUMNEY B660-1	NOTTINGHAM TWP	1.9	PEOPLES NATURAL G
8138005	7595	3700520361		108		J MARTIN B542-1	WAYNE	4.7	PEOPLES NATURAL G
8138000	7590	3706321852		108		J SIMPSON B589-1	SOUTH MAHONING	7.6	PEOPLES NATURAL G
8138001	7591	3706322041		108		J STEFFY (ANITA SMITH) B590-1	SOUTH MAHONING	7.6	PEOPLES NATURAL G
8138004	7594	3706322293		108		J STEFFY (W CORNMAN) B645-1	SOUTH MAHONING	7.6	PEOPLES NATURAL G
8138006	7596	3700500000		108		L MARTIN B543-1	WAYNE	4.7	PEOPLES NATURAL G
8137991	7581	3700520927		108		L MARTIN B543-2	WAYNE	4.3	THE PEOPLES NATUR
8137983	7511	3706320361		108		R M & Z P SNYDER B45-1	ARMSTRONG TWP	9.2	PEOPLES NATURAL G
8137995	7585	3700521604		108		R N MOORE B643-1	WAYNE	4.8	PEOPLES NATURAL G
8138007	7597	3706321709		108		R PINO B586-1	SOUTH MAHONING	7.6	PEOPLES NATURAL G
8137996	7586	3706321968		108		R PINO B586-2	SOUTH MAHONING	7.6	PEOPLES NATURAL G
8137989	7579	3712500000		108		S B MORRIS ET AL B666-1	WEST PIKE RUN	2.6	PEOPLES NATURAL G
8137990	7580	3712500000		108		S B MORRIS ET AL B666-2	WEST PIKE RUN	2.6	PEOPLES NATURAL G
-DAVID GAON AND SPENCER STILLMAN				RECEIVED: 06/18/81 JA: PA					
8138081	7823	3708520187		102-2		ROSEN #1	GREENE	20.0	
8138083	7821	3708520187		103		ROSEN #1	GREENE	20.0	
8138082	7824	3708520204		102-2		ROSEN #3	GREENE	0.0	
8138084	7822	3708520204		103		ROSEN #3	GREENE	0.0	
-EDWARD G KRIEBEL GAS CO				RECEIVED: 06/17/81 JA: PA					
8138050	7448	3706320448		108		ED KELLICK #1	WASHINGTON TOWNSHIP	0.3	PEOPLES NATURAL G
8138054	7605	3700500000		108		GLACIAL SAND & GRAVEL #2	EAST FRANKLIN	1.6	PEOPLES NATURAL G
8138053	7604	3700520198		108		GLACIAL SAND & GRAVEL #3	EAST FRANKLIN	1.6	PEOPLES NATURAL G
8138052	7603	3700500000		108		GLACIAL SAND & GRAVEL #4	EAST FRANKLIN	1.6	PEOPLES NATURAL G
8138051	7602	3700500000		108		GLACIAL SAND & GRAVEL #5	EAST FRANKLIN	1.6	PEOPLES NATURAL G
8138055	7606	3700520205		108		GLACIAL SAND AND GRAVEL #1	EAST FRANKLIN	1.6	PEOPLES NATURAL G
8138049	7330	3706324782		108		KELLICK #4	ARMSTRONG TWP	14.2	PEOPLES NATURAL G
-ENERGY PRODUCTION CO				RECEIVED: 06/17/81 JA: PA					
8138009	7485	3706325864		103		A PIZARIK NO 1	NOLO MOUNTAIN	32.0	COLUMBIA GAS TRAN
8138008	7482	3706325825		103		B F OLIVER NO 1	NOLO MOUNTAIN	73.6	COLUMBIA GAS TRAN
-ENERGY PRODUCTION CO				RECEIVED: 06/18/81 JA: PA					
8138079	7488	3706326048		103		M B STEPHENS NO 5	NOLO MOUNTAIN	141.9	COLUMBIA GAS TRAN
-FELMONT OIL CORPORATION				RECEIVED: 06/17/81 JA: PA					
8138015	7612	3702120086		103		MARTIN L BEARER #1 F-276	DRISCOLL HOLLOW	0.0	
8138014	7611	3702120087		103		MARTIN L BEARER #2 F-277	DRISCOLL HOLLOW	0.0	
8138013	7610	3702120089		103		MARTIN L BEARER #4 F-279	DRISCOLL HOLLOW	0.0	
8138012	7609	3702120090		103		MARTIN L BEARER #5 F-280	DRISCOLL HOLLOW	0.0	
8138011	7608	3702120054		103		MARTIN L BEARER #6 F-288	DRISCOLL HOLLOW	0.0	
8138016	7613	3706325549		103		RUSSELL E FOX #3 F-271	SOUTH PINE	0.0	COLUMBIA GAS TRAN
8138017	7614	3706325868		103		WILLIS R GRIFFITH #3 F-281	SOUTH PINE	0.0	COLUMBIA GAS TRAN
-FLOYD A GEARHART AND STANLEY K COEL				RECEIVED: 06/17/81 JA: PA					
8138020	6786	3703120841		102-2		ALBERT H ELLIOTT #1	LICKING TOWNSHIP	73.0	COLUMBIA GAS OF P
8138019	6713	3703120756		102-2		CATHERINE CONNER #1 CLA-20796	TIOGA TOWNSHIP	114.0	COLUMBIA GAS TRAN
-FOX OIL & GAS INC				RECEIVED: 06/17/81 JA: PA					
8138018	7474	3706325935		103		EARL M FULMER #2	MONTGOMERY TOWNSHIP	25.5	COLUMBIA GAS TRAN
-FOX OIL & GAS INC				RECEIVED: 06/18/81 JA: PA					
8138080	7462	3712920756		108		LULU POOL #2	HEMFFIELD TOWNSHIP	20.5	PEOPLES NATURAL G
-J & J ENTERPRISES INC				RECEIVED: 06/18/81 JA: PA					
8138128	7796	3706325612		103		CLAYTON SUNDERLAND #1	CANCE	200.0	T W PHILLIPS GAS

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8138141	7638	3706324423		103		R & P COAL CO #2	YOUNG	200.0	T W PHILLIPS GAS
-JAMES DRILLING CORP				RECEIVED: 06/17/81 JA: PA					
8138033	7616	3712920452		108		ALBERT GEORGE WELL #1	DERRY	8.0	PEOPLES NATURAL G
8138034	7617	3712920503		108		ALBERT GEORGE WELL #2	DERRY	7.5	PEOPLES NATURAL G
8138035	7618	3712920531		108		ALBERT GEORGE WELL #3	DERRY	7.0	PEOPLES NATURAL G
8138046	7641	3706320265		108		HENRY YEAGER WELL #1	COWANSHANNOCK	2.5	PEOPLES NATURAL G
8138036	7620	3706320888		108		J E LINTNER WELL #1	BURRELL	3.5	PEOPLES NATURAL G
8138037	7621	3706321014		108		J E LINTNER WELL #2	BURRELL	7.0	PEOPLES NATURAL G
8138040	7624	3706321302		108		LEWIS DUDASH WELL #1	YOUNG	2.5	PEOPLES NATURAL G
8138039	7623	3706320504		108		MICHAEL PFAFF WELL #1	DERRY	2.5	PEOPLES NATURAL G
8138045	7633	3706321300		10R		MIKE PRYMAK WELL #1	YOUNG	7.0	PEOPLES NATURAL G
8138041	7625	3706331301		108		MIKE PRYMAK WELL #2	YOUNG	8.0	PEOPLES NATURAL G
8138043	7631	3706321237		10R		R & P COAL CO WELL #6	YOUNG	7.0	PEOPLES NATURAL G
8138044	7632	3706321292		108		R & P COAL CO WELL #7	YOUNG	13.0	PEOPLES NATURAL G
8138042	7626	3712920524		108		R E WHITE WELL #1	DERRY	4.0	PEOPLES NATURAL G
8138032	7615	3712920530		108		ROCCO DELIA WELL #1	DERRY	6.5	PEOPLES NATURAL G
8138048	7643	3712920420		108		VINCENT MAKOVICS WELL #1	ROSTRAVER	3.0	PEOPLES NATURAL G
8138047	7642	3712920434		108		VINCENT MAKOVICS WELL #2	ROSTRAUER	8.0	PEOPLES NATURAL G
8138038	7622	3712920465		108		W A STONEMAN WELL #1	ROSTRAUER	0.7	PEOPLES NATURAL G
-JAMES DRILLING CORP				RECEIVED: 06/18/81 JA: PA					
8138088	7619	3712920515		106		J J JOHNSTON WELL #1	DERRY	7.0	PEOPLES NATURAL G
8138089	7627	3706321178		108		R & P COAL CO WELL #1	YOUNG	13.0	PEOPLES NATURAL G
8138090	7628	3706321182		108		R & P COAL CO WELL #2	YOUNG	9.5	PEOPLES NATURAL G
8138091	7629	3706321168		108		R & P COAL CO WELL #3	YOUNG	10.5	PEOPLES NATURAL G
8138092	7630	3706321194		108		R & P COAL CO WELL #4	YOUNG	13.0	PEOPLES NATURAL G
-JOHN E SAUL				RECEIVED: 06/18/81 JA: PA					
8138145	7776	3706324035		103		ELMO TRAVIS #1	WEST MAHONING	0.0	PEOPLES NATURAL G
8138143	7774	3706325448		103		ELMO TRAVIS #1 (51A)	WEST MAHONING	0.0	PEOPLES NATURAL G
8138146	7777	3706324332		103		ELMO TRAVIS #2	WEST MAHONING	0.0	PEOPLES NATURAL G
8138144	7775	3706322367		103		JOHN E SAUL #1 (17A)	WAYNE	0.0	PEOPLES NATURAL G
8138142	7773	3706322255		103		M C WILSON #1	WAYNE	0.0	PEOPLES NATURAL G
8138148	7772	3706321515		108		PAULINE DEFCRAD #1	SOUTH BEND	0.0	PEOPLES NATURAL G
8138147	7771	3706321585		108		RUSSELL V LEE #1	KISKIMINETAS	0.0	PEOPLES NATURAL G
8138149	7778	3712920971		108		WALTER H GROSSHEIM #1	VANDERGRIFT	0.0	PEOPLES NATURAL G
-KEYSTONE ENERGY RESOURCES				RECEIVED: 06/18/81 JA: PA					
8138103	7746	3706325950		103		ADAMCHICK #1	CHARLES ADAMCHICK	58.4	COLUMBIA GAS TRAN
8138102	7745	3706325949		103		ADAMCHICK #3	CHARLES ADAMCHICK	41.9	COLUMBIA GAS TRAN
8138101	7744	3706325630		103		ADAMCHICK #6	CHARLES ADAMCHICK	35.6	COLUMBIA GAS TRAN
8138100	7743	3706325671		103		ADAMCHICK #7	CHARLES ADAMCHICK	43.8	COLUMBIA GAS TRAN
8138104	7748	3706325974		103		BARNES #1	THOMAS BARNES	73.5	COLUMBIA GAS TRAN
8138093	7736	3706325986		103		DUNLAP #1	WARREN DUNLAP	36.5	COLUMBIA GAS TRAN
8138099	7742	3706325945		103		LUKCIK #1	JOHN R LUKCIK	65.7	COLUMBIA GAS TRAN
8138098	7741	3706325946		103		LUKCIK #2	JOHN R LUKCIK	77.6	COLUMBIA GAS TRAN
8138097	7740	3706325947		103		LUKCIK #3	JOHN R LUKCIK	43.8	COLUMBIA GAS TRAN
8138096	7739	3706325931		103		LUKCIK #4	JOHN R LUKCIK	51.1	COLUMBIA GAS TRAN
8138095	7738	3706325996		103		STREAMS #5	DONALD W STREAMS	48.8	COLUMBIA GAS TRAN
8138094	7737	3706325968		103		STREAMS #6	DONALD STREAMS	68.4	COLUMBIA GAS TRAN
-KRIEBEL WELLS 80				RECEIVED: 06/17/81 JA: PA					
8138056	7491	3706325976		103		GREENLEE #3	GRANT	30.0	
8138057	7492	3706325925		103		MEYER #1	MARION CENTER	30.0	
-LAKE ERIE #1				RECEIVED: 06/17/81 JA: PA					
8138059	6733	3704921073		103		LOUIS BECK #80-10 PA PER ERI-21073	CONNEAUT	0.0	COLUMBIA GAS TRAN
-LAUREL ENERGY CORP				RECEIVED: 06/17/81 JA: PA					

JC NO	JA PT	API NO	D SEC CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8138060	7554	3700522412	103	KIMMELL #1 ARM-22412	COWANSHANNOCK	32.0	PEOPLES NATURAL G
-MERIDIAN OIL & GAS ENT INC			RECEIVED: 06/17/81 JA: PA				
8138064	7601	3706321557	108	C R WRIGHT WELL #1	YOUNG	4.0	PEOPLES NATURAL G
-MERIDIAN OIL & GAS ENT INC			RECEIVED: 06/18/81 JA: PA				
8138129	7600	3706321670	108	J LENTZ WELL #1	YOUNG	2.5	PEOPLES NATURAL G
-MONROE RESOURCES LTD			RECEIVED: 06/17/81 JA: PA				
8138065	7566	3712328553	102-2	JAMES GOURLEY #4	LOTTSVILLE	40.0	COLUMBIA GAS TRAN
-MRS JUNE SHANER SWITZER			RECEIVED: 06/18/81 JA: PA				
8138155	7828	3700520413	108	ADDISON #1	RED BANK TOWNSHIP	2.5	COLUMBIA GAS TRAN
8138160	7838	3703120039	108	C D DECKER #3	PORTER TOWNSHIP	5.0	COLUMBIA GAS TRAN
8138154	7826	3700520308	108	COPENHAVER #1	MAHONING TOWNSHIP	2.1	COLUMBIA GAS TRAN
8138159	7834	3703120100	108	FOWKES #1	PORTER TOWNSHIP	1.0	HANLEY & BIRD
8138157	7830	3703120134	108	MCCLURE #2	PORTER TOWNSHIP	3.5	COLUMBIA GAS TRAN
8138156	7829	3703120155	108	MCCLURE #3	PORTER TOWNSHIP	1.5	COLUMBIA GAS TRAN
8138158	7833	3703120083	108	WHITE #1	PORTER TOWNSHIP	1.5	COLUMBIA GAS TRAN
-NESE ENERGY			RECEIVED: 06/18/81 JA: PA				
8138130	7747	3712921747	103	NESE #1	GERRY	68.4	THE PEOPLES NATUR
-PEACOCK/DOVERSPIKE GAS VENTURE - 79			RECEIVED: 06/17/81 JA: PA				
8138067	7556	3700522408	103	BEAM #1 ARM-22408	WAYNE	10.0	PEOPLES NATURAL G
8138068	7559	3706325050	103	SOULCHIN #4 IND-25050	WHITE	18.0	PEOPLES NATURAL G
-R C ERNST			RECEIVED: 06/17/81 JA: PA				
8138010	7640	3701920690	108	EMMET C RICE #1		0.9	PEOPLES NATURAL G
-R C KLINGENSMITH			RECEIVED: 06/18/81 JA: PA				
8138105	7782	3700500000	108	OSCAR GEORGE # 1	ROARING RUN	1.4	PEOPLES NATURAL G
-RANNUFF OIL & GAS CO			RECEIVED: 06/18/81 JA: PA				
8138140	7797	3705900000	108	HANNAH LOHR #1	ALEPPO	4.6	PEOPLES NATURAL G
-RAYMOND H PHILLIPS MARY JUNE PHILLI			RECEIVED: 06/18/81 JA: PA				
8138131	7806	3705900000	108	MOORE WELL #3544	WAYNE	1.2	PEOPLES NATURAL G
8138136	7811	3705900000	108	TENNANT WELL #1286	WAYNE	1.2	PEOPLES NATURAL G
8138132	7827	3705900000	108	TENNANT WELL #1444	WAYNE	1.2	PEOPLES NATURAL G
8138135	7810	3705900000	108	TENNANT WELL #1516	WAYNE	1.1	PEOPLES NATURAL G
8138133	7808	3705900000	108	TENNANT WELL #1655	WAYNE	1.2	PEOPLES NATURAL G
8138134	7809	3705900000	108	ZIMMERMAN WELL #1816	WAYNE	1.2	PEOPLES NATURAL G
-SWISSVALE OIL & GAS CO			RECEIVED: 06/18/81 JA: PA				
8138153	7770	3700300000	108	MCKELVEY WELL #1	BRADDOCK - SWISSVALE	5.4	PEOPLES NATURAL G
-THE MUTUAL OIL & GAS COMPANY			RECEIVED: 06/17/81 JA: PA				
8138066	7644	3704921155	102-2	ORBANEK/REWERS UNIT	MCKEAN	30.0	COLUMBIA GAS TRAN
-VICTORY DEVELOPMENT CO			RECEIVED: 06/17/81 JA: PA				
8138069	7598	3706325550	102-2	OCTA NUPP #3	MONTGOMERY	0.0	COLUMBIA GAS TRAN
8138070	7599	3706325990	103	OCTA NUPP #3 IND-25990	MONTGOMERY	43.8	COLUMBIA GAS TRAN
-VINCENT KUTCH			RECEIVED: 06/17/81 JA: PA				
8138058	7655	3706321065	108	HOLMES #1	CRETE CHURCH	8.0	PEOPLES NATURAL G
-VINCENT KUTCH			RECEIVED: 06/18/81 JA: PA				
8138106	7798	3706321581	108	HOLMES #2	CRETE CHURCH	10.0	PEOPLES NATURAL G
8138107	7799	3706321752	108	HOLMES #3	CRETE CHURCH	15.0	PEOPLES NATURAL G
8138108	7800	3706322093	108	HOLMES #4	CRETE CHURCH	7.0	PEOPLES NATURAL G
8138109	7801	3706323312	108	HOLMES #5	CRETE CHURCH	7.0	PEOPLES NATURAL G
-W G SHANER			RECEIVED: 06/18/81 JA: PA				
8138152	7781	3712920827	108	MIODUSZEWSKI #1	BLAIRSVILLE 7-1/2 QUAD	16.9	PEOPLES NATURAL G
8138151	7780	3712920889	108	MIODUSZEWSKI #2	BLAIRSVILLE 7-1/2 QUAD	16.9	PEOPLES NATURAL G
8138150	7779	3712921102	108	MIODUSZEWSKI #3	BLAIRSVILLE 7-1/2 QUAD	16.9	PEOPLES NATURAL G
-WALLACE H HAUPT JR			RECEIVED: 06/17/81 JA: PA				
8138027	7763	3712920873	108	ALEX & ALBERT HOZA NO 1	CRABTREE	3.0	PEOPLES NATURAL G

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JOB NO	OPERATOR	PERMIT NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8136022	7758	3712920052		108		AMANDUS F STOUP NO 1	CRABTREE	1.3	PEOPLES NATURAL G
8136025	7761	3712920650		108		ANDREW & JOHN ROSKOVENSKY NO 1	CRABTREE	15.7	PEOPLES NATURAL G
8136024	7760	3712920656		108		CLARENCE M SAXMAN NO 1	CRABTREE	5.8	PEOPLES NATURAL G
8136023	7759	37129200P2		108		CLARENCE M SAXMAN NO 2	CRABTREE	3.8	PEOPLES NATURAL G
8136030	7766	3712920597		108		JAMES V CAVALIER NO 1	CRABTREE	9.2	PEOPLES NATURAL G
8136029	7765	3712920617		108		JAMES V CAVALIER NO 2	CRABTREE	8.8	PEOPLES NATURAL G
8136026	7762	3712900000		108		JAMISON COAL NO 1	CRABTREE	5.1	PEOPLES NATURAL G
8136028	7764	3712920271		108		L M ULERY NO 1	CRABTREE	6.2	PEOPLES NATURAL G
8136031	7767	3712900000		108		W Z DILLON NO 1	CRABTREE	5.7	PEOPLES NATURAL G
8136021	7757	3712920247		108		WILLIAM W WELLS NO 1	CRABTREE	5.3	PEOPLES NATURAL G
-WALLACE H HAUPT JR				RECEIVED: 06/18/81 JA: PA					
8136086	7756	3712900000		108		BERNARD REDLICH NO 1	ARMBRUST	7.0	PEOPLES NATURAL G
8136085	7755	3712921326		108		BERNARD REDLICH NO 2	ARMBRUST	10.4	PEOPLES NATURAL G
-WILLIAM E VALENSON				RECEIVED: 06/18/81 JA: PA					
8136161	7803	3700300000		108		LOUCHRINGER	LOUCHRINGER	18.5	COLUMBIA GAS TRAN

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" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission before July 31, 1981.

Categories within each NGPA section are indicated by the following codes:

Section 102-1: New OSC lease
102-2: New well (2.5 mile rule)
102-3: New well (1000 ft rule)
102-4: New onshore reservior
102-5: New reservior on old OCS lease
Section 107-DP: 15,000 feet or deeper
107-GB: Geopressured brine
107-CS: Coal seams
107-DV: Devonian shale
107-PE: Production enhancement
107-TF: New tight formation
107-RT: Recompletion tight formation
Section 108: Stripper well
108-SA: Seasonally affected
108-ER: Enhanced recovery
108-PB: Pressure buildup

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-20851 Filed 7-15-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-390-000]

Northern Natural Gas Co., Division of InterNorth, Inc., Application

July 14, 1981.

Take notice that on June 22, 1981, Northern Natural Gas Company, Division of InterNorth, Inc. (Applicant), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP81-390-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of 36 small volume sales measuring stations for the sale and delivery of additional volumes of natural gas in the states of South Dakota, Minnesota, Iowa, Nebraska, and Kansas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to provide natural gas service to persons who have granted Applicant right-of-way easements to construct and operate pipeline facilities across their property. It is stated that such service would be made to small volume [1] industrial, commercial and residential customers.

Applicant proposes to install and operate 36 delivery stations in South Dakota, Minnesota, Iowa, Nebraska, and Kansas for deliveries of gas to be resold by Peoples Natural Gas Company, Division of InterNorth, Inc. (Peoples) from Peoples's presently authorized contract demand.

Applicant more fully describes the 36 proposed small volume sale measuring stations including location, estimated peak day and annual sales and use as follows:

Peoples Natural Gas Company, Division of InterNorth, Inc.

Right-of-way grantor	Location of facilities, county-State	Estimated sales—1,000 ft³		Primary end-use	Estimated facility costs
		Peak day	Annual		
Ahlert, Jeffrey L	St. Louis-MN	2.0	200	Res. Heat	$1,900
Bowers, Howard	Gundy-IA	42.0	3,530	Crop Dryer	2,120
Buelt, Leonard	Mower-MN	15.0	520	Crop Dryer	2,120
Deters, Albert F	Houston-MN	32.0	1,425	Crop Dryer	2,120
Drake, Mark M	Jackson-IA	1.0	90	Res. Heat	1,640
Eason, Thomas	Dodge-NE	36.0	1,782	Irrigation	2,010
Eastman, Bertha	Black Hawk-IA	2.0	199	Res. Heat	1,480
Haye, John F. (#1)	Burt-NE	10.6	850	Irrigation	2,340
Haye, John F. (#2)	Burt-NE	10.6	850	Irrigation	2,340
Henry, Robert	Benton-MN	3.0	200	Res. Heat	1,350
Jantzen, Ernest J	Jefferson-NE	24.6	1,250	Irrigation	1,420
Jensen, Raymond D	Moody-SD	30.0	1,592	Crop Dryer	1,870
Jansen, Robert	O'Brien-IA	2.0	188	Res. Heat	1,640
Johnson, Philip J	Saunders-NE	2.0	200	Res. Heat	1,920
Kenkel, Jack	Shelby-IA	1.7	330	Com. Heat	1,590
Knebel, Clifford E	Stearns-MN	14.0	760	Crop Dryer	1,870
Lage, Orville D	Wayne-NE	11.6	810	Irrigation	2,290
Lahr, James H	Delaware-IA	1.0	138	Res. Heat	1,520
Larson, Ronald	Saunders-NE	17.0	1,530	Irrigation	2,290
Lax, Albert C	Brown-MN	46.0	280	Crop Dryer	1,950
Lewis, William L	Finney-KS	48.0	8,640	Irrigation	940
Logeman, Lavern	Burt-NE	22.6	1,680	Irrigation	2,340
McNamara, Dan	Renville-MN	20.0	380	Crop Dryer	1,640
Mundhenke, Floyd	Clark-SD	30.0	1,592	Crop Dryer	2,140
Ohrtman, Richard	Sac-IA	36.0	1,425	Crop Dryer	1,970
Pate, Tom	Stevens-KS	1.5	180	Res. Heat	780
Peterson, T. L./Doland	Spink-SD	160.0	2,800	Crop Dryer	5,200
Rocker, Lyle	Fayette-IA	9.0	497	Crop Dryer	2,130
Smith, George W	Jones-IA	1.5	173	Res. Heat	1,470
Syverson, Robert G	Redwood-MN	69.0	1,618	Crop Dryer	1,950
Vice, Louise M. (#1)	Stafford-KS	36.0	4,590	Irrigation	2,110
Vice, Louise M. (#2)	Stafford-KS	36.0	4,590	Irrigation	2,130
Wessel, Ralph	Butler-IA	26.0	2,520	Farrowing	2,020
West, Alan	Mecker-MN	40.0	2,080	Crop Dryer	1,420
Whitehead, Roy	Meade-KS	22.0	2,900	Irrigation	1,350
Wright, Richard	Fayette-IA	3.0	330	Crop Dryer	2,120
Totals, all projects		865.5	52,859		$69,490

[1] As defined in Applicant's Gas Tariff, customers with maximum daily gas requirements under 200 Mcf are considered small volume customers.

Applicant estimates the cost of the proposed facilities to be $69,490 which would be financed by cash on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 4, 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 Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-20841 Filed 7-15-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-388-000]

Northwest Canadian Gas Sales Co.; Application

July 14, 1981.

Take notice that on June 19, 1981, Northwest Canadian Gas Sales Company (Applicant), 136 East South Temple, Salt Lake City, Utah 84111, filed in Docket No. CP81-388-000 an application pursuant to the Alaska Natural Gas Transportation Act of 1976 (ANGTA) and Sections 3 and 7 (c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to import and to sell natural gas for resale in lieu of Northwest Alaskan Pipeline Company (Northwest Alaskan), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant submits that it is a subsidiary of Northwest Energy Company formed for the purpose of purchasing and selling Canadian natural gas as part of the first phase of construction of the Alaska Natural Gas Transportation System (ANGTS). It is further submitted that Northwest Alaskan also a subsidiary of Northwest Energy Company and the contracting party for Canadian gas, would assign those contracts to Applicant.

Applicant states that on Janaury 11, 1980, as modified June 13, 1980, in Docket No. CP78-123, *et al.*, Northwest Alaskan was authorized to import from Pan-Alberta Gas, LTD. (Pan-Alberta) up to 300,000 Mcf of gas per day for resale to Pacific Interstate Transmission Company (Pac-Interstate): and on April 28, 1980, as modified June 20, 1980, in Docket No. CP78-123, *et al.*, Northwest Alaska was authorized to import up to 800,000 Mcf of gas per day for resale to Northern Natural Gas Company, a Division of Internorth, Inc. (Northern), Panhandle Eastern Pipe Line Company (Panhandle) and United Gas Pipe Line Company (United).

Applicant asserts that Northwest Alaskan entered into contracts with Pan-Alberta, Pac-Interstate, Northern, Panhandle and United pursuant to which Northwest Alaskan may assign or transfer its contractual rights and obligations to an affiliate.

Applicant states that upon execution of the assignment of contracts between Northwest Alaskan and Applicant. Northwest Alaskan would have assigned its rights as buyer under contracts dated March 9, 1978, as amended, for the purchase of 1,040,000,000 Mcf of natural gas per day from Pan-Alberta to Applicant.

Applicant further states that upon the execution of assignment of contracts between Northwest Alaskan and Applicant, Northwest Alaskan would have assigned its right as seller of the imported gas to Applicant under the following contracts:

(1) With Pac-Interstate dated March 9, 1978, as amended, for the resale of up to 240,000 Mcf of gas per day;

(2) With Northern dated March 24, 1978, as amended, for the resale of up to 200,000 Mcf of gas per day;

(3) With Panhandle dated April 14, 1978, as amended, for the resale of up to 150,000 Mcf of gas per day;

(4) With United dated March 9, 1978, as amended, for the resale of up to 450,000 Mcf of gas per day;

Any person desiring to be heard or to make any protest with reference to said application should on or before August 4, 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 Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-20842 Filed 7-15-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. CI61-1162-001, etc.]

Odeco Oil & Gas Co. (Formerly Ocean Production Co.); Corporate Name Change

July 13, 1981.

Take notice that on May 27, 1981, Odeco Oil & Gas Company (Applicant), P.O. Box 61780, New Orleans, Louisiana 70161, filed an application in Docket Nos. CI61-1162-001, *et al.*, to amend the certificates currently held by Ocean Production Company so as to substitute Applicant as certificate holder and to

redesignate the rate schedules in the name of the Applicant.

By Certificate of Amendment of Certificate of Incorporation, effective May 6, 1981, Ocean Production Company changed its name to Odeco Oil & Gas Company.

The various dockets and rate schedules are listed in the attached appendix.

Notice is hereby given that all certificates, rate schedules and pending applications and proceedings as listed in the attached Appendix are redesignated to reflect the corporate name change from Ocean Production Company to Odeco Oil & Gas Company, effective May 6, 1981.

Kenneth F. Plumb,

Secretary.

Appendix—Odeco Oil & Gas Company, Formerly: Ocean Production Company, Name Change Effective 5/6/81

Rate schedule No.	Certificate docket No.	Purchaser
4	CI61-1162-001	Transcontinental Gas Pipe Line Corp.
5	CI61-1469	Do.
6	CI61-1708	Do.
8	CI68-1406	Do.
10	CI69-670	Do.
11	CI70-913	Do.
12	CI75-94	Do.
13	CI76-184	Tennessee Gas Pipeline Co.
14	CI76-187	Do.
16	CI77-251	United Gas Pipe Line Co.
17	CI77-735	Trunkline Gas Co.
18	CI77-731	Michigan Wisconsin Pipe Line Co.
19	CI78-438	Do.
20	CI78-777	Do.
21	CI78-932	Transcontinental Gas Pipe Line Corp.
22	CI78-666	Columbia Gas Transmission Corp.
23	CI78-1100	Tennessee Gas Pipeline Co.
24	CI78-702	Tennessee Gas Pipeline Co.
25	CI79-135	Trunkline Gas Co.
26	CI79-160	Transcontinental Gas Pipe Line Corp.
27	CI70-727	Do.
28	CI78-361	Do.
29	CI79-557	Michigan Wisconsin Pipe Line Co.
30	CI80-60	Do.
31	CI80-247	Do.
32	CI80-254	Do.
33	CI80-259	Do.
34	CI81-183-000	Tennessee Gas Pipeline Co.
35	CI81-218-000	Michigan Wisconsin Pipe Line Co.
36	CI81-219-000	Do.

[FR Doc. 81-20643 Filed 7-15-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. CP81-393-000]

Southern Natural Gas Co.; Application

July 14, 1981.

Take notice that on June 24, 1981, Southern Natural Gas Company (Applicant), P.O. Box 2563, Birmingham, Alabama 35202, filed in Docket No. CP81-393-000 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon in place approximately 1,578 feet of 10¾-inch pipeline with appurtenances, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes herein to abandon in place that portion of its 10-inch Columbus tap line that extends from mile post 2.670 located in the vicinity of Applicant's Phenix City No. 1 Meter Station, in Phenix City, Russell County, Alabama, to mile post 2.969 located at Applicant's Columbus No. 1 Meter Station, in Columbus, Muscogee County, Georgia, a distance of approximately 1,578 feet. Applicant states that the portion of the 10-inch Columbus tap line to be abandoned has been utilized by Applicant to transport gas to Gas Light Company of Columbus. Applicant states that it is necessary to abandon such line due to physical deterioration resulting from age.

Applicant further states that it can continue to serve Gas Light Company of Columbus at the Columbus No. 1 Meter Station by virtue of its existing 12-inch Columbus tap loop line. It is stated that the proposed abandonment would not result in any termination or reduction of service currently conducted at the Columbus No. 1 Meter Station nor affect the daily design capacity of Applicant's system.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 4, 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 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 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 permission and approval for the proposed abandonment 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 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 Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-20644 Filed 7-15-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. CP81-367-000]

Transcontinental Gas Pipe Line Corp.; Application

July 14, 1981.

Take notice that on June 10, 1981, Transcontinental Gas Pipe Line Corporation (Applicant), P.O. Box 1396, Houston, Texas 77001, filed in Docket No. CP81-367-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas attributable to production from Ship Shoal Area Block 84, offshore Louisiana, for the account of Northern Natural Gas Company, Division of InterNorth, Inc. (Northern), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that pursuant to a transportation agreement with Northern dated May 6, 1981, it would receive at the interconnection of the Ship Shoal 84 facilities with Applicant's Southeast Louisiana Gathering System located in Ship Shoal Blocks 70 and 72 up to 50,000 dekatherm (dt) equivalent per day and redeliver thermally equivalent quantities less gas retained for compressor fuel and line loss make-up to Faustina Pipeline Company (Faustina) for Northern's account at the interconnection of Applicant's and Faustina's facilities located in St. James Parish, Louisiana.

Applicant asserts that Northern would initially pay Applicant 8.5 cents per dt equivalent for all gas transported and delivered to Faustina for Northern's account. Applicant further asserts that such rate is composed of the following two components:

(a) 5.0 cents—Applicant's standard rate for interruptible offshore transportation on its Southeast Louisiana Gathering System (for up to 50 miles)
(b) 3.5 cents—Applicant's standard onshore production area interruptible transportation rate (for up to 100 miles)
Total 8.5 cents

Applicant states that it would initially retain 0.6 percent of the gas received at the Ship Shoal 84 receipt point for compressor fuel and line loss make-up.

Applicant states that the transportation service provided by Applicant would be interruptible at its sole discretion and would be conditioned upon the availability of sufficient capacity to provide the service without detriment or disadvantage to Applicant's existing customers. Applicant further states that the agreement would be in effect commencing with the date of initial gas flow under the Northern-Faustina sales agreement through October 26, 1983.

It is stated that Northern is seeking authority to sell up to 100,000 Mcf of natural gas per day to Faustina on a limited term and best-efforts basis. The service proposed herein, it is stated, would provide for a secondary delivery point for the delivery of gas by Northern to Faustina.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 4, 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 Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-20645 Filed 7-15-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. CP77-435-003]

Transcontinental Gas Pipe Line Corp.; Amendment to Application

July 14, 1981.

Take notice that on June 16, 1981, Transcontinental Gas Pipe Line Corporation (Applicant), P.O. Box 1396, Houston, Texas 77001, filed in Docket No. CP77-435-003 pursuant to Section 7(c) of the Natural Gas Act an amendment to its pending application filed in the instant docket on June 10, 1977,[1] so as to authorize the transportation of gas from two additional sources and from a new point of receipt, all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

Applicant states that it is presently transporting for United Gas Pipe Line Company (United) in accordance with the provisions of a transportation agreement between Applicant and United dated May 20, 1977, up to 90,000 Mcf of natural gas per day produced from Vermilion area Block 22, offshore Louisiana, and East Cameron Blocks 38 and 39, offshore Louisiana, pursuant to temporary authority. Such gas is delivered into Applicant's Central Louisiana Gathering System onshore in the Pecan Island area, Vermilion Parish, Louisiana, through facilities jointly owned by Applicant, Florida Gas Transmission Company and Sea Robin Pipeline Company. It is said that Applicant redelivers equivalent quantities to or for the account of United at the interconnections between Applicant's and United's systems located in Victoria County, Texas, Acadia Parish, Louisiana, and Starks, Calcassieu Parish, Louisiana, and the interconnection between Applicant's system and the system of Tennessee Gas Pipeline Company, a Division of Tenneco Inc. located near Crowley, Acadia Parish, Louisiana.

By this amendment, Applicant proposes to transport gas from two additional producing sources in Vermilion area Blocks 37 and 40, offshore Louisiana. Applicant states it would receive the gas produced from Vermilion Block 37 at an additional point of receipt on its Central Louisiana Gathering System in Vermilion Block 25 by means of pipeline facilities jointly owned by Applicant, United and Southern Natural Gas Company. Applicant asserts it would receive gas produced from Vermilion Block 40 at the Pecan Island delivery point.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before August 4, 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. All persons who have heretofore filed need not file again.

Kenneth F. Plumb,
Secretary.

[FR Doc. 81-20646 7-15-81; 8:45 am]
BILLING CODE 6450-85-M

[1] This proceeding was commenced before the FPC. By joint regulation of October 1, 1977 (10 CFR 1000.1), it was transferred to the Commission.

[Docket No. ST80-260-001]

Transok Pipe Line Co.; Application for Approval of Rates

July 14, 1981.

Take notice that on June 9, 1981, Transok Pipe Line Company (Applicant), P.O. Box 3008, Tulsa, Oklahoma 74101, filed in Docket No. ST80-260-001 an application pursuant to Section 311(a) of the Natural Gas Policy Act of 1978 (NGPA) and Section 284.123(b)(2) of the Commission's regulations thereunder for approval of its rates for the transportation of natural gas on behalf of Michigan Wisconsin Pipe Line Company (Mich-Wis), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant specifically proposes to increase the transportation rate approved in Docket No. ST80-260 of 18.15 cents per million Btu to 23.2 cents per million Btu. Applicant asserts that

the original gas transportation agreement was amended on April 27, 1981, to provide contractual authority to restructure Applicant's transportation rates so that Applicant could increase or restructure its transportation fee at any time and in such amounts as required by it so long as such rates were "fair and equitable" within the meaning of Section 311(a) of the NGPA in the event of a change in the costs of gathering, transporting and redelivering the gas on behalf of Mich-Wis. Applicant asserts that according to its most recent cost of service study there has been an increase in overall system costs in the backbone transmission system, increases in operation and maintenance costs due to inflation, increased capital costs arising from a refinancing of long-term debt which matured in late 1980, and an increase in the cost of the common equity component of capitalization.

It is submitted that the annual estimated deliveries of gas for the calendar year 1981 by Applicant for Mich-Wis was 6.132 trillion Btu or an average daily delivery of 16.8 billion Btu. Furthermore, Applicant asserts that the parties have added 3 wells to the agreement and intend to add additional wells in the near future.

It is asserted that presently Applicant and Mich-Wis have only one point of system interconnection for the redelivery of transportation volumes. Applicant avers that due to the redelivery capability at this point coupled with the on-going system expansion work by Mich-Wis to effect its own transportation of a portion of the total volumes, the balancing of takes from all wells committed to the agreement would continue to yield an average of 16.8 billion Btu per day translating into a yearly average approximately 3.76 percent of Applicant's total estimated deliveries of gas all of which is reflected in the service data filed in Docket No. ST81-181-000 currently pending before the Commission.

Applicant contends that the proposed rate is fair and equitable as it is the same transportation rate which Applicant would charge for transporting volumes through its integrated pipeline facilities on behalf of United Gas Pipe Line Company and Southern Natural Gas Company.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 4, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-20647 Filed 7-15-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-387-000]

United Gas Pipe Line Co.; Application

July 14, 1981.

Take notice that on June 19, 1981, United Gas Pipe Line Company (Applicant), P.O. Box 1478, Houston, Texas 77001, filed in Docket No. CP81-387-000 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas for First Energy Corporation (FEC), all as more fully set forth in the application which is on file with the Commission and open for public inspection.

Applicant states that pursuant to a transportation agreement dated April 28, 1981, Applicant would transport up to 3,000 Mcf of gas per day for a primary term of 10 years for the account of FEC from Maxie and Pistol Ridge Fields, Forrest County, Mississippi.

Applicant indicates that in accordance with the terms of the agreement, Applicant would receive the gas at a mutually agreeable point on its 12-inch line, Forrest County, Mississippi. Applicant explains that it would transport and redeliver an equivalent quantity of gas, less 2.3 percent for fuel and company used gas, to First Chemical Corporation (FCC) for FEC's account in the Bayou Cassotte Area near Pascagoula, Jackson County, Mississippi. Applicant states that it would receive and redeliver the gas through existing facilities.

Applicant asserts that FCC would pay United for gas transported under said transportation agreement an amount per Mcf equal to Applicant's jurisdictional rate in effect from time to time in Applicant's Northern Rate Zone less any amount included in such jurisdictional rate which is attributable to fuel and unaccounted for gas. Applicant further asserts that the current jurisdictional rate exclusive of the cost of gas utilized in Applicant's operation is 28.12 cents per Mcf in Applicant's Northern Rate Zone.

Any person desiring to be heard or to make protest with reference to said application should on or before August 4, 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 proceudre (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 Applicant to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-20648 Filed 7-15-81; 8:45 am]

BILLING CODE 6450-85-M

Office of Special Counsel

Pennzoil Co.; Action on Consent Order

AGENCY: Department of Energy (DOE).

ACTION: Adoption of proposed consent order as final.

SUMMARY: The Office of Special Counsel (OSC) hereby gives the notice required by 10 CFR 205.199J that it has adopted the Consent Order with Pennzoil Company (Pennzoil), executed on January 18, 1981 and published for comment in 46 FR 8101 on January 26, 1981, as a final order of DOE. The

Consent Order resolves all civil issues of compliance with the DOE Petroleum Price and Allocation Regulations, with the exceptions set forth in the Consent Order, for the period March 6, 1973 through December 31, 1980. To remedy any violations that may have occurred during the period, Pennzoil has agreed to refunds totalling $10 million.

As required by the regulation cited above, OSC received comments on the Consent Order for a period of not less than 30 days following publication of the notice cited above. Two comments, one of which was filed after the end of the thirty-day comment period, were received. OSC has considered both comments and determined that the Consent Order should be made final with the following modifications: (1) the bank reduction component has been deleted by the parties as discussed further herein; (2) a provision, ¶503, requiring Pennzoil to move to dismiss itself from litigation to which it is a party has been added; and (3) a technical correction was necessary, as noted below. The Consent Order, as modified, was made effective as an order of the DOE on July 9, 1981 by execution of the modified Consent Order.

FOR FURTHER INFORMATION CONTACT:

Leslie Wm. Adams, Deputy Solicitor, Office of Special Counsel, Department of Energy, 1200 Pennsylvania Avenue NW., Washington, D.C. 20461, (202) 633-9165.

Copies of the Consent Order may be received free of charge by written request to: Pennzoil Consent Order Request, Office of Special Counsel, Department of Energy, 1200 Pennsylvania Avenue NW., Room 3109, Mail Stop 4111, Washington, D.C. 20461.

Copies may also be obtained in person at the same address or at the Freedom of Information Reading Room, Forrestal Building, 1000 Independence Avenue SW., Room 1E-190, Washington, D.C.

SUPPLEMENTARY INFORMATION:

The Consent Order

On January 26, 1981, OSC published notice in the **Federal Register** at page 8101, announcing the execution of a Consent Order between Pennzoil and OSC. In compliance with DOE regulations, that notice, and a press release issued on January 21, 1981, summarized the Consent Order and the facts behind it. The notice and press release also gave instructions for obtaining copies of the Consent Order.

The proposed Consent Order can be summarized as follows:

1. The Consent Order marks the conclusion of OSC's audit of Pennzoil's compliance with the Mandatory Petroleum Price and Allocation Regulations, including the entitlements and mandatory oil import programs, for the period March 6, 1973 through December 31, 1980 (the audit period). With the exception of the matters excluded from the settlement in the Consent Order, the Consent Order resolves all civil issues not previously resolved concerning the allocation and sale of covered products during the audit period.

2. To resolve the issues raised by OSC's audit of Pennzoil and to remedy any violations that may have occurred during the audit period, Pennzoil has agreed to remedies consisting of $10 million in cash payments and a reduction of its unreported increased costs for motor gasoline to $30 million.

3. The $10 million cash payment has two components. First, within thirty days after the effective date of the Consent Order, Pennzoil will remit $3 million to OSC for distribution by DOE's Office of Hearings and Appeals pursuant to special refund procedures established in accordance with the provisions of 10 CFR Part 205, Subpart V. Pursuant to these provisions, OSC will petition OHA for the implementation of special refund procedures to evaluate refund claims submitted to OHA by persons who believe they may have been overcharged by Pennzoil during the audit period. Second, within sixty days after the effective date of the Consent Order, Pennzoil will refund $3.5 million to the Defense Fuel Supply Center and 3.5 million to its electric utility customers.

4. Effective December 31, 1980, Pennzoil will reduce its "bank" of unrecovered increased costs for motor gasoline to $30 million with $15 million of that restricted in use, e.g., for price maintenance purposes as provided for in the Regulations.

5. The Consent Order also provides details concerning the conclusion of the audit and procedures concerning enforcement of the provisions of the Consent Order. These matters include Pennzoil's obligation under DOE recordkeeping regulations and DOE's obligation to maintain the confidentiality required by law of proprietary data received from Pennzoil. The Consent Order also provides that Pennzoil has waived its right to an administrative or judicial appeal of the Consent Order. The Consent Order does not constitute an admission by Pennzoil, or a finding by OSC, of a violation of any federal petroleum price and allocation statutes or regulations.

Modifications to the Consent Order

After careful consideration of the comments received in response to the Notice of Proposed Consent Order and further negotiations with Pennzoil pursuant to ¶ 901 of the Consent Order, the following modifications to the proposed Consent Order have been made: (1) the bank reduction component has been deleted; (2) a provision, ¶ 503, has been added requiring Pennzoil to move to dismiss itself as a party to *Exxon et al.* v. *DOE*, consolidated case No. CA-3-78-0598-W (N.D. Texas); and (3) a technical correction was made.

The bank reduction remedy, as more fully stated below, is an appropriate method of resolving outstanding compliance issues. Where the remedy is to take effect so close to the date of decontrol, the remedy's prospective impact is diminished or eliminated, and, therefore, the parties have determined that it should no longer be included as a component in this Consent Order. These modifications are discussed in greater detail below in response to specific comments.

Comments Received

As noted above, OSC received two comments on the proposed Pennzoil Consent Order. These comments, submitted by the Transportation Group and the National Consumer Law Center, were addressed generally to all nine of the Consent Orders published for comment on January 26, 1981. While neither comment specifically addressed the Pennzoil Consent Order, both raised issues pertinent to, or commented on features present in, this Consent Order.

The Transportation Group is an organization representing four trade associations—the Air Transport Association of America, Inc., the American Bus Association, the American Trucking Association, Inc., and the Association of American Railroads—whose members are major consumers of refined petroleum products. The Transportation Group indicated in its comments its approval of OSC's enforcement efforts and the settlement process that resulted in the Consent Orders announced in the January 26, 1981 **Federal Register** notices. The organization also expressed the following concerns regarding the nine Consent Orders: OSC should endeavor to identify overcharged purchasers or categories of purchasers in order to provide for direct refunds or payments based volumetrically on the amount of petroleum products

purchased; transportation firms should receive a larger share of the refunds than they have heretofore; and OSC should provide additional information concerning refund amounts and methods of refund computation.

The Department's aim in structuring remedies is to achieve some form of restitution. In its enforcement actions, the Department attempts to identify individual purchasers or classes or types of purchasers, to the maximum extent possible, and to implement restitutionary remedies.

The audits, however, do not ordinarily result in the identification of specific customers who may have been overcharged for several reasons. First, audits are necessarily conducted on a sample basis and, as such, may not focus on specific purchasers, even where they generally identify aggregate violations regarding specific products to classes of purchasers. Second, these audits focus predominantly on "cost violations" and because of the nature of the regulations, would require tracing the violation to specific product sales, a difficult task. Third, these violations occurred as much as seven years ago, and given the mobility within the distribution chain, it would be extremely difficult to identify and locate injured customers. Finally, purchasers of products from a major refiner may have resold those products to others, passing on the consequences of any violation to their customers. However, as stated previously, the Department's priority is to seek remedies that provide some form of restitution, wherever possible. In order to achieve an equitable distribution of monies, the refunds have generally been determined according to a volumetric allocation based on the amount of product purchased by the recipient.

The Transportation Group accurately notes that OSC has previously determined that the refunds received by regulated transportation firms will not constitute a "windfall" to the recipients. OSC's review of the operation of the agencies which regulate transportation companies and their applicable regulations indicates that refunds are factored into the fuel cost aspects of their rate making systems. Similarly, OSC is examining the passthrough of refunds by utilities to end users. To that end, OSC has contacted the public service commissions for the states in which the recipient utilities are located as well as a number of utilities themselves. The commissions have assured OSC that utilities receiving refunds will be required to pass those refunds through to their customers. It has been determined that the utility customers will receive the benefit of the refunds by operation of fuel adjustment clauses in which the refund would appear as an offset to fuel costs in the computation of any fuel adjustment factor, or in the reconciliation of current costs or, finally, as a direct credit to customers. OSC has also obtained assurances that the passthrough will be documented either in public records or through the assistance of the staffs of the various utilities and commissions.

Finally, The Transportation Group's comment with regard to the bank reduction remedy, that it is compromised and rendered meaningless with the advent of decontrol, has been dealt with below.

The National Consumer Law Center (NCLC), a non-profit legal organization representing low-income individuals and groups, also submitted comments that were addressed generally to all nine Consent Orders published for comment on January 26, 1981. The NCLC's comments, however, raise several issues that are pertinent to this Consent Order.

Although the NCLC initially recognizes that the "limited flow of information . . . is admittedly somewhat inherent in the nature of the private settlement/public comment process," the NCLC nevertheless complians that the Consent Orders and Federal Register notices are "extremely skimpy on relevant detail. . . ." The DOE regulations, at 10 CFR 205.199J(a), require that a Consent Order "set forth the relevant facts which form the basis for the Order." The Consent Order itself indicates that, with the exception of the matters explicitly excluded from the settlement in the Consent Order, it settles and finally resolves "all civil and administrative disputes, claims and causes of action by DOE . . . against Pennzoil . . . relating to Pennzoil's compliance with the federal petroleum price and allocation regulations. . . ." Because the Consent Order constitutes neither an admission by the company nor a finding by DOE that Pennzoil has violated any Federal petroleum price or allocation regulation, it would be appropriate, as the NCLC suggests, to detail and quantify in the Consent Order the preliminary claims and issues that arose in the course of the settlement negotiations and to relate those claims and issues to the terms and conditions of the Consent Order. Further, to reveal how OSC and the company arrived at the dollar figures for the various components of the settlements would breach the confidentiality necessarily accorded to the negotiation process and would impinge upon OSC's prosecutorial discretion. Thus, OSC believes that it has provided the necessary information in the Consent Order and Federal Register notice to enable the public to comment meaningfully upon this settlement.

The NCLC also maintains that the Consent Orders do not provide adequate benefits, focusing particularly on the bank reduction provisions, and the "heavy reliance" placed on them in these settlements. The NCLC seeks renegotiation of the agreement to convert the bank reductions to some cash value.

In the process that leads to settlement, OSC determines the potential liability of a refiner based on its audit of that refiner. That audit addresses all areas of dispute under the price regulations. As a result, the disputes focus on issues of the determination, recognition, allocation and carry over of costs, which form the basis for the determination of maximum lawful selling prices. Because of the carry over or banking provision, a refiner may have lawful costs available from previous periods to offset disputes in later months. The existence of those legitimate costs militates against the existence of overcharges. In litigation, a refiner is likely to argue that those banks obviate the possibility of overcharge. Thus, in determining a firm's potential liability, two factors are addressed: the legitimacy of the costs claimed and banked and the potential for overcharges, given the existence of banks and a firm's pricing practices. In reaching settlements, OSC has determined the amount of cash refund necessary to reasonably settle any possible overcharges, and the amount of bank reduction appropriate to settle the cost disputes.

Bank reductions are appropriate to remedy certain types of disputes resulting from the audit. OSC had intended this bank reduction to serve the dual purpose of satisfying the alleged cost violations and to place some limitations on the refiner's prospective pricing of covered products. Accordingly, in negotiating the bank reduction in this case, OSC sought a reduction to the lowest level consistent with allowing the refiner to maintain, but not increase prices as a result of the existence of banks. That reduction may have even exceeded the reduction in costs necessary for a satisfactory resolution of the outstanding cost issues. However, decontrol pre-empts the intended prospective impact of such bank reductions on the firm's pricing: If the bank reduction were to take place while gasoline were still under controls,

the reduction in the banks of costs available to support prices would have placed a restriction on the company's ability to increase prices. The end of the Consent Order period, December 31, 1980, is so close to the month of decontrol, January 1981, that the reduction has been substantially deprived of its ability to restrain prices in the intervening period by virtue of the company's anticipation of the effect of the bank reduction on its pricing practices. Since the bank reduction will not have the intended prospective effect, and since the Consent Order resolves all outstanding matters, obviating the need to address the amount of costs available to justify selling prices in the future, OSC has determined to eliminate the bank reduction provision, ¶ 404, from the Consent Order. This modification does not indicate that the bank reduction is inappropriate in light of the disputes raised, but only that in light of the absence of any prospective effect on the company there is no prospective benefit to be derived from including such a provision in the order. Because the elimination of this provision does not alter the effect of the Consent Order, we have determined that the modification does not require that we provide an opportunity to file additional comments.

In addition to its comments on the bank reduction components of the settlements, the NCLC also raises several points, two of which are pertinent to this Consent Order, concerning the settlements' cash components. The NCLC expresses concern that the refunds to many of the refiners' immediate purchasers may not be passed through to ultimate consumers. Each of these settlements utilizes "conduits" for passing a substantial portion of the refunds through to ultimate consumers. OSC chose as conduits regulated industries, such as the utility and transportation industries, for which some mechanism exists to assure a passthrough of benefits to their customers, and state and local government entities that purchased petroleum products in their proprietary capacities. Refunds to these conduits are, therefore, intended to provide general restitution to those unidentifiable ultimate consumers who, through their utility, transportation, or tax bills, may have borne any overcharges that might have occurred.

With respect to those Consent Orders, including this one, that provide for payment to the U.S. Treasury of any unclaimed or undistributed funds from the claims or from the DOE-administered special refund proceedings, the NCLC contends that the payment of settlement funds into the Treasury is illegal. The NCLC has previously filed similar comments to other Consent Orders which contend that payments to the U.S. Treasury pursuant to settlements are in excess of DOE's authority because there is no express statutory authorization or requirement for payment to the U.S. Treasury. We disagree with the assertion that payments to the U.S. Treasury are legitimate remedies only if their is express statutory authorization or permission. Treasury payments are entirely opposite in the context of resolution of civil and administrative disputes relating to the refiner's compliance with the DOE regulations. As we stated in response to the comment filed by NCLC to the Sun Company, Inc. Consent Order, "[t]he use of a Treasury payment reflects DOE's inability to determine a more appropriate distribution mechanism in the circumstances of this case and our belief that this payment is an appropriate enforcement remedy." 45 FR 80348 (December 4, 1980). Under these Consent Orders, only unclaimed or undistributed funds are subject to payment to the Treasury; furthermore, any such payments will be made only after the funds have been held for a period of time pending distribution in claims or refund proceedings. Moreover, in this instance, payment to the Treasury is an explicitly stated, but not exclusive, option for the disposition of any undistributed funds, since the Consent Order provides in ¶ 402 that "Pennzoil and OSC [may] agree to an alternative disposition of such funds." In any event, particularly in light of the restitution provided for by other remedies in the Consent Orders, OSC believes that the payment of undistributed funds to the Treasury is a reasonable and legal disposition of funds that could otherwise be left in limbo indefinitely.

In addition to deleting the bank reduction component, the parties agree to add a provision requiring Pennzoil to remove to dismiss itself as a party to *Exxon et al.* v. *DOE*, consolidated case No. CA-3-78-0598-W (N.D. Texas). This provision, which simply makes a previously implicit part of the settlement explicit, has been inserted as ¶ 503 and has, consequently, necessitated the renumbering of ¶¶ 503 and 504 in the proposed Consent Order as ¶¶ 504 and 505, respectively, in the modified Consent Order.

Finally, a technical correction to the Consent Order should be noted. In the last sentence of ¶ 601, the correct date is January 1, 1981, rather than January 1, 1980.

Having considered all comments submitted, DOE has determined that the proposed Consent Order with Pennzoil should be made final with the modifications discussed above, effective upon execution of the Consent Order, as modified.

Issued in Washington, D.C., July 9, 1981.

Avrom Landesman,

Acting Special Counsel.

[FR Doc. 81-20855 Filed 7-15-81; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[AS-FRL 1855-8]

Plan for Periodic Review of Regulations

AGENCY: Environmental Protection Agency.

ACTION: Plan for periodic review of regulations.

SUMMARY: The Regulatory Flexibility Act requires that EPA periodically review existing regulations that have a significant economic impact on a substantial number of small entities, such as small businesses, small organizations, and small governmental jurisdictions. This plan describes how EPA will perform this review.

DATE: Comments solicited in this plan are due by September 14, 1981.

ADDRESS: Comments should be submitted to the following address: U.S. Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, Attn: David Sahr (PM-223).

FOR FURTHER INFORMATION CONTACT: For information on EPA's implementation of the Regulatory Flexibility Act, please contact David Sahr at (202) 287-0776.

SUPPLEMENTARY INFORMATION:

Background

On September 19, 1980, the Regulatory Flexibility Act Pub. L. No. 96-354 codified at 5 USC 601 et seq., became law. This law requires that Federal agencies take into account how their regulations affect "small entities," including small businesses, small Governmental jurisdictions and small organizations. For regulations proposed after January 1, 1981, the Agency must either prepare a Regulatory Flexibility Analysis or certify that the regulation, if promulgated, will not have a significant economic impact on a substantial number of small entities. Section 602

requires that EPA issue an *Agenda of Regulations* identifying rules the Agency is developing that are likely to have a significant economic impact on a substantial number of small entities. EPA published its most recent Agenda on April 27, 1981 at 46 FR 23692.

Section 610 of the Regulatory Flexibility Act mandates that Federal agencies review existing regulations. It requires that EPA publish a plan in the **Federal Register** explaining how it will review those of its existing regulations which have or will have a significant economic impact on a substantial number of small entities. Regulations in effect on January 1, 1981 must be review within ten years of that date. Regulations that become effective after January 1, 1981 must be reviewed within ten years of the publication date of the final rule. Section 610(c) requires that EPA publish annually in the **Federal Register** a list of rules it will review during the succeeding 12 months. The list must describe the rule, explain the need for it, give the legal basis for it, and invite public comment.

Criteria for Review of Existing Regulations

The purpose of the review is to determine whether existing rules should be left unchanged, or whether they should be revised or rescinded in order to minimize significant economic impacts on a substantial number of small entities. In deciding whether change is necessary, the Regulatory Flexibility Act establishes several factors that EPA will consider:

(1) whether the rule is still needed;

(2) what type of complaints or comments were received concerning the rule from the public;

(3) the complexity of the rule;

(4) how much the rule overlaps, duplicates or conflicts with other Federal rules, and, to the extent feasible, with State and local governmental rules; and

(5) how long it has been since the rule has been evaluated or how much the technology, economic conditions, or other factors have changed in the area affected by the rule.

Plan for Periodic Review of Rules

EPA will screen its existing regulations to identify the regulations that may have a significant economic impact on a substantial number of small entities. In deciding whether a regulation imposes significant impacts, EPA will look at such factors as high annualized investment costs for pollution control, the extent of reporting or recordkeeping burden, the relationship of pollution control costs to sales, and the anticompetitive effects of a regulation on small businesses.

After identifying the regulations that may have significant impacts on a substantial number of small entities, EPA will review these regulations based on available information (e.g. from EPA data, public comments). The result of a review will be a decision (1) to revise the regulation, (2) to rescind the regulation or (3) to leave the regulation unchanged.

To help us select the regulations which should be reviewed first, we welcome any suggestions from the public. If any member of the public thinks that specific existing regulations have a significant impact on a substantial number of small entities (especially if the regulation has a disproportionately negative effect on small relative to large entities), we would appreciate receiving suggestions that we review those regulations. We suggest that comments be given in the following format:

Title

Authorizing statute and Code of Federal Regulations (CFR) citation

Description of economic effects on small entities, especially on the commenting person or organization

Recommendations for changes

We would also welcome any additional detailed comments or data.

When EPA promulgates new regulations for which it prepares a Regulatory Flexibility Analysis because of significant economic impact on a substantial number of small entities, it will indicate in the preamble to the final regulation when it will review the regulation.

The mechanics of EPA's periodic review are as follows:

- Starting in October 1981, EPA will list regulations to be reviewed during the succeeding 12 months under the Regulatory Flexibility Act in a special section in its *Agenda of Regulations* and will ask for public comment on the need to revise each regulation listed.
- After considering public comments and other available data, the Agency will announce the result of its review in the subsequent April Agenda or no later than the next October Agenda. The result will consist either of a decision not to change the regulation, to revise the regulation or to rescind the regulation. EPA will explain the basis of its decision.
- Regulations to be revised will enter the normal process of regulation development.

Executive Order 12291 and the Vice President's Task Force on Regulatory Relief

Sections 2 and 3(i) of Executive Order 12291 require that agencies initiate reviews of existing regulations to determine whether the benefits of the regulation to society outweigh the costs. EPA has already initiated reviews in three regulatory programs. In reviewing the regulations listed below, the Agency will consider alternatives that will minimize any significant impacts on small entities.

Best Conventional Pollutant Control Technology. CWA 301, 304. 40 CFR Parts 405–409, 411, 412, 418, 422, 424, 426, 427, 432. These rules set limits for discharge of conventional pollutants into navigable waters.

Hazardous Waste Management. RCRA 3001, 3002, 3003, 3004. 40 CFR Parts 122–124, 260–262, 264–267. These rules regulate the generation, handling, treatment, storage and disposal of hazardous wastes.

General Pretreatment Regulations. CWA 301, 304, 307. 40 CFR Part 403. These rules control the discharge from industrial sources into publicly owned treatment works (POTW's) and include requirements for State and local programs. This review may also entail some consideration of the related *Electroplating Pretreatment Regulations.* CWA 307. 40 CFR Part 413. These rules limit the discharge of toxic metals from electroplating operations into publicly owned treatment works.

The Agency may decide to amend this plan for review of regulations under the Regulatory Flexibility Act after we develop procedures for reviewing additional regulations under the Executive Order.

The Vice President's Task Force on Regulatory Relief has suggested that regulated industries and organizations write directly to Federal agencies to identify regulations that need review or revision. EPA is presently summarizing the many comments it has received. Several comments have addressed the particular problems of small entities. The Agency will use these comments in setting priorities for its review of regulations under the Regulatory Flexibility Act.

Dated: July 9, 1981.

Anne M. Gorsuch,

Administrator.

[FR Doc. 81-20871 Filed 7-15-81; 8:45 am]

BILLING CODE 6560-36-M

[OPTS-59052A; TSH-FRL 1882-8]

Polymeric Sulfonated Azo Dye; Approval of Test Marketing Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: On May 26, 1981, EPA received an application for a test marketing exemption (TM–81–13) from the premanufacture notification requirements of section 5 of the Toxic Substances Control Act (TSCA). Notice of receipt of the application was published in the **Federal Register** of June 18, 1981 (46 FR 91938). The manufacturer claimed all information, except production volume and exposure estimates, as confidential business information.

EPA has determined that the manufacturer's test marketing of the substance identified generically as a polymeric sulfonated azo dye will not present any unreasonable risk of injury to health or the environment under the conditions specified in the application. Therefore, the Agency has granted this manufacturer an exemption from the TSCA premanufacture reporting requirements for test marketing of the substance in the manner described in the application but subject to the restrictions specified in this notice.

EFFECTIVE DATE: This exemption is effective on July 9, 1981.

FOR FURTHER INFORMATION CONTACT: Kathleen Ehrensberger, Chemical Control Division (TS–794), Office of Toxic Substances, Environmental Protection Agency, Rm. E–335, 401 M St., SW., Washington, DC 20460, (202–755–1150).

SUPPLEMENTARY INFORMATION: Under section 5 of TSCA, anyone who intends to manufacture in, or import into, the United States a new chemical substance for commercial purposes must submit a notice to EPA before manufacture or import begins. A "new" chemical substance is any chemical substance that is not on the Inventory of existing substances compiled by EPA under section 8(b) of TSCA. Section 5(a)(1) requires each premanufacture notice (PMN) to be submitted in accordance with section 5(d) and any applicable requirement of section 5(b). Section 5(d)(1) defines the contents of a PMN and section 5(b) contains additional reporting requirements of certain new chemical substances.

Section 5(h), "Exemptions", contains several provisions for exemptions from some or all of the requirements of section 5. In particular, section 5(h)(1) authorizes EPA, upon application, to exempt persons from any requirements of section 5(a) or section 5(b), and to permit them to manufacture or process chemical substances for test marketing purposes. To grant an exemption, the Agency must find that the test marketing activities will not present any unreasonable risk of injury to health or the environment. EPA must either approve or deny the application within 45 days of its receipt, and under section 5(h)(6) the Agency must publish a notice of this disposition in the **Federal Register.** If EPA grants a test marketing exemption, it may impose restrictions on the test marketing activities.

On May 26, 1981, EPA received an application for an exemption from the requirements of section 5(a) and 5(b) of TSCA to process a new chemical substance for test marketing purposes. The substance is described generically as a polymeric sulfonated azo dye. This substance had been manufactured in the submitter's laboratory several years ago for research and development purposes. The submitter wants to process the substance now for test marketing purposes. A **Federal Register** notice published on June 18, 1981 (46 FR 91938) announced receipt of this application (TM–81–13) and requested comment on the apporpriateness of granting the exemption. The Agency did not receive any comments conceerning the application. The manufacturer claimed all information, except production volume and exposure estimates, as confidential business information pursuant to section 14 of TSCA.

In the application, the submitter states it will process 100 grams of this substance and will test market the substance for a period of six months. The application states that the substance under the exemption application would be processed in the submitter's laboratory. Only one person will be exposed to the PMN substance and that person will wear protective gloves and goggles. The submitter states further that it expects to test market the processed dye to one customer and that the use of the dye will involve one operator. The operator will be exposed to a solution containing less than one percent concentraion of the azo dye. There will be no consumer esposure to the PMN substance since the final article will have the subject dye incorporated into it in such a way that the ultimate user cannot come in contact with the dye.

Agency reviewers raised little or no concern that adverse health or environmental effects may be caused by the processing or use of the substance as described in the test marketing exemption application.

Because of the low level of concern regarding the toxicity of the substance, along with minimal, if any, human exposure and environmental release during test marketing, EPA has determined that the substance will not present any unreasonable risk of injury to health or the environment as a result of the test marketing activities described by the manufacturer. Accordingly, EPA grants the manufacturer an exemption from the premanufacture reporting requirements for purpose of test marketing the polymeric sulfonated azo dye in the manner described in the exemption application.

This test marketing exemption is granted based on the facts and information obtained and reviewed, but is subject to all conditions set out in the exemption application, and, in particular, those enumerated below:

1. This exemption is granted solely to this manufacturer.

2. The applicant must maintain records of the date(s) of processing and quantities processed in each batch and must make these records available to EPA upon request.

3. The volume of the new substance processed may not exceed the quantity of 100 grams described to EPA in the test marketing exemption application.

4. The test marketing activity approved in this notice is limited to a period of six months commencing on the date of signature of this notice by the Administrator.

5. The number of workers exposed to the new chemical should not exceed that specified in the application. Worker protection measures specified in the application (gloves and goggles during processing) must be observed.

The Agency reserves the right to rescind its decision to grant this exemption should any new information come to its attention which casts significant doubt on the Agency's conclusion that the test marketing of this substance under the conditions specified in the application will not present an unreasonable risk of injury to human health or the environment.

Dated: July 9, 1981.

Anne M. Gorsuch,

Administrator.

[FR Doc. 81–20804 Filed 7–15–81; 8:45 am]

BILLING CODE 6560–31–M

[OPTS–59052B; TSH–FRL 1882–]

Polymeric Sulfonated Azo Dye, Approval of Test Marketing Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: On May 26, 1981, EPA received an application for a test marketing exemption (TM–81–14) from the premanufacture notification

requirements of section 5 of the Toxic Substances Control Act (TSCA). Notice of receipt of the application was published in the **Federal Register** of June 18, 1981 (46 FR 91938). The manufacturer claimed all information, except production volume and exposure estimates, as confidential business information.

EPA has determined that the manufacturer's test marketing of the substance identified generically as a polymeric sulfonated azo dye will not present any unreasonable risk of injury to health or the environment under the conditions specified in the application. Therefore, the Agency has granted this manufacturer an exemption from the TSCA premanufacture reporting requirements for test marketing of the substance in the manner described in the application but subject to the restrictions specified in this notice.

EFFECTIVE DATE: This exemption is effective on July 9, 1981.

FOR FURTHER INFORMATION CONTACT: Kathleen Ehrensberger, Chemical Control Division (TS–794), Office of Toxic Substances, Environmental Protection Agency, Rm. E–335, 401 M St., SW., Washington, D.C. 20460, (202–755–1150).

SUPPLEMENTARY INFORMATION: Under section 5 of TSCA, anyone who intends to manufacture in, or import into, the United States a new chemical substance for commercial purposes must submit a notice to EPA before manufacture or import begins. A "new" chemical substance is any chemical substance that is not on the Inventory of existing substances compiled by EPA under section 8(b) of TSCA. Section 5(a)(1) requires each premanufacture notice (PMN) to be submitted in accordance with section 5(d) and any applicable requirement of sectin 5(b). Section 5(d)(1) defines the contents of a PMN and section 5(b) contains additional reporting requirements of certain new chemical substances.

Section 5(h), "Exemptions", contains several provisions for exemptions from some or all of the requirements of section 5. In particular, section 5(h)(1) authorizes EPA, upon application, to exempt persons from any requirements of section 5(a) or section 5(b), and to permit them to manufacture or process chemical substances for test marketing purposes. To grant an exemption, the Agency must find that the test marketing activities will not present any unreasonable risk of injury to health or the environment. EPA must either approve or deny the application within 45 days of its receipt, and under section 5(h)(6) the Agency must publish a notice of this disposition in the **Federal Register**. If EPA grants a test marketing exemption, it may impose restrictions on the test marketing activities.

On May 26, 1981, EPA received an application for an exemption from the requirements of section 5(a) and 5(b) of TSCA to process a new chemical substance for test marketing purposes. The substance is described generically as a polymeric sulfonated azo dye. This substance had been manufactured in the submitter's laboratory several years ago for research and development purposes. The submitter wants to process the substance now for test marketing purposes. A **Federal Register** notice published on June 18, 1981 (46 FR 91938) announced receipt of this application (TM–81–14) and requested comment on the appropriateness of granting the exemption. The Agency did not receive any comments concerning the application. The manufacturer claimed all information, except production volume and exposure estimates, as confidential business information pursuant to section 14 of TSCA.

In the application, the submitter states it will process 100 grams of this substance and will test market the substance for a period of six months. The application states that the substance under the exemption application would be processed in the submitter's laboratory. Only one person will be exposed to the PMN substance and that person will wear protective gloves and goggles. The submitter states further that it expects to test market the processed dye to one customer and that use of the dye will involve one operator. The operator will be exposed to a solution containing less than one percent concentration of the azo dye. There will be no consumer exposure to the PMN substance since the final article will have the subject dye incorporated into it in such a way that the ultimate user cannot come in contact with the dye.

Agency reviewers raised little or no concern that adverse health or environmental effects may be caused by the processing or use of the substance as described in the test marketing exemption application.

Because of the low level of conern regarding the toxicity of the substance, along with minimal, if any, human exposure and environmental release during test marketing, EPA has determined that the substance will not present any unreasonable risk of injury to health or the environment as a result of the test marketing activities described by the manufacturer. Accordingly, EPA grants the manufacturer an exemption from the premanufacture reporting requirements for purpose of test marketing the polymeric sulfonated azo dye in the manner described in the exemption application.

This test marketing exemption is granted based on the facts and information obtained and reviewed, but is subject to all conditions set out in the exemption application, and, in particular, those enumerated below:

1. This exemption is granted solely to this manufacturer.

2. The applicant must maintain records of the date(s) of processing and quantities processed in each batch and must make these records available to EPA upon request.

3. The volume of the new substance processed may not exceed the quantity of 100 grams described to EPA in the test marketing exemption application.

4. The test marketing activity approved in this notice is limited to a period of six months commencing on the date of signature of this notice by the Administrator.

5. The number of workers exposed to the new chemical should not exceed that specified in the application. Worker protection measures specified in the application (gloves and goggles during processing) must be observed.

The Agency reserves the right to rescind its decision to grant this exemption should any new information come to its attention which casts significant doubt on the Agency' conclusion that the test marketing of this substance under the conditions specified in the application will not present an unreasonable risk of injury to human health or the environment.

Dated: July 9, 1981.

Anne M. Gorsuch,

Administrator.

[FR Doc. 81–20805 Filed 7–15–81; 8:45 am]

BILLING CODE 6560–31–M

FEDERAL COMMUNICATIONS COMMISSION

Beaumont, Texas, Office To Close

July 10, 1981.

On July 15, 1981, the Federal Communications Commission's Beaumont, TX, office will close. All operator examination and licensing public service and enforcement services for the Beaumont area will be provided by the Commission's Houston office, located at: New Federal Office Building, 515 Rusk Avenue, Room 5636, Houston, TX 77002 Phone (713) 226–5624.

Radio Operator Examinations will be scheduled each month in the Houston area. Appointments may be made by

calling or submitting the application form to the Houston office.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 81-20890 Filed 7-15-81; 8:45 am]

BILLING CODE 6712-01-M

[CC Docket Nos. 81-423, 81-424, File Nos. 21499-CD-P2-80, 20986-CD-P-2-80]

Danny Ray Boyer, d/b/a Central Mobilfone and Mobile Phone of Texas, Inc.; Application; Memorandum Opinion and Order

Adopted June 19, 1981.

Released July 9, 1981.

In re Applications of Danny Ray Boyer d/b/a/ Central Mobilfone, for authority to establish a new two-way station operating on base station frequencies 454.225 MHz and 454.250 MHz operating in the DPLMRS at Bridgeport, Texas, CC Docket No. 81-423, File No. 21499-CD-P-2-80; Mobile Phone of Texas, Inc., for authority to establish a new two-way station operating on base station frequencies 454.225 MHz and 454.250 MHz operating in the DPLMRS at Bridgeport, Texas, CC Docket No. 81-424, File No. 20986-CD-P-2-80.

By the Common Carrier Bureau:

1. Presently before the Chief, Mobile Services Division, pursuant to delegated authority, are the captioned applications of Danny Ray Boyer d/b/a Central Mobilfone (Central) and Mobile Phone of Texas, Inc. (Mobile Phone). A Petition to Dismiss or Deny the Central application was filed by Mobile Phone. Responsive pleadings have been filed.

2. The following issues have been raised for our consideration:

a. Whether the Central application should be dismissed for failure to comply with the Commission's cutoff rule, § 22.31(b) of the Commission's Rules.

b. Whether Central has demonstrated sufficient need for the proposed facilities.

3. *Cutoff rule.* Mobile Phone contends that an application (File No. 20527-CD-P-2-80) filed by >Jim >Bob >Measures >d/b/a Mobilfone (Measures) is mutually exclusive with Mobile Phone's above-captioned application and that the sixty-day cutoff period for filing relates back to the Measures application and, therefore, because the Central application was not filed within the sixty-day cutoff period as determined from the Measures application, the Central application is cutoff and must be returned as unacceptable for filing.

4. We find Mobile Phone's argument that Central is cutoff from comparative consideration to be without merit. On June 12, 1980, the Bureau found that the above-mentioned Measures application was not electrically mutually exclusive with Mobile Phone's application and we granted the Measures application. Therefore, Central's sixty-day filing period did not begin until the public notice of the Mobile Phone application.[1] Central filed its application within this period and therefore its application is entitled to be considered mutually exclusive with Mobile Phone's application. See § 22.31(b), 47 CFR § 22.31(b).[2]

5. *Need.* Mobilfone also argues that Central has not demonstrated a need for the proposed facility because it failed to provide the Commission with a description of the methodology used in conducting its survey and also failed to show that respondents to the survey were informed of the rates, nature and reliability of the proposed service or the necessity of obtaining regulatory approval. In amendments to its application, Central has supplied this information. Therefore we find that Central has demonstrated an adequate need showing for the proposed facility.

6. Because both Central and Mobile Phone plan to serve the same area on the same frequency, the applications of Central and Mobile Phone are electrically mutually exclusive, and, therefore, a comparative hearing will be held to determine which applicant would better serve the public interest. We find the applicants to be otherwise qualified.

7. Accordingly, it is ordered that the petition to deny by Mobile Phone of Texas, Inc. is denied.

8. Further, it is ordered, Pursuant to Section 309 of the Communications Act of 1934, as amended, that the application of Danny Ray Boyer d/b/a/ Central Mobilfone, File No. 21499-CD-P-2-80 and Mobile Phone of Texas, Inc., File No. 20986-CD-P-2-80 are designated for a hearing in a consolidated proceeding upon the following issues:

(a) To determine on a comparative basis, the nature and extent of service proposed by each applicant, including the rates, charges, maintenance, personnel, practices, classifications, regulations, and facilities pertaining thereto;

(b) To determine on a comparative basis, the areas and populations that each applicant will serve within the prospective 39 dBu contours, based upon the standards set forth in § 22.504(a) of the Commission's Rules [3] and to determine and compare the need for the proposed services in said areas; and

(c) To determine, in light of the evidence adduced pursuant to the foregoing issues, what disposition of the referenced applications would best serve the public interest, convenience and necessity.

9. It is further ordered, That the hearing shall be held at a time and place and before an Administrative Law Judge to be specified in a subsequent Order.

10. It is further ordered, That the Chief, Common Carrier Bureau, is made a party to the proceeding.

11. It is further ordered, That the applicants may avail themselves of an opportunity to be heard by filing with the Commission pursuant to § 1.221(c) of the Rules within 20 days of the release date for the hearing and present evidence on the issues specified in this Memorandum Opinion and Order.

12. The Secretary shall cause a copy of this Order to be published in the **Federal Register.**

Sheldon M. Guttmann,

Chief, Mobile Services Division, Common Carrier Bureau.

[FR Doc. 81-20880 Filed 7-15-81; 8:45 am]

BILLING CODE 6712-01-M

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[1] See Commission Public Notice Report No. 20-A dated June 17, 1980.

[2] Mobile Phone of Texas filed its application (File No. 20986-CD-P-2-80) on February 7, 1980. The Commission's Public Notice (No. 3) listed this filing on February 20, 1980. On April 21, 1980 Central filed its mutually exclusive application.

[3] Section 22.504(a) of the Commission's Rules and Regulations describes a field strength contour of 39 decibels above one microvolt per meter as the limits of the reliable service area for base stations engaged in two-way communications service on frequencies in the 450 MHz band. Propagation data set forth in Section 22.504(b) are the proper bases for establishing the location of service contours F(50,50) for the facilities involved in this proceeding.

[Report No. A-27]

FM Broadcast Applications Accepted for Filing and Notification of Cut-Off Date

Released: July 10, 1981.

Cut-off-date: August 19, 1981.

Notice is hereby given that the applications listed in the attached appendix are hereby accepted for filing. They will be considered to be ready and available for processing after August 19, 1981. An application in order to be considered with any application appearing on the attached list or with any application on file by the close of business on August 19, 1981, which involves a conflict necessitating a hearing with any application on this list, must be substantially complete and

tendered for filing at the offices of the Commission in Washington, D.C., not later than the close of business on August 19, 1981.

Petitions to deny any application on this list must be on file with the Commission no later than the close of business on August 19, 1981.

William J. Tricarico,

Secretary, Federal Communications Commission.

Appendix

BPH-791227AA (KSHI), Zuni, New Mexico, Zuni Communications Authority, Has: 90.9 MHz; Channel No. 215DS, ERP: .01 kW; HAAT: ft. (lic) Req: 90.0 MHz; Channel No. 215D, ERP: .089 kW; HAAT: −250 ft.

BPH-801114AD (New), Whiteriver, Arizona, Apache Radio Broadcasting Corp., Req: 88.1 MHz; Channel No. 201A, ERP: .630 kW; HAAT: 600 ft.

BPH-801118AK (WAJX), Titusville, Florida, Brevard Broadcasting Inc., Has: 98.3 MHz; Channel No. 252A, ERP: 3 kW; HAAT: 230 ft. (lic), Req: 98.3 MHz; Channel No. 252A, ERP: 2 kW; HAAT: 355 ft.

BPH-801118AL (WVIN-FM), Bath, New York, Genkar, Inc, Has: 98.3 MHz; Channel No. 252A, ERP: 1.7 kW; HAAT: 390 ft. (lic), (Hammondsport, New York), Req: 98.3 MHz; Channel No. 252A, ERP: 2 kW; HAAT: 347 ft., (Bath, New York)

BPH-801201AH (KGEE), Monahans, Texas, Monahans Broadcasting Company, Req: 99.9 MHz; Channel No. 260C, ERP: 100 kW; HAAT: 540 ft.

BPH-801209AL (WKZR), Milledgeville, Georgia, WMVG, Inc., Has: 102.3 MHz; Channel No. 272A, ERP: 3 kW; HAAT: 160 ft. (lic), Req: 102.3 MHz; Channel No. 272A, ERP: 3 kW; HAAT: 300 ft.

BPH-801222AE (WIMA-FM), Lima, Ohio, The WIMA Broadcasting Corp., Has: 102.1 MHz; Channel No. 271B, ERP: 23 kW; HAAT: 240 ft. (lic), Req: 102.1 MHz; Channel No. 271B, ERP: 7 kW; HAAT: 1111 ft.

BPH-810123AO (New), Staunton, Virginia, First Capital Communications, Inc., Req: 99.7 MHz; Channel No. 259B ERP: 16 kW; HAAT: 400 ft.

BPH-810126AC (New), Bridge City, Texas, Cecil W. Hubbard, Req: 92.1 MHz; Channel No. 221A, ERP: 3 kW; HAAT: 230.1 ft., (Allocated to Nederland, TX.)

BPH-810204AE (New), Lockhart, Texas, Arcatel, Inc., Req: 94.7 MHz; Channel No. 234C, ERP: 100 kW; HAAT: 1096 ft.

BPH-810204AF (New), Snowmss Village, Colorado, Pitkin County Broadcasters, Inc., Req: 103.9 MHz; Channel No. 280A, ERP: 3 kW; HAAT: −763 ft.

BPH-810205AK (WYSH-FM), Clinton, Tennessee, Clinton Broadcasters, Inc., Has: 104.9 MHz; Channel No. 285A, ERP: 3 kW; HAAT: 300 ft. (lic), Req: 95.3 MHz; Channel No. 237A, ERP: 3 kW; HAAT: 300 ft.

BPH-810211AD (New), Pierre, South Dakota, Robert E. Ingstad, Jr., Req: 92.7 MHz; Channel No. 224A, ERP: 3 kW; HAAT: 274.4 ft.

BPH-810212AA (New), Eagle, Colorado, High County Broadcasting, Inc., Req: 101.5 MHz; Channel No. 268C, ERP: 35.8 kW; HAAT: 2210 ft.

BPH-810217AA (New), Ticonderoga, New York, Cawley Broadcasting Co., Req: 103.9 MHz; Channel No. 280A, ERP: 1.54 kW; HAAT: 383 ft.

BPH-810218AE (New), Camden, Maine, Argonaut, Broadcasting, Inc., Req: 102.5 MHz; Channel No. 273B, ERP: 9.5 kW; HAAT: 1110 ft.

BPH-810223AE (WNBR), Wildwood, New Jersey, Jersey Cape Broadcasting Corporation, Has: 100.7 MHz; Channel No. 264B, ERP: 3.5 kW; HAAT: 85 ft. (lic), Req: 100.7 MHz; Channel No. 264B, ERP: 20 kW; HAAT: 280 ft.

BPH-810223AR (KUUL), Madera, California, Madera Wireless Co., Inc., Has: 92.1 MHz; Channel No. 221A, ERP: 3 kW; HAAT: 180 ft. (lic), Req: 92.1 MHz; Channel No. 221A, ERP: 3 kW; HAAT: 300 ft.

BPH-810226AC (New), Clarksville, Virginia, Athens Broadcasting Corporation, Req: 98.3 MHz; Channel No. 252A, ERP: 3 kW; HAAT: 220.4 ft.

BPH-810227AB (New), Buckhannon, West Virginia, Radio Station WBUC, Inc., Req: 93.5 MHz; Channel No. 228A, ERP: 3 kW; HAAT: 132 ft.

BPH-810227AC (New), Ilion, New York, Paradise B/C Comm. Systems, Inc., Req: 105.5 MHz; Channel No. 288A, ERP: 3 kW; HAAT: 300 ft., (Allocated to Little Falls, NY.)

BPH-810302AK (New), Earl Park, Indiana, Sandra Sue & Francis E. Hertel, Req: 98.3 MHz; Channel No. 252A, ERP: 3 kW; HAAT: 299.9 ft., (Allocated to Fowler, IN.)

BPH-810304AC (KIVE), Glendive, Montana, Christian Enterprises, Inc., Has: 96.5 MHz; Channel No. 243C, ERP: 100 kW; HAAT: 30 ft. (lic), Req: 96.5 MHz; Channel No. 243C, ERP: 90 kW; HAAT: 493 ft.

BPH-810305AA (WEKZ-FM), Monroe, Wisconsin, Green County Broadcasting Corp., Has: 93.7 MHz; Channel No. 229B, ERP: 15 kW; HAAT: 180 ft. (lic), Req: 93.7 MHz; Channel No. 229B, ERP: 45 kW; HAAT: 532.7 ft.

BPH-810306AF (KSON-FM), San Diego, California, KSEA, Inc., Has: 97.3 MHz; Channel No. 247B, ERP: 50 kW; HAAT: 215 ft. (lic), Req: 97.3 MHz; Channel No. 247B, ERP: 50 kW; HAAT: 442 ft.

BPH-810309AF (KNBQ), Tacoma, Washington, Tribune Publishing Company, Has: 97.3 MHz; Channel No. 247C, ERP: 100 kW; HAAT: 370 ft. (lic), Req: 97.3 MHz; Channel No. 247C, ERP: 100 kW; HAAT: 785 ft.

BPH-810309AI (WIYD-FM), Palatka, Florida, Hall Broadcasting Company, Has: 99.9 MHz; Channel No. 260C, ERP: 50 kW; HAAT: 180 ft. (lic), Req: 99.9 MHz; Channel No. 260C, ERP: 100 kW; HAAT: 900 ft.

BPH-810309AJ (KASE), Austin, Texas, KVET Broadcasting Company, Inc., Has: 100.7 MHz; Channel No. 264C, ERP: 98 kW; HAAT: 510 ft. (lic), Req: 100.7 MHz; Channel No. 264C, ERP: 100 kW; HAAT: 1190 ft.

BPH-810310AA (New), Memphis, Missouri, Samuel Berkowitz, Req: 96.7 MHz; Channel No. 244A, ERP: 3 kW; HAAT: 300 ft.

BPH-810316AP (New), Fruita, Colorado, Jan-Di Broadcasting, Inc., Req: 99.9 MHz; Channel No. 260C, ERP: 100 kW; HAAT: 1384 ft.

BPH-810323AH (New), Colusa, California, Affinity Communications, Inc., Req: 107.5 MHz; Channel No. 298B, ERP: 27.8 kW; HAAT: 633 ft., (Allocated to Williams, CA)

BPH-810324AH (WQVA), Mechanicsburg, Pennsylvania, West Shire B/Cing. Co., Has: 95.5 MHz; Channel No. 228A, ERP: .53 kW; HAAT: 740 ft. (lic), Req: 93.5 MHz; Channel No. 228A, ERP: .525 kW; HAAT: 720 ft.

BPH-810324AI (New), Santa Fe, New Mexico, Siesta Communications Corp., Req: 104.1 MHz; Channel No. 281C, ERP: 100 kW; HAAT: 87 ft.

BPH-810327AJ (KZZB), Beaumont, Texas, Security B/Cing. of Beaumont, Inc., Has: 95.1 MHz; Channel No. 236C, ERP: 60 kW; HAAT: 220 ft. (lic), Req: 95.1 MHz; Channel No. 236C, ERP: 100 kW; HAAT: 551 ft.

BPH-810331AG (New), Defiance, Ohio, Defiance Broadcasting Co., Req: 98.1 MHz; Channel No. 251B, ERP: 50 kW; HAAT: 500 ft.

BPH-810403AA (KAAK), Great Falls, Montana, Feder Communications Corporation, Has: 98.9 MHz; Channel No. 255C, ERP: 28 kW; HAAT: 500 ft. (lic), Req: 98.9 MHz; Channel No. 255C, ERP: 100 kW; HAAT: 488 ft.

BPH-810403AC (new), Rogers City, Michigan, Alpine Broadcasting Company, Req: 97.7 MHz; Channel No. 249A, ERP: 3 kW; HAAT: 300 ft.

BPH-810406AC (new), De Soto, Missouri, Jeffco Broadcasting Company, Req: 100.1 MHz; Channel No. 261A, ERP: 3 kW; HAAT: 300 ft.

BPH-810408AA (KBGG-FM), Merkel, Texas, Big Country Broadcasting Company, Req: 102.3 MHz; Channel No. 272A, ERP: .398 kW; HAAT: 714 ft.

BPH-810408AB (WXNC), Henderson, North Carolina, Bible Broadcasting Network, Inc., Has: 92.5 MHz; Channel No. 223C, ERP: 15.5 kW; HAAT: 260 ft. (lic), Req: 92.5 MHz; Channel No. 223C, ERP: 50 kW; HAAT: 564 ft.

BPH-810410AE (WBMP), Elwood, Indiana, The Heart of Hoosierland Co., Inc., Has: 101.7 MHz; Channel No. 269A, ERP: 3 kW; HAAT: 140 ft. (lic), Req: 101.7 MHz; Channel No. 269A, ERP: 3 kW; HAAT: 300 ft.

BPH-810410AF (new), Coffeyville, Kansas, The Midwest Broadcasting Co., Inc., Req: 92.1 MHz; Channel No. 221A, ERP: 3 kW; HAAT: 300 ft.

BPH-810410AG (new), Ellsworth, Maine, Acadia Broadcasting Company, Req: 94.3 MHz; Channel No. 232A, ERP: 1.17 kW; HAAT: 441 ft.

BPH-810415AC (KVRN-FM), Sonora, Texas, Sonora Broadcasting Co., Inc., Has: 92.1 MHz; Channel No. 221A, ERP: 3 kW; HAAT: 28 ft. (lic), Req: 92.1 MHz; Channel No. 221A, ERP: 3 kW; HAAT: 300 ft.

BPH-810415AE (KBOS), Tulare, California, KBOS, Inc., Has: 94.9 MHz; Channel No. 235B, ERP: .770 kW; HAAT: 2,650 ft. (lic), Req: 94.9 MHz; Channel No. 235B, ERP: 16.4 kW; HAAT: 847 ft.

BPH-810417AC (KSAS), Liberty, Missouri, Southwest Radio Enterprises, Inc., Has: 106.5 MHz; Channel No. 293C, ERP: 100 kW; HAAT: 830 ft. (lic), Req: 106.5 MHz;

Channel No. 293C, ERP: 100 kW; HAAT: 1,200 ft.

BPH–810417AD (new), Henderson, Tennessee, Wolfe Communications, Inc., Req: 95.9 MHz; Channel No. 240A, ERP: 3 kW; HAAT: 300 ft.

BPH–810420AD (new), Roy, Utah, Margarette Kathelene Wamsley, Req: 107.9 MHz; Channel No. 300C, ERP: 45.6 kW; HAAT: 2,359 ft.

BPH–810421AB (new), West Jordan, Utah, Robert R. Busch, Req: 102.7 MHz; Channel No. 274C, ERP: 100 kW; HAAT: 1,036 ft.

BPH–810423AD (new), Albuquerque, New Mexico, Hispanic Owners, Inc., Req: 103.3 MHz; Channel No. 277C, ERP: 22.4 kW; HAAT: 4,110 ft.

BPH–810423AQ (WJYN), Nashville, Tennessee, Sudbrink B/Ctng of Nashville, Inc., Has: 105.9 MHz; Channel No. 290C, ERP: 100 kW; HAAT: 410 ft. (lic), Req: 105.9 MHz; Channel No. 290C, ERP: 100 kW; HAAT: 1,241 ft.

BPH–810424AC (WBGR–FM), Paris, Kentucky, WBGR Broadcasting, Inc., Has: 96.7 MHz; Channel No. 244A, ERP: 3 kW; HAAT: 105 ft. (lic), Req: 96.7 MHz; Channel No. 244A, ERP: 3 kW; HAAT: 300 ft.

BPH–810424AE (new), Columbia, Missouri, Columbia FM, Inc., Req: 101.7 MHz; Channel No. 269A, ERP: 3 kW; HAAT: 300 ft.

BPH–810427AG (new), Paxton, Illinois, Plowshare Broadcasting, Inc., Req: 104.9 MHz; Channel No. 285A, ERP: 3 kW; HAAT: 300 ft.

BMPH–800918AB (WGCV), Port St. Joe, Florida, North Florida Broadcasting Corp., Has: 93.5 MHz; Channel No. 228A, ERP: 2kW; HAAT: 130 ft. (CP), Req: 93.5 MHz; Channel No. 228A, ERP: .980 kW; HAAT: 530 ft.

BPED–791226AI (WGEV), Beaver Falls, Pennsylvania, Geneva College, Has: 88.3 MHz; Channel No. 202D, TPO: .01 kW (lic), Req: 91.3 MHz; Channel No. 217A, ERP: .149 kW; HAAT: 232 ft.

BPED–791226CC (KLSE–FM), Rochester, Minnesota, Minnesota Public Radio, Inc., Has: 91.7 MHz; Channel No. 219C, ERP: 100 kW; HAAT: 590 ft. (lic) (Rushford, Minnesota), Req: 91.7 MHz; Channel No. 219C, ERP: 100 kW; HAAT: 1,087 ft. (Rochester, Minnesota)

BPED–791228AW (KVSC), St. Cloud, Minnesota, St. Cloud State University, Has: 88.5 MHz; Channel No. 203DS, ERP: .01 kW; HAAT: Req: 88.1 MHz; Channel No. 201C ERP: 5.17 kW; HAAT: 132 ft.

BPED–791231AL (WQNA), Springfield, Illinois, Capital Area Vocational Center, Has: 89.9 MHz; Channel No. 210DS, ERP: .01 kW; HAAT: ft. (lic) Req: 88.3 MHz; Channel No. 202A, ERP: .408 kW; HAAT: 95 ft.

BPED–791231BZ (WBSU), Brockport, New York, State University of New York, Req: 88.9 MHz; Channel No. 205A, ERP: .128 kW; HAAT: 151 ft.

BPED–800201AJ (WLFC), Findlay, Ohio, Findlay College, Has: 88.3 MHz; Channel No. 202DS, ERP: .01 kW; HAAT: ft. (lic), Req: 88.3 MHz; Channel No. 202A, ERP: .156 kW; HAAT: 100 ft.

BPED–800616BB (KIEA), Ethete, Wyoming, Wind River Indian Educ. Ass'n., Inc., Req: 88.7 MHz; Channel No. 209A, ERP: 2.586 kW; HAAT: 81 ft.

BPED–801020AM (WSMC–FM), Collegedale, Tennessee, Southern Missionary College, Inc., Has: 90.7 MHz; Channel No. 214C, ERP: 100 kW; HAAT: 550 ft. (lic), Req: 90.5 MHz; Channel No. 213C, ERP: 100 kW; HAAT: 550 ft.

BPED–801021AA (WCCE), Buies Creek, North Carolina, Campbell University, Inc., Has: 90.1 MHz; Channel No. 211A, ERP: 3 kW; HAAT: 105 ft. (lic), Req: 88.5 MHz; Channel No. 203A, ERP: 3 kW; HAAT: 300 ft.

BPED–801031AQ (KKED–FM), Corpus Christi, Texas, South Texas Educ. B/Ctng Council, Req: 90.3 MHz; Channel No. 212C, ERP: 100 kW; HAAT: 802.3 ft.

BPED–801205AN (WMOS), Bath, Maine, Bath Board of Education, Has: 91.5 MHz; Channel No. 218D, TPO: .01 kW (lic), Req: 95.3 MHz; Channel No. 237D, TPO: .01 kW

BPED–810119AB (KXPR), Sacramento, California, California State Univ., Sacramento, Has: 88.9 MHz; Channel No. 285B, ERP: 23 kW; HAAT: 680 ft. (lic), Req: 90.9 MHz; Channel No. 215B, ERP: 32 kW; HAAT: 600 ft.

BPED–810121AC (KTXT–FM), Lubbock, Texas, Texas Tech University, Has: 91.9 MHz; Channel No. 220DS, ERP: .01 kW; HAAT: ft. (lic), Req: 88.1 MHz; Channel No. 201C, ERP: 18.5 kW; HAAT: 342.2 ft.

BPED–810123AD (new), Eufaula, Oklahoma, Oklahoma Education Television Auth., Req: 89.9 MHz; Channel No. 210C, ERP: 100 kW; HAAT: 1,185 ft.

BPED–810123AP (WOFR), Glen Falls, New York, Bd. of Trustees of Adirondack College, Has: 91.9 MHz; Channel No. 220D, TPO: .01 kW; (lic), (Glen Falls, New York), Req: 92.1 MHz; Channel No. 221D, ERP: .015 kW; HAAT: −140 ft. (Glen Falls, New York)

BPED–810126AG (KYDZ), Cody, Wyoming, Park County School District #6, Has: 90.1 MHz; Channel No. 211D, TPO: .01 kW; (lic), Req: 90.1 MHz; Channel No. 211A, ERP: .150 kW; HAAT: −460 ft.

BPED–810202AM (new) Cherry Hill, New Jersey, Bd. of Educ. of Twnsr. of Cherry Hill, Req: 89.5 MHz; Channel No. 208A, ERP: .100 kW; HAAT: 113 ft.

BPED–810204AA (WNJC–FM), Senatobia, Mississippi, Northwest Mississippi Jr. College, Has: 90.1 MHz; Channel No. 211C, ERP: 18 kW; HAAT: 390 ft. (lic), Req: 88.9 MHz; Channel No. 205C, ERP: 19.9 kW; HAAT: 378 ft.

BPED–810331AJ (WJCR), Washington, Pennsylvania, Washington & Jefferson College, Has: 88.3 MHz; Channel No. 202DS, ERP: .01 kW; HAAT: ft. (lic), Req: 92.1 MHz; Channel No. 221D, TPO: .01 kW.

BPED–800623AF (WHRS–FM), West Palm Beach, Florida, South Florida Public Telecommunications, Has: 90.7 MHz; Channel No. 214, ERP: 34 kW; HAAT: 195 ft. Req: 90.7 MHz; Channel No. 214, ERP: 25 kW; HAAT: 350 ft.

[FR Doc. 81–20889 Filed 7–15–81; 8:45 am]

BILLING CODE 6712–01–M

[BC Docket Nos. 81–425, 81–426, File Nos. BPH–800409AG, BPH–800811AG]

Hal Robert Heywood et al.; Designating Applications for Consolidated Hearing on Stated Issues; Hearing Designation Order

Adopted: June 24, 1981.

Released: July 10, 1981.

In re Applications of Hal Robert Heywood, Douglas H. Hanson and Armando E. Maldonado d/b/a Cal-Mex Broadcasting Co., Calexico, California, Req: 97.7 MHz, Channel 249, 3kW (H&V), 300 feet, BC Docket No. 81–425, File No. BPH–800409AG; Rafael M. Santos and D. Andrew Leptich d/b/a Hispanic Broadcasting Company, Calexico, California, Req: 97.7 MHz, Channel 249, 3 kW (H&V), 190 feet, BC Docket No. 81–426, File No. BPH–800811AG; For Construction Permit for a New FM Station.

By the Chief, Broadcast Bureau:

1. The Commission, by the Chief, Broadcast Bureau, acting pursuant to delegated authority, has under consideration: (i) the above-captioned mutually exclusive applications filed by Cal-Mex Broadcasting Co. (Cal-Mex) and Hispanic Broadcasting Company (Hispanic) and (ii) a motion to dismiss filed by Cal-Mex against Hispanic and a reply by Cal-Mex.[1]

2. *Cal-Mex.* Analysis of the financial data submitted by Cal-Mex reveals that $107,706 will be required to construct the proposed station and operate for three months, itemized as follows:

Equipment down payment	$20,530
Equipment payments	7,186
Building	16,000
Miscellaneous costs	12,000
Three months operating costs	51,990
Total	107,706

This estimate is tentative since Cal-Mex has not provided the itemization of first quarter expenses in compliance with Item 1(b), Section III. Cal-Mex plans to finance construction and operation with $45,000 in new capital, $80,000 in direct loans, and $1,000 in current liquid assets. The financial agreement for new capital calls for each of the three principals to commit $15,000 within fifteen days of receipt of the construction permit. Principals Heywood and Maldonado have shown sufficient liquid assets to meet their commitments; principal Hanson,

[1] Pursuant to the Commission's decision in *K & L Communications, Inc.*, 70 FCC 2d 1987, 45 RR 2d 187 (1974), the Cal-Mex petition will be treated as an informal objection and will be disposed of by the staff.

however, has shown only $8,455 available liquid assets to meet his commitment. Although his non-liquid assets are substantial when compared to the commitment, no plan for the liquidation of such assets has been submitted. Therefore, total funds available as new capital totals $38,455. We will accept Cal-Mex's figure of $55,988 as the net available from the proposed loan from United California Bank, although one might have reason to believe that Cal-Mex applied a one year standard rather than the three month standard in determining its loan repayment costs. Since the applicant has shown $95,543 available to meet a requirement of $107,706, a financial issue will be specified.

3. *Hispanic.* Analysis of the financial data submitted by Hispanic reveals that $121,345 will be required to construct the proposed station and operate for three months, itemized as follows:

Equipment cash purchase	$79,168
Land lease payment	1,000
Building	12,000
Miscellaneous costs	13,000
Three months operating costs	16,177
Total	121,345

While Hispanic has provided a rudimentary breakdown of an equipment purchase plan, it has failed to document this with a letter and/or a proposal from a radio equipment company. Therefore, our analysis is based on cash purchase of all equipment. Hispanic plans to finance construction and operation with $72,000 in estimated advertising sales and an unspecified net available from a direct loan for $100,000 from Mexican American National Bank.[2] However, we cannot allow reliance on projected revenue earnings. The financial standard adopted in 1978 requires applicants to demonstrate the ability to construct the station and operate for three months, without relying upon advertising or other revenues to meet the costs. See *Financial Qualification Standard for Aural Broadcast Applicants,* 69 FCC 2d 407 (1978). Hispanic has also failed to comply with Paragraph 4(e), Section III by failing to have its bank letter specify rate of interest, terms of repayment, and by failing to provide the statement of guarantees required by Mexican American National Bank. Further, Hispanic is apparently ineligible to receive a loan from the bank since the bank stipulated that the loan "will only be made to a corporation organized by Rafael Santos and D. Andrew Leptich and both must be principal stockholders." Hispanic has filed as a general partnership under terms of an agreement signed by both principals June 30, 1980. Therefore, Hispanic has shown no funds available to meet a requirement of $121,345. A financial issue will be specified.

4. Cal-Mex has moved to dismiss Hispanic's application on grounds that the Hispanic application was "substantially incomplete" when filed and therefore should have been dismissed pursuant to Section 73.3566(a) of the Rules. Cal-Mex's motion focuses on both the faulty certification of the Hispanic application and an apparent misrepresentation in the preparation of various sections and exhibits. There is not question that Hispanic erred in its certification, predating the application prior to the preparation and attachment of the sections and/or exhibits. Principal Santos certified the application as "true, complete, and correct" on May 15, 1980, well in advance of the dating of the balance sheets (June 25), the signing of the Partnership Agreement (June 30), and the signing of Engineering Section V–B (July 30). However, the Commission has stated that Section 73.3566 has no applicability in cases of improper verification and that such applications may be amended *nunc pro tunc* and considered accepted when tendered for filing. *Muskingum Broadcasting Co.,* FCC 60–270, 19 RR 1151 (1960). The rationale here and in *Johnston Broadcasting Co. v. FCC,* 85 US App. DC 40, 175 F2d 351, 4 RR 2138 (1949) (is that, while not waiving the requirement, the Commission would, where consistent with the rules, allow *nunc pro tunc* amendment to cure a defective verification. See also *Communications Gaithersburg, Inc.,* 60 FCC 2d 537, 548 (1976). Hispanic's error does not rise to the level of dismissal. However, to remedy this deficiency, Hispanic will be required to file an amended Section I, Page 2 with the presiding Administrative Law Judge.

5. We do not agree with the Cal-Mex allegation that Hispanic's application is "substantially incomplete." The Hispanic application meets criteria established in previous Commission decisions in that all six sections and most of the required exhibits were furnished with the tendered application. Dismissal of applications not "patently violative" of the rules would thus deprive the public of a choice of applicants for a given broadcast facility. *K & L Communications, Inc., supra,* note 1, at 1989.

6. Finally, in dealing with the alleged misrepresentration by Hispanic in the preparation of the application and supporting exhibits, we acknowledge that the biographical statement of Mr. Leptich is poorly worded and thus lends itself to the inference that the application was prepared by Mr. Leptich and members of his college class. However, as Mr. Santos' affidavit correctly states, the narrative of the Leptich biographical material does not credit either Mr. Leptich or any members of his college class. The narrative states that the Hispanic application was "prepared for the requirements of a Senior Project in business administration." Mr. Santos' affidavit states that he prepared the application, supporting therefore the response provided on Page 2 of the application. We do not find the inference taken by Cal-Mex sufficient to make an issue of deliberate misrepresentation. Therefore, no character issue will be specified.

7. Data submitted by the applicants indicate that there would be a significant difference in the size of the areas and populations which would receive service from the proposals. Consequently, for the purpose of comparison, the areas and populations which would receive FM service of 1 mV/m or greater intensity, together with the availability of other primary aural services in such areas, will be considered under the standard comparative issue, for the purpose of determining whether a comparative preference should accrue to either of the applicants.

8. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

9. Accordingly, it is ordered, That, pursuant to Section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine with respect to Cal-Mex Broadcasting Co:

(a) the source and availability of additional funds over and above the $95,543 indicated; and

(b) whether, in light of the evidence adduced pursuant to (a) above, the applicant is financially qualified.

[2] Hispanic has claimed but not documented possible reliance on loans for minority broadcasters from the Small Business Administration, Minority Investment Corporation, and/or the National Association of Broadcasters.

2. To determine with respect to Hispanic Broadcasting Company:

(a) the source and availability of funds to meet anticipated costs; and

(b) whether, in light of the evidence adduced pursuant to (a) above, the applicant is financially qualified to construct and operate the proposed facility.

3. To determine which of the proposals would, on a comparative basis, better serve the public interest.

4. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which, if either, of the applications should be granted.

10. It is further ordered, That Hispanic Broadcasting Company will file a new certification of its application with the presiding Administrative Law Judge.

11. It is further ordered, That the motion to dismiss filed by Cal-Mex Broadcasting Co. to the grant of the Hispanic Broadcasting Company application is denied.

12. It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein shall, pursunat to Section 1.221(c) of the Commission's Rules, in person or by attorney, within 20 days of the mailing of th is Order, file with the Commission in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and to present evidence on the issues specified in this Order.

13. It is further ordered, That the applicants herein shall, pursuant to Section 311(a)(2) of the Communications Act of 1934, as amended, and § 73.3594 of the Commission's Rules, give notice of the hearing (either individually or, if feasible and consistent with the Rules, jointly) within the time and in the manner prescribed in such Rule, and shall advise the Commission of the publication of such notice as required by § 73.3594(g) of the Rules.

Federal Communications Commission.

Larry D. Eads,

Acting Chief, Broadcast Facilities Division, Broadcast Bureau.

[FR Doc. 81-20878 Filed 7-15-81; 8:45 am]

BILLING CODE 6712-01-M

[BC Docket Nos. 81-434, 81-435; File Nos. BPH-810102AA, BP-810403AD]

Wayne D. Tisdale and Wishek Broadcasting, Inc., Designating Applications for Consolidated Hearing on Stated Issues; Hearing Designation Order

Adopted: July 1, 1981.

Released: July 10, 1981.

In re Applications of Wayne D. Tisdale, Sisseton, South Dakota, Req: 1330 kHz, 1 kW, Day, BC Docket No. 81-434, File No. BP-810102AA; Wishek Broadcasting, Inc., Wishek, North Dakota, Req: 1330 kHz, 500 W, Day, BC Docket No. 81-435, File No. BP-810403AD; For Construction Permit.

By the Chief, Broadcast Bureau:

1. The Commission, by the Chief, Broadcast Bureau, acting pursuant to delegated authority, has under consideration the above-captioned mutually exclusive applications for new AM broadcast stations.

2. Both applicants are qualified to construct and operate as proposed. However, the proposals are mutually exclusive, so they must be set for hearing in a consolidated proceeding. Since the proposals are for different communities, an issue must be specified to determine pursuant to Section 307(b) of the Communications Act of 1934, as amended, which of them would better provide a fair, efficient, and equitable distribution of radio service.

3. Accordingly, it is ordered, that pursuant to Section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from each proposal, and the availability of other primary aural service to such areas and populations.

2. To determine in light of Section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient, and equitable distribution of radio service.

3. To determine, in light of the evidence adduced pursuant to the foregoing issues, which application should be granted.

4. It is further ordered, that to avail themselves of the opportunity to be heard and pursuant to § 1.221(c) of the Commission's Rules, the applicants shall within 20 days of the mailing of this order, in person or by attorney, file with the Commission in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and to present evidence on the issues specified in this order.

5. It is further ordered, that pursuant to § 311(a)(2) of the Communications Act of 1934, as amended, and § 73.3594 of the Commission's Rules, the applicants shall give notice of the hearing within the time and in the manner prescribed in the rule, and shall advise the Commission of the publication of such notice as required by § 73.3594(g) of the Rules.

Federal Communications Commission.

Larry D. Eads,

Acting Chief, Broadcast Facilities Division.

[FR Doc. 81-20877 Filed 7-15-81; 8:45 am]

BILLING CODE 6712-01-M

[BC Docket Nos. 81-427, 81-428; File Nos. BPH-800714AM, BPH-8001107AF]

R. E. Watkins, Jr. et al.; Designating Applications for Consolidated Hearing on Stated Issues; Hearing Designation Order

Adopted: June 24, 1981.

Released: July 13, 1981.

In re Applications of R. E. Watkins, Jr. & Patrick G. Blanchard d.b.a. Columbia County Broadcasters, Martinez, Georgia, Req: 94.3 MHz, channel No. 232A, 3.0 kW (H&V), 300 feet, BC Docket No. 81-427, File No. BPH-800714AM; C S R A Broadcasters, Inc., Martinez, Georgia, Req: 94.3 MHz, Channel No. 232A, 3 kW (H&V), 305 feet, BC Docket No. 81-428, Filed No. BPH-801107AF.

By the Chief, Broadcast Bureau:

1. The Commission, by the Chief, Broadcast Bureau, acting pursuant to delegated authority, has under consideration the above-captioned mutually exclusive applications filed by R. E. Watkins, Jr. and Patrick G. Blanchard d.b.a. Columbia County Broadcasters (Columbia) and C S R A Broadcasters, Inc. (C S R A) for a construction permit for a new FM station.

2. *Columbia.* The applicant has published local notice of the filing of its application as required by § 73.3580(c) of the Commission's Rules. However, it has failed to comply with § 73.3580(f)(9) which requires that the local notice include a statement that a copy of the application is on file for public inspection at a specific address in the community. To remedy this deficiency, Columbia will be required to republish local notice of its application containing this additional information and to file a statement of publication with the presiding Administrative Law Judge.

3. An analysis of the financial data submitted by Columbia reveals that $81,259 will be required to construct the proposed station and operate for three months, itemized as follows:

Equipment	$43,459
Buildings	3,000
Miscellaneous	7,800
Operating expenses (three months)	27,000
Total	81,259

Columbia plans to finance construction and operation costs with a net loan of $35,200 from the First National Bank &

Trust Company and with $38,000 from the two partners. This bank letter is no longer valid, and the time of commitment having been less than one year we are unable to apply our policy stated in *Contemporary Television Broadcasting, Inc.*, Mimeo No. 05812, released January 16, 1981, in which we gave a presumption of validity to bank loan commitments of a year or more even if the term of the loan had expired. As for the contribution by the partners, it appears from the balance sheets provided by the applicant that R.E. Watkins, Jr. will be able to meet his commitment of $19,000 and that Mr. Patrick G. Blanchard cannot. We are assuming that since both partners are half owners of the partnership, that each one is supposed to supply 50% of $38,000. If the partners intended otherwise, it is not apparent from the application. A financial issue will be specified.

4. It is apparent that Columbia has violated Sections 1.1225 and 1.1227(e) of the Commission's ex parte rules. On December 10, 1980, former Chairman Charles Ferris received a letter from then Senator Herman E. Talmadge, concerning the application of Columbia County Broadcasters. This was apparently in response to a telephone call make by one of the applicant's partners, Mr. R.E. Watkins, Jr. or Mr. Partick C. Blanchard. On January 6, 1981, the FCC Congressional Liasion Office received an inquiry letter from Senator Thurmond regarding Columia's application, and attached thereto was a letter written to Thurmond on December 12, 1980, by Mr. R. E. Watkins, Jr. Watkins' letter explained that Columbia had filed a construction permit application on July 10, 1980, and that competing applications from Wayne Communications and C S R A Broadcasters, Inc. had been filed for the same channel assigned to Martinex, Georgia.[1] Watkins stated that no one external to Columbia County could have as strong a record as reputable community leaders as he and Patrick Blanchard, and he requests that Thurmond help them obtain the license; . . . "We understand the FCC doesn't like to be pressured, however, we need your help." Section 1.1225 of the Rules prohibits any person from soliciting or encouraging another to make an ex parte presentation[2] to decision-making Commission personnel when the applicant is involved in a restricted proceeding. Sections 1.1203(b)(2) and 1.1223 of the Rules established that application proceedings are restricted from the day on which public notice of the filing of a mutually exclusive application is given. It is apparent that the partners of Columbia have solicited Senatorial assistance and intercession on their behalf, after mutually exclusive applications had been filed. Accordingly, an ex parte issue will be specified.

5. *C S R A.* Columbia proposes independent programming while C S R A proposes to duplicate some of the programming of its commonly-owned station, WGAC. Therefore, evidence regarding program duplication will be admissible under the standard comparative issue. When duplicated programming is proposed, the showing permitted will be limited to evidence cocerning the benefits to be derived from the proposed duplication which would offset its inefficiency. *Jones T. Sudbury*, 8 FCC 2d 360, 10 RR 2d 114 (1967).

6. Since no determination has been reached that the antenna proposed by C S R A would not constitute a menace to air navigation, an issue regarding this matter is required.

7. Data submitted by the applicants indicate that there would be a significant difference in the size of the areas and populations which would receive service from the proposals. Consequently, for the purpose of comparison, the areas and populations which would received FM service of 1 mV/m or greater intensity, together with the availability of other primary aural services in such area, will be considered under the standard comparative issue, for the purpose of determining whether a comparative preference should accrue to either of the applicants.

7. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

8. Accordingly, it is ordered, That, pursuant to Section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine with respect to Columbia County Broadcasters

(a) the source and availability of additional funds over and above the $19,000 indicated; and

(b) whether, in light of the evidence adduced pursuant to (a) above, the applicant is financially qualified.

2. To determine whether Columbia has violated Section 1.1225(a) or Section 1.1227(e) of the Commission's Rules and, if so, what effect such conduct has on Columbia's qualifications to be a Commission licensee.

3. To determine whether there is a reasonable possibility that the tower height and location proposed by CSRA would constitute a hazard to air navigation.

4. To determine which of the proposals would, on a comparative basis, better serve the public interest.

5. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

9. It is further ordered, That Columbia file a statement with the presiding Administrative Law Judge demonstrating compliance with the public notice requirement of § 73.3580(f).

10. It further ordered, That the FAA is made a party on the proceeding.

11. It is further ordered, That in the event that the application of CSRA Broadcasters, Inc., is granted, George Beasley, the majority stockholder will divest himself of his interest in one of seven FM stations so as to be in compliance with Section 73.240 of the Commission's Rules.

12. It is further ordered, That in the event the application of CSRA Broadcasters, Inc., is granted, it is subject to the condition that if the Commission ultimately adopts a rule prohibiting commonly-owned AM and FM stations in the same market, the applicant will divest itself of either its AM station or FM station in accordance with the requirements established in such rulemaking proceeding.

13. It is further ordered, That to avail themselves of the opportunity to be heard, the applicants herein shall, pursuant to § 1.221(c) of the Commission's Rules, in person or by attorney, within 20 days of the mailing of this Order, file with the Commission in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and to present evidence on the issues specified in this Order.

[1] Wayne Communications filed its construction permit application on August 28, 1980 and it was returned for dismissal on December 10, 1980. C S R A Broadcasters, Inc. filed its application on November 7, 1980. Consequently, both competing applications were filed prior to the solicitations by Columbia.

[2] Ex parte presentation is defined in Section 1.1201(g) of the Rules: (1) Any written presentation made to decision-making personnel by any person which is not served on the parties to the proceeding. (2) Any oral presentation, made to decision-making commission personnel by any other person, without advance notice to the parties to the proceeding and opportunity for them to be present.

14. It is further ordered, That the applicants herein shall, pursuant to Section 311(a)(2) of the Communications Act of 1934, as amended, and § 73.3594 of the Commission's Rules, give notice of the hearing (either individually or, if feasible and consistent with the Rules, jointly) within the time and in the manner prescribed in such Rule, and shall advise the Commission of the publication of such notice as required by § 73.3594(g) of the Rules.

Federal Communications Commission.

Larry D. Eads,

Acting Chief, Broadcast Facilities Division.

[FR Doc. 81-20879 Filed 7-15-81; 8:45 am]

BILLING CODE 6712-01-M

[CC Docket No. 81-41; Transmittal No. 242; FCC 81-298]

RCA American Communications, Inc.; Revisions to Tariff F.C.C. Nos. 1 and 2

AGENCY: Federal Communications Commission.

ACTION: Memorandum opinion and order terminating proceeding.

SUMMARY: The Federal Communications Commission concludes an investigation into proposed tariff revisions filed by RCA American Communications, Inc. (RCA Americom). See 46 FR 12842 (2-18-81) and FR 25559 (5-7-81). The Commission finds the proposed revisions unlawful and will not allow them to become effective because RCA Americom has failed to demonstrate that the proposed revisions are reasonable and not unduly discriminatory within the meaning of sections 201(b) and 202(a) of the Communications Act, 47 U.S.C. 201(b), 202(a). The revisions proposed a scheme for allocating transponders on the carrier's Cable Net II satellite under which permanent customers would be leased an additional transponder on Cable Net II once that service is transferred to one of the carrier's larger capacity replacement satellites.

DATE: Effective June 30, 1981.

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

FOR FURTHER INFORMATION CONTACT: Carl E. Douglas, Common Carrier Bureau, (202) 632-6917.

SUPPLEMENTARY INFORMATION:

Memorandum Opinion and Order

Adopted: June 30, 1981.

Released: July 6, 1981.

By the Commission: Commissioners Fogarty and Jones absent.

1. We instituted this proceeding to investigate revisions to Tariff F.C.C. Nos. 1 and 2 filed by RCA American Communications, Inc. (RCA Americom) under the above-captioned transmittal. *RCA American Communications, Inc.*, 84 FCC 2d 781 (1981) (Designation Order). The revisions, now scheduled to become effective July 6, 1981 after a five-month suspension, would implement an allocation plan for domestic satellite transponders under which permanent customers of RCA Americom's Cable Net II satellite would be leased an additional transponder, presumably on the carrier's SATCOM I satellite.[1] Having examined the proposed revisions in light of the comments submitted by parties to this investigation, we find that RCA Americom has failed to show that the revisions are just, reasonable, and not unduly discriminatory within the meaning of Sections 201(b) and 202(a) of the Communications Act, 47 U.S.C. 201, 202(a).[2] For this reason, we will not allow the revisions to become effective.

Background

2. Since 1976, RCA Americom has been operating a satellite system that provides video, message, and private line services for commercial, government, and broadcast users. The system currently consists of three satellites—SATCOMS I and II, and Comstar D-2.[3] SATCOM II is used by government and private line users. The usable transponders on SATCOM I and Comstar D-2 on the other hand, have been leased almost entirely by cable television (CATV) programmers and resellers who offer their services through a network of receive-only earth stations. RCA Americom calls these cable satellites "Cable Net I" and "Cable Net II", respectively, and the demand for transponder capacity on them currently exceeds supply.[4]

3. RCA Americom now plans to launch a replacement for SATCOM III around October 1981. This replacement is scheduled to become operational shortly thereafter, and at that time, RCA Americom's Cable Net I customers will be switched to it.[5] The nine customers on Comstar D-2 will be transferred to SATCOM IV after its December 1981 launch (which will then become Cable Net II), and under the proposed revisions each of them would be able to lease an additional or "bonus" transponder once the transfer is completed.[6]

4. Initially, RCA Americom attempted to justify its proposal as a reasonable means of establishing a second cable network. Although the carrier did not seriously dispute the discriminatory nature of the scheme, it claimed that awarding a bonus transponder to existing customers would act as an incentive for them to begin video distribution on Cable Net II. RCA Americom assumed, in turn, that this would induce cable systems to invest in earth stations capable of receiving signals from the satellite, thereby helping to achieve the carrier's goal of establishing a second cable network.

5. In the Designation Order, we questioned whether RCA Americom's goal was an appropriate criterion under sections 201(b) and 202(a), 47 U.S.C 201(b), 202(a), for allocating scarce

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[1] As noted in the Designation Order, a transponder is a device on a satellite that receives signals from an earth station (uplink) in one frequency, amplifies them, and then sends the signals back to earth where an earth station (downlink) picks them up and relays them to a cable system or television station for distribution. *See Western Union Telegraph Company* 65 FCC 2d 96, 97 fn. 3 (1977). For a more detailed description of the transmission of video signals by satellite, *see e.g.*, Preliminary Report on Prospects for Additional Networks by the Federal Communications Commission Network Inquiry Special Staff, released March 1980.

[2] RCA Americom has submitted a direct case, to which responsive comments supporting the proposed revisions have been filed by Home Box Office, Inc. (HBO), National Christian Network, Inc. (NCN), Showtime Entertainment (Showtime), Southern Satellite Systems, Inc. (Southern), Spanish International Network, Inc., (Spanish), and jointly by Trinity Broadcasting Network, Inc., and Rainbow Communications, Inc. (TBN and RCI). Comments opposing the proposed revisions have been filed by Eastern Microwave Inc. (EMI), Fine Arts Satellite Network, Inc. (Fine Arts), Post-Newsweek Stations, Inc. (Post-Newsweek), The TM Communications, Co. (TMC), Total Communications Systems (TCS), United Video, Inc. (United), and jointly by Utopia Video Corp., Thomas Ashley, and John Andariese (Utopia). Black Entertainment Network has filed a motion to accept its late-filed comments. We deny its motion, however, since its comments were received too late to be considered.

[3] Eleven transponders on Comstar D-2 are being leased temporarily from the American Telephone Telegraph Company. RCA Americom entered into the lease agreement with AT&T after it lost contact with SATCOM III shortly after its launch in December 1979. The lease agreement with AT&T is due to expire on December 31, 1981.

[4] Since a great many earth stations are oriented toward Cable Net I, capacity on that satellite is particularly valued. It enables the programming offered by cable distributors to be caried by local cable systems throughout the continental United States.

[5] In July 1980, after transponder space on Cable Net I became available, RCA Americom held a lottery among its Cable Net II customers for two vacant transponders. See *RCA American Communications, Inc.*, 79 FCC 2d 331 (1980) (*Lottery Decision*), review pending *sub nom Spanish International Network v. FCC*, Case No. 80-1911 *et al.*, (D.C. Cir.). United and Warner Amex Satellite Entertainment Co. won the lottery and were then transferred to Cable Net I.

[6] SATCOM IV will have twenty-two transponders devoted full-time to video transmission. After the nine Cable Net II customers have been transferred to SATCOM IV there will presumably be thirteen other transponders available.

common carrier facilities.[7] We observed that the carrier had failed to adequately justify the discrimination inherent in the plan and noted that its representations in this regard were generalized and conclusory. For example, we indicated that even if we were to accept its argument that the creation of a second cable network was a valid business pursuit, RCA Americom needed to provide a sufficient explanation for its claim that the award of an additional transponder to its Comstar D–2 customers would in fact achieve this result. We stated also that the carrier would have to substantiate its decision to favor its present Cable Net II customers over other potential customers. We instituted this investigation, therefore, to give the carrier an opportunity to support and demonstrate the reasonableness of its proposed allocation plan. As such, the burden of introducing evidence and the burden of proof were placed on RCA Americom.

Overview of Comments

6. In its direct case, RCA Americom argues that we have mischaracterized the purpose of its proposed allocation scheme. It insists that establishing a second cable network is not the basis for the plan. Rather, the carrier states that its goal simply is to achieve full utilization of its Cable Net II transponders. In addition, RCA Americom claims that the bonus allocation scheme will give due recognition to those customers who bore substantial risks of uncertainty in starting Cable Net II. And these goals, it states, are clearly reasonable within the meaning of section 201(b) and 202(a) of the Act.

7. As we understand its argument, the carrier perceives that despite the growing list of potential customers seeking transponder space, its Cable Net II is not yet a viable satellite. Few cable systems are currently accessing the satellite, and, absent, a sufficient quantity of attractive programming, RCA Americom believes that Cable Net II will fail. Allocating a bonus transponder to its existing customers would, according to the carrier, increase the quantity of programming which in turn should attract more cable systems and presumably assure the full utilization of the satellite.

8. Current Cable Net II customers who would receive an extra transponder under the carrier's plan fully support the proposed scheme. Echoing RCA Americom's arguments, these parties state that the majority of cable systems own earth stations capable of receiving signals from only one satellite at a time, and most of these antennas are now oriented towards the primary cable satellite, Cable Net I. To encourage cable systems to invest in a second earth station, which then could be used to access Cable Net II, RCA Americom has been forced to design an allocation plan reasonably calculated to make Cable Net II more attractive.

9. Thus, HBO, Showtime, and Spanish assert that multiple transponders on the same satellite are critical for programming on a nationwide basis. With two transponders, programmers would be able to deliver the same program at the same local time to different time zones, and as such, would be able to more effectively compete with the broadcast networks. Programmers with multiple transponders would also be able to deliver to the same earth station different programs targeted to the specific demographics of various audiences, thereby maximizing the total number of viewers. These parties also maintain that they would be less likely to fully utilize Cable Net II with only one transponder.

10. On the other hand, opponents of the plan vigorously dispute RCA Americom's justification. Post-Newsweek argues, for example, that selecting particular customers cannot be legitimate conduct for a common carrier under the Communications Act and that, in any event, boosting the competitive posture of current Cable Net II customers does not guarantee that the potential viability of Cable Net II itself will be enhanced. Similarly, EMI, TCS, and Utopia submit that if the full utilization of transponders is truly the carrier's only goal, it should allocate the available transponders to any of the more than fifty entities presumed to be on the waiting list. These potential customers, they insist, would undoubtedly make full use of any available space.

11. As to the preference given existing Cable Net II customers, RCA Americom finds justification in the fact that these customers bore the financial risks of uncertainty following the loss of the carrier's SATCOM III satellite. Since the prospects for Cable Net II are now presumed brighter, RCA Americom believes these customers are entitled to profit from that risk.

12. Opponents strenuously argue, however, that rewarding customers for risk-taking has never been a legitimate objective under the Act. In Post-Newsweek's view, RCA Americom has offered no evidence that these customers have performed any services warranting special consideration. Others maintain that the so-called risks taken by these customers were merely business choices and therefore undeserving of any preferred treatment. In any event, states Utopia, due recognition was accorded present Cable Net II customers when only they were allowed to participate in the lottery for two available transponders on Cable Net I.[8]

Discussion

13. In determining whether RCA Americom has sustained its burden of justifying the proposed scheme, we accept the proposition that carriers should be afforded wide discretion to design marketing strategies that are reasonably calculated to meet legitimate business needs. *See e.g., MCI Telecommnications Corp.*, 81 FCC 2d 568 (1980).[9] This is especially true in cases such as this one since the Communications Act is silent on the specific question of how carriers may allocate limited facilities. *RCA American Communications, Inc.* 84 FCC 2d 781; *MCI Telecommunications Corp.*, 81 FCC 2d at 1572; *Lottery Decision*, 79 FCC 2d at 334. The Act merely requires

[7] Section 201(b) requires, inter alia, that:

[A] 11 charges, practices, classifications, and regulations for and in connection with such communications service, shall be just and reasonable, and any such charge, practice, classification, or regulation that is unjust or unreasonable is hereby declared to be unlawful . . . .

Section 202(a) makes it:

. . . Unlawful for any common carrier to make any unjust or unreasonable discrimination in charges, practices, classifications, regulations, facilities, or services for or in connection with like communications service, directly or indirectly, by any means or device, or to make or give any undue or unreasonable preference or advantage to any particular person, class of persons, or locality, or to subject any particular person, class of persons, or locality to any undue or unreasonable prejudice or disadvantage.

[8] *Lottery Decision*, 79 FCC 2d 331 (1980).

[9] See also *RCA American Communications, Inc.*, FCC 81–194 (released May 14, 1981) review pending *sub nom. Spanish International Network v. FCC*, Case No. 80–1911 *et al.* (D.C. Circuit), where we recognized a carrier's business needs as a relevant factor in Section 201 and 202 findings of reasonableness. (Para. 26). There, we determined that a 1976 contract in which RCA Americom had agreed to provide notice of any activity which might preclude Satellite Equipment Leasing Company (SEL) from leasing two transponders on SATCOM I and an opportunity to lease those transponders as part of its consideration for SEL's willingness to assume the financial risk of building a transmit/receive earth station near Atlanta, was not unlawful. We concluded that the limited preference resulting from the bilateral contract was not unreasonable because, *inter alia*, it promoted development of the domestic satellite industry, expanded service available to the public and tended to stabilize the then economically insecure RCA Americom. We are unable to find any convincing evidence in this record that similar benefits will flow from the allocation scheme proposed by RCA Americom in its tariff revisions.

that any allocation plan be reasonable under Sections 201(b) and 202(a). Nor for that matter do we dispute the carrier's contention that its proposed scheme must be viewed within the context of a dynamic, high-risk industry. In other words, our evaluation of the record here must take into account the particular characteristics and circumstances relating to the present domestic satellite market. See generally, *Metrock Corp.*, 73 FCC 2d at 805. And, given the present demand for RCA Americom transponders, we must balance the interests of existing and potential customers against the carrier's interest in offering competitive services. *See, e.g., RCA American Communications, Inc.*, Docket No. 80-766, 81-255 (released May 26, 1981).[10]

14. Turning first to the merits of RCA Americom's justification for its scheme, we note that the carrier no longer claims that its allocation plan is designed to create a second cable network. Rather, the real objective, says RCA Americom, is simply to make the most efficient use of its transponders. However, even if this latter goal is assumed to be both a legitimate business interest which the carrier is entitled to pursue and consistent with the Act, RCA Americom has once again failed to show how the plan is reasonably calculated to achieve the stated result. Simply awarding an additional transponder to existing customers does not insure that these customers will make full use of them; nor does it ensure that these customers will continue to use the transponders through the useful life of the satellite. Indeed, as RCA Americom admits, existing customers remain free to resell the very transponder the plan is designed to reward them. See generally, *Resale and Shared Use*, 60 FCC 2d 261 (1976), *recon. granted in part*, 62 FCC 2d 588 (1977).

15. Nor has RCA Americom shown why its goal of increasing the quantity of Cable Net II programming, which it considers essential to efficient transponder utilization and the satellite's success in the marketplace, cannot be achieved without discriminating in favor of existing customers. Moreover, since competition encourages and rewards the efficient use of facilities, increasing the level of competition on Cable Net II might well serve as a greater incentive for efficient transponder utilization.[11]

16. RCA Americom insists that its intention is not to favor some customers over others but only to give due recognition to the risks its Cable Net II customers have undertaken. Assuming for the moment that recognition of risk is a reasonable and legitimate basis for the allocation of scarce resources, RCA Americom's argument is not compelling in this case. The "risk" here appears only to be a business decision by the affected customers to lease transponders on Comstar D-2. Additionally, there is no evidence that the decision to lease space was motivated by any expectation of compensation in the form of an additional transponder at some future time. Whether these decisions entailed any risk is questionable, moreover, given the lack of alternative sources of supply at the time the service request was made as well as the outstanding obligations of these users to their own customers.

17. In any event, as explained, we cannot ignore our statutory obligation to weigh the overall facts of record. To repeat, there is no dispute that other potential customers stand ready, willing, and able to take this service, and have for some time competed for space on an RCA Americom satellite. In light of this apparent demand, RCA Americom has not demonstrated how its proposed allocation scheme is needed to insure efficient utilization of its satellite facilities which it claims to be the primary objective of this plan. Under all these circumstances, as well as the statutory requirement that carriers provide service on reasonable terms, we judge that the needs of these potential customers outweigh the marginal concerns for rewarding existing customers.

18. Indeed, in balancing the relative interests of the various parties, we observe that RCA Americom admits that it will not be injured financially by any decision reached in this proceeding. Because there are apparently more than fifty entities seeking transponder space, the carrier should have sufficient customers for all of its available transponders regardless of the allocation method employed.

19. Nor do we perceive harm to existing Cable Net II customers by our decision to reject the proposed allocation scheme. These customers would, in any event, retain their present number of transponders once the transfer to SATCOM I is completed. They will be receiving, therefore, exactly what they bargained for when they originally leased transponder space with RCA Americom. Moreover, since many of these present customers already lease several transponders on Cable Net I, our action here would in no way deprive them of any of the benefits and advantages currently enjoyed by leasing multiple transponders albeit on a different satellite. And of course, these parties are not being excluded from participating in any future impartial allocation plan that RCA Americom devises.

20. Potential customers, by contrast, would be adversely affected were we to permit the proposed revisions to become effective. Many of them are new companies preparing to enter the satellite distribution market for the first time. Because there is a need to secure initial programming and construct earth stations, the costs of such preparations are substantial. Extended delays in securing transponders could irreparably harm their ability to enter the market altogether since these companies would be unable to recover any of their initial investment until after they have obtained transponder space. With as many as thirteen transponders becoming available on Cable Net II, many of these companies apparently view this as their final opportunity to obtain an available transponder in the RCA Americom system. In our view, the interests of these potential customers in having an impartial allocation plan in the near term, on balance, currently outweigh the carrier's stated business needs.

21. For all these reasons, RCA Americom has failed to demonstrate the lawfulness of its bonus allocation plan within the meaning of section 201(b) and

[10] Although it does not dispute that demand for its transponders currently exceeds their availability, RCA Americom contends that with the recent number of authorizations granted by the Commission *(Assignment of Orbital Locations of Space Stations in the Domestic Fixed-Satellite Service*, 84 FCC 2d 584 (1980)), the shortfall is only temporary and will not survive the launch of these new facilities. While we recognize that the current market imbalance may improve because of these authorizations, we are reluctant to judge RCA Americom's proposed tariff revisions on that basis alone. Moreover, in a separate action, RCA Americom has raised similar arguments in support of its request either to be relieved of the requirement to tariff its transponder allocation procedures or to impose the same requirement on all domestic satellite licensees. See Public Notice, Report No. I-946, released May 6, 1981. We intend to consider that request in the very near future and believe it will provide a more appropriate forum to evaluate RCA Americom's contentions as well as domestic satellite licensees' allocation procedures in general.

[11] RCA Americom's comments, as well as those of existing customers, devote a great deal of attention to the claim that the proposed allocation scheme will enhance the attractiveness of the Cable Net II satellite by promoting program diversity. The argument here appears to be that the promotion of RCA Americom's business goals is inextricably linked to the offering of a wide array of programming from its satellite. Even if it is assumed that these existing customers will offer greater diversity than at present, there is countervailing evidence that the opposing petitioners would seek the same end. Under these circumstances, we find insufficient evidence that the obvious discrimination would be justified.

202(a) of the Act and, therefore, the proposed tariff revisions will not be allowed to become effective.

22. Accordingly, it is ordered, pursuant to § 61.36 of the Rules, 47 CFR 61.36 and Sections 4 (i) and (j) of the Act, 47 U.S.C. 4 (i) and (j), That the tariff pages submitted under Transmittal No. 242 will be returned to RCA Americom Communications, Inc.[12]

23. It is further ordered, that this proceeding in Docket No. 81–41 is hereby terminated.

24. It is further ordered, that a copy of this order be published in the **Federal Register.**

25. It is further ordered, that this order is effective on adoption.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 81-19997 Filed 7-15-81; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL MARITIME COMMISSION

Agreements Filed

The Federal Maritime Commission hereby gives notice that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of each of the agreements and the justifications offered therefor at the Washington Office of the Federal Maritime Commission, 1100 L Street, NW, Room 10218; or may inspect the agreements at the Field Offices located at New York, N.Y.; New Orleans, Louisiana; San Francisco, California; Chicago, Illinois; and San Juan, Puerto Rico. Interested parties may submit comments on each agreement, including requests for hearing, to the Secretary, Federal Maritime Commission, Wasington, D.C. 20573, on or before July 27, 1981. Comments should include facts and arguments concerning the approval, modification, or disapproval of the proposed agreement. Comments shall discuss with particularity allegations that the agreement is unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors, or operates to the detriment of the commerce of the United States, or is contrary to the public interest, or is in violation of the Act.

A copy of any comments should also be forwarded to the party filing the agreements and the statement should indicate that this has been done.

Agreement No. T–3930–B.

Filing party: John C. Barnett, Assistant Chief, Leases and Operating Agreements Division, The Port of New York and New Jersey, One World Trade Center, New York, New York 10068.

Summary: Agreement No. T–3930–B, between the Port Authority of New York and New Jersey (Port) and Universal Maritime Service Corp. (Universal), supplements the parties' basic agreement providing for Universal's lease of the Red Hook Container Terminal, Brooklyn, New York. The purpose of Agreement No. T–3930–B is to provide for the purchase and installation of an additional container crane at the facility and to set forth the equipment rental payable to the Port for Unviversal's use of the crane. The actual letting of the crane is provided for under the terms of Agreement No. T–3930–B, which was noticed in the June 16, 1981, **Federal Register** (Vol. 46, No. 115; pp. 3151–2).

Agreement No. 10378–1.

Filing party: William H. Fort, Esquire, Kominers, Fort, Schlefer & Boyer, 1776 F Street, NW., Washington, D.C. 20006.

Summary: Agreement No. 10378–1 modifies the basic agreement between Trailer Marine Transport Corporation (TMT) and Naviera Central, S.A. (Naviera Central) which provides that TMT acts as general agent for Naviera Central. The purpose of the modification is to add Naviera Central's corporate affiliate, Naviera Continental, S.A. to the existing agency arrangement and thereby to provide for its agency representation in the United States by TMT. By Order of the Federal Maritime Commission.

Dated: July 13, 1981.

Francis C. Hurney,

Secretary.

[FR Doc. 81-20634 Filed 7-15-81; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

I.C.B. Holding, N.V., Intercontinental Bank Holding Co.; Formation of Banking Holding Companies

I.C.B. Holding, N.V., Oranjestad, Netherlands Antilles, and Intercontinental Bank Holding Company, Miami, Florida ("IBHC"), have each 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 bank holding companies. I.C.B. Holding, N.V. has applied to acquire 79.8 per cent or more of the voting shares of IBHC, and IBHC has applied to acquire 80 per cent or more of the voting shares of Intercontinental Bank, Miami, Florida. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The applications may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the applications should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received no later than August 8, 1981. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, July 9, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-20691 Filed 7-15-81; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Louisiana; Application

Notice is hereby given that under Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by Public Law 93–153, the Texas Gas Transmission Corporation has applied for a 20" natural gas pipeline right-of-way that will cross the following lands:

T. 12 S., R. 4 W.,
Sec. 19, 30 and 31.
T. 12 S., R. 5 W.,
Sec. 36
T. 13 S., R. 5 W.,
Sec. 1.

The pipeline will convey natural gas across 3.48 miles of the Lacassine National Wildlife Refuge, Cameron Parish, Louisiana.

The purpose of this notice is to inform the public that the United States Fish and Wildlife Service 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 on or before August 17, 1981 and send their names

[12] Section 61.36 of our Rules requires the Commission to return tariff publications to the carrier only when the tariff is rejected for cause. Here, since we are finding the proposed revisions unlawful within the five-month suspension period, the practical effect of our action is the same.

and addresses to the Regional Director, U.S. Fish and Wildlife Service, 75 Spring Street, SW, Atlanta, Georgia 30303.

Walter O. Stieglitz,

Regional Director.

[FR Doc. 81-20833 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-84-M

Geological Survey

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: Geological Survey, Interior.

ACTION: Notice of the receipt of a proposed development and production plan.

SUMMARY: This Notice announces that Exxon Company U.S.A., Unit Operator of the South Timbalier Block 54 Federal Unit Agreement No. 14-08-0001-3444, submitted on July 2, 1981, a proposed annual plan of development/production describing the activities it proposes to conduct on the South Timbalier Block 54 Federal Unit.

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 N. Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT:

U.S. Geological Survey, Public Records, Room 147, open weekdays 9:00 a.m. to 3:30 p.m., 3301 N. 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 become effective on 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: July 9, 1981.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 81-20815 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: Geological Survey, Interior.

ACTION: Notice of the receipt of a proposed development and production plan.

SUMMARY: This Notice announces that Chevron U.S.A. Inc., Unit Operator of the South Bay Marchand Federal Unit Agreement No. 14-08-001-3915, submitted on June 12, 1981, a proposed supplemental plan of development/production describing the activities it proposes to conduct on the South Bay Marchand Federal Unit.

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 N. Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT:

U.S. Geological Survey, Public Records, Room 147, open weekdays 9:00 a.m. to 3:30 p.m., 3301 N. 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 on 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: July 9, 1981.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 81-20816 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: Geological Survey, Interior.

ACTION: Notice of the Receipt of a Proposed Development and Production Plan.

SUMMARY: Notice is hereby given that Transco Exploration Company has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS-G 4523, Block 235, South Marsh Island Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Geological Survey is considering approval of the Plan and that it is available for public review at the offices of the Conservation Manager, Gulf of Mexico OCS Region, U.S. Geological Survey, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT:

U.S. Geological Survey, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837-4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under the U.S. Geological Survey makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979 (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: July 8, 1981.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 81-20765 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-31-M

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: Geological Survey, Interior.

ACTION: Notice of the Receipt of a Proposed Development and Production Plan.

SUMMARY: This Notice announces that Conoco Inc., Unit Operator of the Grand Isle/CATCO Federal Unit Agreement No. 14-08-0001-2021, submitted on July 6, 1981, a proposed supplemental plan of development/production describing the activities it proposes to conduct on the Grand Isle/CATCO Federal Unit.

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 N. Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: U.S. Geological Survey, Public Records, Room 147, open weekdays 9:00 a.m. to 3:30 p.m., 3301 N. 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 on December 13, 1979 (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: July 9, 1981.

Lowell G. Hammons,

Conservation Manager, Gulf of Mexico OCS Region.

[FR Doc. 81-20766 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-31-M

Bureau of Indian Affairs

Expansion of the Sierra Blanca Ski Area; Intent to Prepare an Environmental Impact Statement

June 26, 1981.

AGENCY: Bureau of Indian Affairs, Interior.

SUMMARY: Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969, the Bureau of Indian Affairs, Department of the Interior, will prepare an environmental impact statement (EIS) for proposed expansion of the Sierra Blanca Ski Area. Consideration of expansion is for 2,240 acres comprising Sections 27, 33, 34, and the south half of Section 28, Township 10 South, Range 11 East, N.M.P.M., (New Mexico Principal Meridian).

A range of expansion and management alternatives will be considered. One alternative will be no expansion or further development of the ski area. Analysis of the alternatives must determine whether impacts adverse to the area would be sustained by development and expansion. The major issues regarding expansion of the ski area were identified during production of a Master Plan for the Sierra Blanca Ski Area and an Environmental Analysis Report, Proposed Land Transfer and Expansion, Sierra Blanca Ski Area, Lincoln County, New Mexico for the Mescalero Apache Tribe and during scoping conducted for the Lincoln National Forest Master Plan environmental statement. Therefore, a separate scoping process is not planned for preparation of the Environmental Impact Statement.

The estimated release date of the draft environmental impact statement is January 1982. June 1982 is estimated as the release date of the final environmental impact statement.

Sidney L. Mills, Area Director, Albuquerque Area Office, Albuquerque, New Mexico, is the responsible official.

Questions and written comments and suggestions about the study and environmental impact statement should be directed to William C. Allan, Area Environmental Quality Specialist, Field Administrative Office, Environmental Quality Services, 500 Gold Avenue SW, P.O. Box 2088, Albuquerque, New Mexico 87107, telephone number (505) 766–3374.

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary of Indian Affairs by 209 DM 8

Roy H. Sampsel,

Deputy Assistant Secretary, Indian Affairs.

[FR Doc. 81-20771 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-02-M

Bureau of Land Management

Alaska State Office; Redelegation of Authority; Corrections

In FR Doc. 80–1907 appearing on pages 4473 and 4474 in the **Federal Register** of Tuesday, January 22, 1980, the following changes should be made.

1. On page 4474, under 1.b. Chief, Minerals Section delete §§ 2.5(b) and 2.5(c); under 1.c. Chief, Land Section after § 2.3(c) and §§ 2.5(b) and 2.5(c).

Dated: June 29, 1981.

Fred Wolf,

Associate State Director.

[FR Doc. 81-20767 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-84-M

Oregon; Realty Action—Exchange; Public Lands

The following described lands have been determined to be suitable for disposal by exchange under Section 206 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1716:

T. 16 S., R. 19 E., Willamette Meridian, Crook Co., Oregon,
Sec. 10, SE¼NE¼, E½NE¼SW¼, N½SE¼;
Sec. 12, W½SW¼;
Sec. 17, SE¼SE¼;
Sec. 18, Lots 1 and 2, NE¼, E½NW¼;
Sec. 19, Lot 4.

In exchange for these lands the Federal Governmental will acquire scattered tracts of non-Federal land in:

T. 16 S., R. 19 E., Willamette Meridian, Crook Co., Oregon,
Sec. 21, SE¼SE¼;
Sec. 23, NE¼, S½.

The purpose of the exchange is to acquire private land for use in Federal grazing and recreation programs in the Prineville District. The exchange is consistent with the Bureau's planning for the lands involved and has been discussed with Crook County and State of Oregon government officials. The public interest will be well served by making the exchange.

The value of the lands to be exchanged are approximately equal and the acreage will be adjusted or money will be used to equalize the values upon completion of the final appraisal of the lands.

The terms and conditions applicable to the exchange are:

A portion of the above described public land may be withdrawn from the exchange proposal with a similar amount of private land if the final cultural resource study provides information that would prohibit disposal.

The public lands will be exchanged subject to any valid existing rights including rights-of-way, easements and leases of record prior to title transfer.

The private lands contain a reservation of an undivided 1/16 interest in all minerals including oil and gas. The private lands will be accepted with this reservation and the federal lands will be transferred with all minerals including oil and gas subject to the adjustment necessary to equalize land values.

Detailed information concerning the exchange, including the environmental assessment and the record of public discussions, is available for review at the Prineville District Office of the Bureau of Land Management, 185 East 4th Street, Prineville, Oregon 97754.

For a period of 60 days interested parties may submit comments to the District Manager of the Prineville District.

Paul W. Arrasmith,

District Manager.

[FR Doc. 81-20770 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-02-M

Realty Action, Noncompetitive Sale—I-17737; Public Land in Jefferson County, Idaho

The following described land has been examined and identified for disposal by sale under Section 203 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2750; 43 U.S.C. 1713):

Boise Meridian

T. 7 N., R. 36 E.,
Sec. 14, SE¼NW¼.

The above described land, comprising 40 acres, is being offered as a direct, non-competitive sale to Reese Sanders, owner of an adjoining tract.

In 1942, Mr. Sanders signed an exchange of use agreement with the Taylor Grazing Service (the Grazing Service merged with the General Land Office to form the Bureau of Land Management in 1946). This agreement committed the Grazing Service to exchange the ownership of the subject public land to Mr. Sander for ownership of a stock driveway across his public land holdings. The agreement authorized Mr. Sanders to fence off and make exclusive use of the 40 acre tract until the exchange was processed. The exchange was never processed and Mr. Sanders has been under the impression that the land has been in his family's possession since 1942.

A direct sale to Mr. Sanders would resolve a complicated situation. The subject parcel is an isolated 40 acre tract with no legal access to the land. The lands have not been used and are not required for any federal purpose. Disposal of this tract would best serve the public interest. The sale is consistent with the Bureau's planning system.

Sale of this land will be at fair market value. The land will not be offered for sale at least 60 days after the date of this notice.

Patent, when issued, will contain the following reservations:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States, Act of August 30, 1980, 26 Stat. 391; 43 U.S.C. 945.

2. A reservation to the United States for all minerals.

3. Those rights granted by oil and gas lease, I–8605, made under Section 29 of the Act of February 25, 1920, 41 Stat. 437. This patent is issued subject to the right of the prior permittee or lessee to use so much of the surface of said land as is required for oil and gas exploration and development. Permittee would not be liable for compensation to the patentee for damages resulting from proper oil and gas operations, for the duration of oil and gas lease, I–8605, and any authorized extension of that lease. Upon termination or relinquishment of said oil and gas lease, this reservation shall terminate.

Detailed information concerning the sale is available for review at the Idaho Falls District Office, 940 Lincoln Road, Idaho Falls, Idaho.

For a period of 45 days interested parties may submit comments to the District Manager of the Idaho Falls District. Any adverse comment will be evaluated by the District Manager who may vacate or modify this realty action and issue a final determination. In the absence of any action by the District Manager, this realty action will become the final determination of the Department of the Interior. The required payment shall then be requested of Mr. Sanders. The payment, in full, is in accordance with 43 CFR 1822.1–2.

Dated: July 8, 1981.

O'dell A. Frandsen,

District Manager.

[FR Doc. 81-20766 Filed 7-15-81; 8:45 am]

BILLING CODE: 4310-84-M

Wilderness Planning To Be Included in Transition Management Framework Plan; Musselshell Breaks and Terry Badlands

July 7, 1981.

SUMMARY: The Miles City District, Bureau of Land Management, is preparing the New Prairie and Jordan-North Rosebud Transition Management Framework Plans (FR Doc 80–15476 published May 21, 1980, pp. 34075–34076) to include sections addressing multiple use planning recommendations dealing with two wilderness study areas identified in the Bureau of Land Management Wilderness Inventory. These areas are the Musselshell Breaks (MT–024–677) and the Terry Badlands (MT–024–684). The environmental impacts of decisions recommended in the appropriate sections of the MFP will be included in the Lewistown/Miles City Districts, BLM, Wilderness Planning Amendment/Environmental Impact Statement (FR Doc 14532 pub May 13, 1981, pp. 26564–26565).

SUPPLEMENTARY INFORMATION: The purpose of including recommended decisions dealing with the suitability or unsuitability for wilderness designation of the Musselshell Breaks and the Terry Badlands in the Jordan-North Rosebud and New Prairie Management Framework Plan is to improve upon the Department's timetable to make available to multiple use or to recommend wilderness designation of these areas in a timely manner.

Decisions recommended in the MFP will result in preliminary suitability or unsuitability recommendations which will be forwarded to the Secretary of the Interior. The Secretary will make final recommendations to the President who will send them to Congress. Congress will make the final decision on whether either of the areas, or portions of the areas, will be designated as wilderness. The planning process will not determine how the study areas will be managed. If the areas or area are not designated as wilderness, they will be managed according to recommendations in the MFP. A wilderness management plan would be prepared for each wilderness area after designation by Congress.

The study areas are located in the Miles City District. The 44,500 acres Terry Badlands Unit is located two miles north of the town of Terry in Prairie County. the Musselshell Breaks are located on the east side of the Musselshell River in Garfield County and contains, 8,050 acres.

A number of issues were raised during public meetings on wilderness during 1979 and during MFP scoping meetings in 1980. Major issues include a concern that wilderness designation will interfere with or eliminate grazing on public lands. There is also the concern that wilderness designation will eliminate or heavily restrict the use of motor vehicles for grazing management, recreation use and minerals exploration. Economic issues include the concern that wilderness will decrease local private land values as well as the value of federal grazing leases for loan purposes.

In order to properly analyze and consider the issues, a multidisciplinary team will be used. Resource skills will include wildlife biology, outdoor recreation, soil science, hydrology, range management, minerals and geology, wilderness, lands, economics, and sociology.

The following criteria published in the December 19, 1980, **Federal Register**, Vol. 45, No. 246 (Draft Wilderness Study Policy), will be used in the planning process.

a. Requirements for areas recommended as suitable for wilderness designation.

b. Public comment.

c. Local and regional socioeconomic values.

d. Consistency with other plans.

e. Impacts on other resources.

f. Impacts on wilderness.

g. Evaluation of wilderness values.

h. Diversity of the National Wilderness Preservation System.

These criteria will be used to determine the level of analysis required for each issue, assist in formulating alternatives, identifying the preferred

alternative, and in estimating the effects of the alternatives.

Michael J. Penfold,

State Director.

[FR Doc. 81-20769 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-84-M

Arizona; Notice of Transfer of Public Lands To the State of Arizona

July 9, 1981.

Notice is hereby given that the lands described below will be transferred to the State of Arizona pursuant to the Colorado River Basin Salinity Control Act of June 24, 1974, 88 Stat. 269; 43 U.S.C. 1573(a)(2). This notice is a supplement to an earlier notice dated September 10, 1980, which identified 10,587.49 acres of land to be transferred to the State in compensation for lands taken for the Salinity Control Project. Some of the lands in this second notice were identified in the September 10, 1980 notice but have been included herein because they have been assigned new legal descriptions. An estimated 17,000 acres comprise the total lands to be transferred to the State.

Gila and Salt River Meridian, Arizona

Cibola Area, Yuma County

T. 1 N., R. 23 W.
Sec. 20, Lots 5 and 6;
Sec. 21, Lots 1, 2, 3, 4, NE¼SW¼, N½SE¼, SE¼SE¼;
Sec. 29, Lots 1, 2, 3, NE¼NE¼;
Sec. 30, Lot 5;
Sec. 31, Lots 2, 3, 4, 5, 6, 7, 8, S½NE¼, SE¼NW¼, E½SW¼, N½SE¼, SW¼SE¼;
Sec. 32, SW¼NE¼, S½NW¼, N½S½.
T. 1 N., R. 24 W.
Sec. 22, Lots 2 and 3;
Sec. 25, Lots 6, 7, 9, 11, 15, 16, 19, 20, E½SW¼, SW¼SE¼.

Comprising 1,449.585 acres.

Ehrenberg East Area, Yuma County

T. 3 N., R. 22 W.
Sec. 15, Lot 10.

Comprising 31.36 acres.

Ehrenberg South Area, Yuma County

T. 3 N., R. 22 W.
Sec. 15, Lot 15;
Sec. 21, Lots 1, 4, 5, 8, SE¼SE¼;
Sec. 22, Lots 2, 3, 4, 7, 8;
Sec. 27, Lots 2, 3, 6, 7;
Sec. 28, Lots 6, 9, 10, 13, E½NE¼;
Sec. 33, Lot 3;
Sec. 34, Lots 11, 12, 14,.

Comprising 584.42 acres.

South Yuma Mesa Area, Yuma County

T. 10 S., R. 23 W.
Sec. 6, Lots 4, 11, 14, 15, 16, 17, SW¼NW¼NE¼, SW¼NE¼NW¼, E½SW¼NW¼, W½SE¼NW¼, E½NW¼SW¼;
Sec. 7, Lots 5, 6, 8, 9, 10, 12, SW¼NE¼ NW¼, E½NW¼NW¼, NW¼SE¼ NW¼;
Sec. 17 S½N½N½, N½SW¼NE¼, E½SW¼SW¼NE¼, SE¼NE¼, N½NE¼SE¼NW¼, NW¼SE¼NW¼, SE¼SE¼NW¼, SW¼NW¼, S½;
Sec. 18, Lots 5, 6, 7, 8, 9, 11, SE¼NE¼NE¼, S½NW¼NE¼, S½NE¼, S½NE¼NW¼, SE¼NW¼NW¼, SE¼NW¼, NW¼NE¼SW¼, NW¼SE¼SW¼, E½SW¼SW¼, N½NE¼SW¼, SE¼NE¼SW¼, SE¼SW¼, SE¼;
Sec. 19 Lots 3, 4, 5, 6, 7, 8, E½, E½W½;
Sec. 21, NW¼;
Sec. 29, W½W½;
Sec. 30, Lots 1, 2, 5, 6, 8, 10, 12, 14, NE¼, E½NW¼, NE¼SW¼, N½SE¼, SE¼SE¼;
Sec. 31, Lots 5, 7;
Sec. 32, Lots 1, 3, 6, 7, 9, N½NE¼.
T. 10 S., R. 24 W.
Sec. 1, Lots 1, 2, S½NE¼, N½NW¼SE¼, E½SE¼;
Sec. 12, E½;
Sec. 13, E½NE¼, S½SW½, SE¼;
Sec. 14, S½SE¼;
Sec. 22, Lots 7, 9, 11, NE¼SE¼;
Sec. 23 NE¼, E½NE¼NW¼, E½NE¼NW¼NE¼NW¼, E½SW¼ NE¼NW¼, SE¼NW¼NE¼NW¼, NE¼SW¼NW¼, S½NW¼SW¼NW¼, S½SW¼NW¼, SE¼NW¼, S½;
Sec. 24, All;
Sec. 25, Lots 1, 3, 4, 6, 8, NE¼, N½NW¼;
Sec. 26, Lots 1, 2, 4, 7, 8, NE¼NE¼;
Sec. 27, Lot 1.

Comprising 5,941.49 acres.

The total of the four (4) areas is 8,006.855 acres.

This transfer is to compensate the State of Arizona for State lands acquired by the Bureau of Reclamation under the above cited authority. The acquisition of the State lands is to enhance and protect the quality of water available in the Colorado River for use in the United States and the Republic of Mexico, and to enable the United States to comply with its obligation under the agreement with the Republic of Mexico of August 30, 1973 (Minute No. 242 of the International Boundary and Water Commission, United States and Mexico).

The lands to be transferred to the State of Arizona will be subject to a reservation to the United States for rights-of-way for ditches and canals constructed by the authority of the United States pursuant to the Act of August 30, 1890; 26 Stat. 392; 43 U.S.C. 945; and will be subject to all existing rights-of-way or record and any other existing valid rights of record. The purpose of the notice is to allow any persons asserting a claim to the lands to file notice at the Bureau of Land Management, Arizona State Office, 2400 Valley Bank Center, Phoenix, Arizona 85073. Such claim must be filed within 30 days from date of first publication indicated below.

Note.—First publication: July 15, 1981. To be published once each week for three consecutive weeks in the Yuma Daily Sun & Sentinel.

Clair M. Whitlock,

State Director.

[FR Doc. 81-20817 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-84-M

Book Cliffs Known Recoverable Coal Resource Area of Carbon and Emery Counties, Utah; Coal Unsuitability Criteria; Meeting

July 9, 1981.

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meeting and public comment period.

SUMMARY: Notice is hereby given that the coal unsuitability criteria (43 CFR Part 3460) have been applied to unleased Federal coal lands in a portion of the Book Cliffs Known Recoverable Coal Resource Area (KRCRA) of Carbon and Emery Counties, Utah. A public comment on the preliminary unsuitability recommendations is provided during the period July 24 through August 24, 1981 with a public meeting on July 27, 1981. The public meeting will be in the Carbon County Courthouse, Price, Utah at 7:30 p.m.

The coal area being considered is within the Price River and Range Creek Planning Units of the Bureau of Land Management's Moab District.

CONTACT: Gene Nodine, District Manager, Bureau of Land Management, 125 West 2nd South, P.O. Box 970, Moab, Utah 84532; (801) 259-6111.

BACKGROUND: The Price River and Range Creek Planning Units lie within the Uinta-Southwestern Utah Coal Region. The next target date for coal leasing in this region is December 1983.

The unsuitability criteria were applied only to those unleased Federal coal lands which had been designated as having high or moderate potential for coal development. Of the 29,489 acres which have not been leased, 24,445 were subject to criteria application.

Coal reserves of the Book Cliffs KRCRA are amenable only to underground mining methods. Therefore, with the application of exceptions and exemptions to Criteria 2, 3, 4 and 11, the only land found unsuitable was 40 acres under Criterion 1. Criteria 12 and 14 were not applied due to a lack of data.

A draft brochure, which summarizes the preliminary unsuitability recommendations, is available to the public from the "contact" address above or at the Price River Resource Area Office, 900 North 700 East, Price, Utah 84501. Final Recommendations will be

presented in a brochure to be available about September 15, 1981. Individuals who wish to receive the final brochure should request same from the "contact" indicated above.

Kenneth V. Rhea,

Acting District Manager.

[FR Doc. 81-20631 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-84-M

Designation of Public Lands for Off-Road Vehicle Use; Correction

In FR DOC. 79-30478 appearing on page 56747 in the issue of Tuesday October 2, 1979, number 7 of the third column change "T 33 S., R 6 W." to read "T 35 S., R 6 W."

Dated: July 8, 1981.

Wayne A. Boden,

Acting District Manager.

[FR Doc. 81-20623 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-84-M

Notice of Intent to Prepare Egan Resource Management Plan

AGENCY: Bureau of Land Management, Interior.

ACTION: Notification of Intent to prepare the Egan Resource Management Plan.

SUMMARY: The Ely District, Bureau of Land Management will be preparing a Resource Management Plan for the 3,800,000 acres public land in the Egan Resource Area. The Egan Resource Area is located in portions of White Pine, Nye and Lincoln Counties in east-central Nevada. The public is invited to participate.

This planning effort will follow the Resource Management Planning Process. The regulations for the planning system appear in Title 43 Part 1600 of the Code of Federal Regulations (43 Part CFR 1600). Of special note is the fact that a plan developed under this planning process will incorporate its Environmental Impact Statement.

The *Egan Resource Management Plan* will be a comprehensive land-use plan. It will identify allowable resource uses, areas of critical environmental concern, resource goals, program constraints, and the management practices needed to achieve these goals. The preliminary range of alternatives to be examined will span from no action, to resource protection to resource development. The final range of alternatives will be developed starting in July of 1982. The plan is scheduled to be completed by November of 1983.

The first step is the planning process will be the development of problems and issues affecting the Egan Resource Area. The issue identification phase will focus the direction of the *Egan Resource Management Plan.* The Ely District anticipates that the resources subject to planning will be Recreation, Range Management, Fire Management, Energy Development, Mining, Wild Horses, Forestry, and the Protection of Endangered Plants, Animals and Unique Areas of Natural History (this list is not inclusive). A brochure titled "Identifying Problems and Issues Affecting the Egan Resource Area" is available, and may be obtained by contacting the Ely District Office at the address below.

Disciplines represented on the Egan Interdisciplinary Planning Team will be Economics, Forestry, Range Management, Geology, Recreation, Wilderness, Cultural Resources, Fire Management, Engineering, Wildlife Realty, Sociology, Visual-Resources, Natural History, Wild Horses, and Watershed.

As dates for public participation events are scheduled, notices will be mailed to persons on the Egan Resource Management Plan mailing list. Other notices will be placed in the local news media and radio station. Interested persons wishing to participate in the planning process should contact the Ely District Office.

FOR FURTHER INFORMATION CONTACT: Mr. Mark Goeden, Acting Manager, Egan Resource Area, Ely District Office, Star Route 5, Box 1, Ely, Nevada 89301 (702/289-4865).

Date signed: July 9, 1981.

George W. Cropper,

Acting District Manager.

[FR Doc. 81-20630 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-84-M

Oil and Gas Lease Sale in National Petroleum Reserve—Alaska

The Bureau of Land Management announces December 16, 1981 at Fairbanks, Alaska, as the date and place of the first oil and gas lease sale of lands in the National Petroleum Reserve in Alaska. Pursuant to Pub. L. 96-514, the Department of the Interior's Fiscal Year 1981 Appropriations Act, as amended, authorization was given to lease for oil and gas within the National Petroleum Reserve in Alaska, formerly the Naval Petroleum Reserve #4. The Appropriations Act specified that the lands will be leased by competitive procedures. The recommended 1.5 million acres to be offered in the first sale will be identified October 1 in conjunction with release of the final Environmental Assessment. The notice of sale, which will finalize the 1.5 million acres to be offered, will be posted in November. Specific sale and lease procedures also will be announced later.

Curtis V. McVee,

State Director—Alaska.

[FR Doc. 81-20628 Filed 7-15-81; 8:45 am]

BILLING CODE 4311-84-M

Rangeland Management Policy Statement; Availability for Review and Comment

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Proposed Rangeland Management Policy Statement Available for Review and Comment.

SUMMARY: The Bureau of Land Management proposes to revise its policy for managing livestock use on the public rangelands through the grazing environmental impact statement process. This proposed policy statement is the result of a review of the existing rangeland management policy and the development of a selective management category approach to the preparation of grazing environmental impact statements. The intent of the proposed policy is to make the Bureau of Land Management's program for regulating livestock use on the public rangelands more efficient and cost effective. It was designed to comply with the existing court schedule for completion of grazing environmental impact statements and to establish priorities for the investment of appropriated funds and available management capabilities.

DATE: Comments must be received on or before September 4, 1981.

ADDRESS: Comments should be addressed to: Director (220), Bureau of Land Management, 18th and C Streets, NW., Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Paul Leonard, Chief, Division of Rangeland Management, (202) 343-5841.

SUPPLEMENTARY INFORMATION: The proposed rangeland management policy is part of the continuing effort by the Bureau of Land Management to develop and refine a rangeland management program which is both realistic in terms of its funding and management capabilities and responsive to the changing needs of the rangeland resources and their users.

Through implementation of the proposed policy, the Bureau of Land Management would prepare grazing environmental impact statements based on the grouping of allotments into

management categories according to similar resource, economic, and social criteria. Criteria for grouping allotments would be developed through preplanning and scoping meetings at the District level, approved by the Bureau State Director, and made available for public comment before being applied. Other provisions of the proposed policy would affect the Bureau's current inventory program and its strategy for reaching land-use and grazing management decisions. Briefly, the Bureau would no longer conduct vegetation production inventories and propose forage allocations prior to the development of a land-use plan and the associated environmental impact statement. The Bureau would collect general soil mapping and ecological range site data of sufficient detail to arrive at estimated production potential and range condition of allotments. Those data would be used during the planning/environmental impact statement process to group allotments within an environmental impact statement area into management categories and to determine land-use allocations and resource objectives. After the environmental impact statement and land-use plan were made final, the Bureau would conduct production inventories or monitoring studies on those allotments where adjustments in grazing may be necessary. That information would be the basis for grazing use decisions. Grazing use decisions would be issued by management category and as the information necessary to make and support those decisions was collected.

The Bureau of Land Management would continue to reach land-use and grazing management decisions through a rational planning and decisionmaking process. Public involvement in all stages of the process would be encouraged to make full use of the knowledge and experience of those involved or interested in proper management of the rangelands for multiple use and sustained yield.

Copies of the proposed rangeland management policy statement are available from the Director (220), Bureau of Land Management, 18th and C Streets, NW., Washington, D.C. 20240, and from Bureau's State and District Offices.

Dated: July 13, 1981.

Robert F. Burford,

Director, Bureau of Land Management.

[FR Doc. 81-20834 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-84-M

Realty Action; Recreation and Public Purpose Lease on Public Lands Near Black Rapids, Alaska

The following described lands have been identified as suitable for lease under the Recreation and Public Purposes Act of June 14, 1926 (43 U.S.C. 869, et seq.), as amended.

Legal Description and Acreage

E½E½NW¼SW¼NW¼ and W½W½ NE¼SW¼NW¼. Section 25, T17S R10E, Fairbanks Meridian—5.0+

The subject lands are intended to be leased to the State of Alaska, Department of Transportation and Public Facilities for a sanitary landfill in the Black Rapids area. The sanitary landfill will be open to the public and will be maintained by the Department of Transportation and Public Facilities. The lease has been discussed with the State of Alaska, Department of Environmental Conservation and a permit has been issued. The public interest would be served by leasing this land for a sanitary landfill.

The terms and conditions of the lease are:

The lease would be issued for 15 years, with a minimal annual rental of $10.00.

The sanitary landfill will exclude the Trans-Alaska Pipeline System right-of-way.

The access road corridor to the landfill will be 50 feet wide (25' of centerline) and will exclude any portion of the Trans-Alaska Pipeline System right-of-way, except at the agreed upon crossing.

The entrance of the access road to the sanitary landfill will be posted for the public use and benefit.

The lessee will adhere to all stipulations attached to the land report, and the terms and conditions of 43 CFR 2912.1-1 and 2912.4-1.

Copies of the Environmental Assessment (EAO-105), land report, and construction stipulations can be viewed at the BLM Fairbanks District Office on Fort Wainwright.

For a period of 30 days from the date of last publication of this notice, interested parties may submit comments to the District Manager, Bureau of Land Management, P.O. Box 1150, Fairbanks, Alaska 99707. Any adverse comments will be evaluated by the District Manager who may vacate or modify this realty action and issue a final determination. In the absence of any action by the District Manager, this realty action will become the final determination of the Bureau.

Carl D. Johnson,

District Manager.

[FR Doc. 81-20819 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-84-M

[Serial Number A-17000(b)]

Arizona; Notice of Classification of Public Lands for State Indemnity Selection

1. The Arizona State Land Department has filed a petition for classification and application to acquire the lands described in paragraph 5 below, under the provisions of the Act of June 20, 1910 (36 Stat. 557), as amended, in lieu of certain school lands that were encumbered by other rights or reservations before the State's title could attach. This application has been assigned the serial number A-17000(b).

2. The Bureau of Land Management will examine these lands for evidence of prior valid rights or other statutory constraints that would bar transfer. Those lands found suitable for transfer will be held to be classified September 14, 1981. Classification is pursuant to Title 43 Code of Federal Regulations, Subpart 2400 and Section 7 of the Act of June 28, 1934.

3. Information concerning these lands and the proposed transfer to the State of Arizona may be obtained from the District Managers, Yuma District Office, Bureau of Land Management, 2450 Fourth Avenue, Yuma, Arizona 85364 (602-726-6300) and Phoenix District Office, Bureau of Land Management, 2929 West Clarendon Avenue, Phoenix Arizona 85017 (602-241-2854).

4. On or before September 14, 1981, all persons who wish to submit comments on the above classification may present their views in writing to the Phoenix District Manager, Bureau of Land Management, 2929 West Clarendon Avenue, Phoenix, Arizona 85017. As provided by Title 43 Code of Federal Regulations, Subpart 2462.1, a public hearing will be scheduled by either District Manager if he determines that sufficient public interest exists to warrant the time and expense of a hearing.

5. The lands included in the proposed classification are located in Yuma County, Arizona and are described as follows: (footnotes correspond to numbered authorized users or applicants listed in Paragraph 6).

Gila and Salt River Meridian, Arizona

Application A-17000(b)

T. 6 N., R. 19 W.,

Sec. 1, Lots 1–8, S½N½, S½; (5)
Sec. 4, Lots 1–8, S½N½, S½; (5)
Sec. 5, Lots 1–8, S½N½, S½; (5)
Sec. 6, Lots 1–11, S½NE¼, SE¼NW¼, E½SW¼, SE¼; (5)
Sec. 7, Lots 1–4, E½W½, E½; (5)
Sec. 8, All; (5)
Sec. 9, All; (5)
Sec. 12, All. (5)

T. 7 N., R. 19 W.,
Sec. 3, Lot 1, SE¼NE¼, E½SE¼; (1), (2), (3), (5), (9)
Sec. 10, E½E½; (1), (2), (3), (5), (9)
Sec. 15, All; (1), (2), (3), (5), (9)
Sec. 17, All; (5), (9)
Sec. 18, Lots 1, 2, 3, 4, E½SW¼, E½; (5), (7)
Sec. 19, Lots 1, 2, 3, 4, E½W½, E½; (5), (7)
Sec. 20, All; (5), (9)
Sec. 21, All; (5)
Sec. 24, All; (5), (9)
Sec. 25, All; (5), (9)
Sec. 28, All; (5)
Sec. 29, All; (5), (11)
Sec. 30, Lots 1, 2, 3, 4, E½W½, E½; (5)
Sec. 31, Lots 1, 2, 3, 4, E½W½, E½; (5)
Sec. 32, All; (5)
Sec. 33, All; (5)
Sec. 36, All; (5), (11)

T. 8 N., R. 19 W.,
Sec. 2, Lots 1, 2, 3, 4, S½N½, N½SW¼, NW¼SE¼; (3), (5)
Sec. 3, Lots 1, 2, 3, 4, S½N½, S½; (5), (6), (10)
Sec. 4, Lots 6, 7, 8; (5), (6)
Sec. 9, Lots 4, 5, 6, 7, SW¼SE¼, E½E½; (5), (6), (10)
Sec. 10, All; (5), (9)
Sec. 11, All; (3), (5), (9)
Sec. 14, All; (3), (5), (9)
Sec. 15, All; (5), (9)
Sec. 20, Lots 5, 6, 7; (4), (5), (6)
Sec. 21, Lot 1, SW¼NW¼, W½SW¼, E½W½, E½; (4), (5), (6), (10)
Sec. 22, All; (5), (9)
Sec. 23, All; (3), (5), (9)
Sec. 26, All; (3), (4), (5), (9)
Sec. 27, All; (3), (4), (5), (9)
Sec. 28, N½, N½NE¼SW¼, N½SE¼, NE¼SW¼SE¼, N½SE¼SE¼, SE¼SE¼SE¼; (4), (5), (10)
Sec. 34, E½E½, NW¼NE¼, N½SW¼SW¼NE¼, N½SW¼NE¼, N½SE¼SW¼NE¼, NE¼NW¼, E½E½NW¼NW¼, W½NE¼NW¼NW¼; (1), (2), (3), (5), (8), (9)
Sec. 35, All; (4), (5), (10)

The total acreage described above in application A–17000(b) is approximately 23,650.04 acres of public land.

6. The following listed corporations and individuals are holders of or applicants for leases, permits, and/or rights-of-way on the public lands described in Paragraph 5 above:

References

Rights-of-Way

(1) Arizona Public Service, P.O. Box 21666, Station 3172, Phoenix, AZ 85036 AR–05991, AR–10121.

(2) Arizona Department of Transportation, 205 South 17th Avenue, Phoenix, AZ 85007, PHX–063964, AR–033720.

(3) Bureau of Reclamation, Arizona Project Office, 201 N. Central Ave. Phoenix, AZ 85073, PHX–086406, AR–05944, A–7316.

(4) Atchison-Topeka & Santa Fe R.R., Santa Fe Railway Company, 80 E. Jackson Blvd., Room 235, Chicago, Il 60604, PHX–086665.

Grazing Lessee

(5) Keith W. Pierson, Route 1, Box 178, Blythe, CA 92225.

Range Improvements

(6) Res. Boundary Fence, #0971.
(7) Res. Boundary Fence, #1781.
(8) Highway Junction Well, #1841.

Oil and Gas Leases and Applications

(9) Mormac Oil & Gas, Suite 100, Mormac Building, 321 Texan Trail, Corpus Christi, TX 78411, A–11139, A–11265, A–11266, A–11267.

Tipparary Oil and Gas Corp., Box 3179, Midland, TX 79712, A–11268, A–11290, A–11291.

(10) J. Charles Hollimon, Suite 620, 909 N-E. Loop 410, San Antonio, TX 78209, A–15362.

(11) James M. Chudnow, 1516 W. Bryn Mawr, Chicago, IL 60660, A–16802 (Apln).

7. Right-of-way granted by BLM will transfer with the land. Oil and gas leases will remain in effect under the terms and conditions of the lease. State law and Land Department procedures (R 12–5–154 D Administrative Rules and Regulations, Arizona State Land Department) provide for the offering to holders of BLM grazing permits the first right to lease lands that are transferred to the State. This constitutes official notice to grazing lessees that their Bureau of Land Management leases will be terminated in part upon transfer of the land to the State of Arizona.

Dated: July 6, 1981.

H. M. Bruce,

District Manager.

[FR Doc. 81–20750 Filed 7–15–81; 8:45 am]

BILLING CODE 4310–84–M

[Serial No. A–17000(c)]

Arizona; Notice of Classification of Public Lands for State Indemnity Selection

1. The Arizona State Land Department has filed a petition for classification and application to acquire the lands described in paragraph 5 below, under the provisions of the Act of June 20, 1910 (36 Stat. 557), as amended, in lieu of certain school lands that were encumbered by other rights or reservations before the State's title could attach. This application has been assigned the serial number A–17000(c).

2. The Bureau of Land Management will examine these lands for evidence of prior valid rights or other statutory constraints that would bar transfer. Those lands found suitable for transfer will be held to be classified September 14, 1981. Classification is pursuant to Title 43 Code of Federal Regulations, Subpart 2400 and Section 7 of the Act of June 28, 1934.

3. Information concerning these lands and the proposed transfer to the State of Arizona may be obtained from the District Manager, Phoenix District Office, Bureau of Land Management, 2929 West Clarendon Avenue, Phoenix, Arizona 85017 (602–241–2854).

4. On or before September 14, 1981, all persons who wish to submit comments on the above classification may present their views in writing for consideration to the Phoenix District Manager, Bureau of Land Management, 2929 West Clarendon Avenue, Phoenix, Arizona 85017. As provided by Title 43 Code of Federal Regulations, Subpart 2462.1, a public hearing will be scheduled by the District Manager if he determines that sufficient public interest exists to warrant the time and expense of a hearing.

5. The lands included in this classification are located in Maricopa and Yavapai Counties, Arizona and are descried as follows: (footnotes correspond to numbered authorized users or applicants listed in Paragraph 6).

Gila and Salt River Meridian, Arizona

Application A–17000(c)

T. 6 N., R. 4 W.,
Sec. 11, NE¼, NE¼NW¼, NE¼SE¼; (1), (5), (28)
Sec. 12, NW¼, E½SE¼, (5), (26), (28)

T. 7 N., R. 4 W.,
Sec. 3, Lots 3, 4, SW¼NW¼, NW¼SW¼, N½N½SW¼SW¼; (6), (27), (28)
Sec. 4, Lots 1, 2, 3, 4, S½N½, S½; (6), (27)
Sec. 5, Lots 1, 2, 3, S½NE¼, SE¼NW¼, E½SW¼NW¼, NE¼SW¼, S½SW¼, S½NW¼SW¼, SE¼; (6), (15), (27)
Sec. 7, E½NE¼, NE¼SE¼; (6)
Sec. 8, All; (6), (28)
Sec. 9, W½SW¼; (6), (26), (28)
Sec. 20, NW¼NE¼, SE¼NE¼; (6)
Sec. 21, W½SW¼, W½NE¼SW¼, NW¼SE¼SW¼, (1), (2), (6), (25)

T. 7 N., R. 5 W.,
Sec. 5, Lots 5, 6, 7, (7), (12)

T. 8 N., R. 4 W.,
Sec. 19, S½S½ Lot 1, Lots 2, 3, 4, SE¼NW¼, SW¼NE¼, S½SE¼NE¼, E½SW¼, SE¼; (8)
Sec. 20, W½SW¼NW¼, W½E½SW¼NW¼, W½SW¼, SE¼SW¼, S½NE¼SW¼, NW¼NW¼NE¼SW¼, S½NW½NE¼SW¼, SE¼SE¼NW¼NE¼, S½S½NE¼NE¼, E½E½SW¼NE¼, W½SE¼NE¼, NE¼SE¼NE¼, W½E½SE¼, SW¼SE¼, S½NW¼SE¼, E½NE¼NW¼SE¼; (8), (28)
Sec. 21, N½N½, N½S½NW¼, N½SW¼NE¼, W½NW¼SE¼NE¼, E½SE¼SE¼, S½SE¼NE½SE¼; (8), (28)
Sec. 22, S½S½NW¼SW¼, SW¼SW¼, E½SW¼, S½S½SE¼NW¼,

S½S½SW¼NE¼, S½SW¼SE¼NE¼, E½SE¼NE¼, SE¼NE¼NE¼, S½NE¼NE¼NE¼, SE¼; (8), (28)
Sec. 23, S½NW¼NW¼NW¼, S½NW¼NW¼, NE¼NW¼NW¼, NE¼NW¼, S½NW¼, SW¼, E½; (8), (9), (13), (14), (28)
Sec. 24, SW¼, W½SE¼, W½NE¼SE¼, W½SE¼SE¼; (9), (13), (28)
Sec. 25, NW¼, NW¼SW¼, NW¼NE¼, NW¼NE¼NE¼; (8), (15), (28)
Sec. 26, N½, N½S½, SW¼SW¼ Less PMS 4264, SE¼SW¼, SW¼SE¼, N½SE¼SE¼ (8), (14), (15), (17)
Sec. 27, All less PMS 4264; (8), (16), (23), (24), (28)
Sec. 28, All; (8), (16), (22), (28)
Sec. 29, All; (8), (28)
Sec. 30, Lots 1–6, NE¼, E½NW¼, NE¼SW¼, N½SE¼, SE¼SE¼; (8), (19), (21)
Sec. 33, NW¼NE¼NE¼NE¼, W½E½NE¼, W½NE¼, NW¼; (8), (15)
Sec. 34, N½NE¼NE¼, N½SW¼NE¼NE¼, SW¼SW¼NE¼NE¼, E½E½NW¼NE¼, NW¼NE¼NW¼NE¼, N½NW¼NW¼NE¼, N½NE¼NE¼NW¼. (8), (15), (20)

T. 8 N., R. 5 W.,
Sec. 23, E½E½; (10), (11), (28)
Sec. 24, Lots 2, 3, 4, 5, SW¼NE¼, NW¼NW¼, S½NW¼, SW¼, W½SE¼; (1), (3), (8), (10), (11), (28), (29)
Sec. 25, Lot 1, 2, 3, 4, W½E½, W½; (1), (2), (11), (28)
Sec. 26, NE¼NE¼, NE¼SE¼. (4), (11), (18), (28)

The total acreage described above in application A–17000(c) is approximately 10,421.10 acres of public land.

6. The following listed corporations and individuals are holders of or applicants for leases, permits, and/or right-of-way on the pubic lands described in Paragraph 5 above:

References

Rights-of-Way

(1) Mountain States Telephone & Telegraph Company, R/W Department, 3033 North 3rd Street, Room 806–A, Phoenix, AZ 85012, AR–034626, A–4441.
(2) Arizona Public Service, P.O. Box 21666, Station 3172, Phoenix, AZ 85036, AR–07526, AR–030524.
(3) Romanus LaMont, Box F–3, Wickenburg, AZ 85358, A–11923.
(4) William Bunney, et al., 10331 Coggins Drive, c/o Norris and Case P.C., Sun City, AZ 85351, A–10196.

Grazing Leases

(5) Joseph J. Pike, Route 1, Box 274, Redwood Valley, CA 95470.
(6) Gregg & Dee Ann Gibbons, Ten X Ranch, P.O. Box 397, Rillito, AZ 85246.
(7) Harold & Jean Butz James, Route 5, Box 831, Prescott, AZ 86301.
(8) Robert K. and Elizabeth S. Park, Box 1108, Wickenburg, AZ 85358.
(9) Starcrest, Inc., c/o Stanleigh Megargee, P.O. Box 1237, Wickenburg, AZ 85358.
(10) Harold C. Heine, P.O. Box 1491, Wickenburg, AZ 85358.
(11) Harold F. Park, Diamond P. Ranch, Wickenburg, AZ 85358.

Range Improvements

(12) Fence, #G–C–78.
(13) Fence, #0671.
(14) Fence, #0790.
(15) Fence, #0933.
(16) Pipeline, Trough, #1050.
(17) Fence, #1692.
(18) Corral, Pipeline, Trough, #1767.
(19) Reservoir, #1999.
(20) Fence, #2011.
(21) Corral, #2171.
(22) Corral, #2407.
(23) Well, Pipeline, Windmill, #4149.
(24) Exclosure, #4591.

Oil and Gas Leases and Applications

(25) Pioneer Production Corp., P.O. Box 2542, Amarillo, TX 79189, A–14542.
(26) Irex Overthrust Acreage Partners, 1670 Broadway, Suite 3301, Denver, CO 80202, A–14743, A–14954.
(27) Energy Reserves Group, P.O. Box 1407, Denver, CO 80201, A–15015.
(28) Vernon Taylor III, 1670 Denver Club Building, Denver, CO 80202, A–15433, A–15438, A–15441, A–15442, A–15443.
(29) Patrick Petroleum Corp. of Michigan, 950 17th Street, Suite 1655, Denver, CO 85202, A–15544.

7. Rights-of-way granted by BLM will transfer with the land. Oil and gas leases will remain in effect under the terms and conditions of the lease. State law and Land Department procedures (R 12–5–154 D Administrative Rules and Regulations, Arizona State Land Department) provide for the offering to holders of BLM grazing permits the first right to lease lands that are transferred to the State. This constitutes official notice to grazing lessees that their Bureau of Land Management leases will be terminated in part upon transfer of the land to the State of Arizona.

Dated: July 8, 1981.

William K. Barker,

District Manager.

[FR Doc. 81-20781 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-84-M

[Colorado 31716]

Colorado: Realty Action Noncompetitive Sale of Public Lands in Garfield County

July 7, 1981.

The following described land has been examined and identified as suitable for diaposal by sale under section 203 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2750, 43 U.S.C. 1713), at no less than the appraised fair market value ($20,000).

Sixth Principal Meridian,

T. 7 S., R. 88 W.,
Sec. 28, Lot 19.

The tract described contains 1.25 acres in Garfield County.

The sale of this land will be held on approximately the 15th day of September, 1981. The lands are being offered as a direct, non-competitive sale to Mr. Ralph Hubbell, the owner of the adjoining tract and improvements on the sale tract, who unintentionally occupied and developed the tract as a full-time rural residence site under the mistaken belief that the area occupied was a part of a private land parcel he purchased. Disposal by direct sale to Mr. Hubbell rather than by public auction, will legalize his occupancy of the parcel, preserve his residence site, protect his equity investment in his home and other improvements on the land and avoid an undue hardship if he were required to remove or dispose of his improvements. Sale will resolve an unauthorized use.

The described parcel is part of a public land tract. It is bounded on the north by Colorado State Highway 82 and the approved right-of-way therefor, which effectively separates it from practical uses with the public lands north of the highway. The parcel has not been used, and is not suitable for, nor needed for management by another Federal department or agency. Disposal would best serve the public interest. The sale will be consistent with the Bureau of Land Management's planning for the lands. Disposal would have no adverse impact on local planning and zoning. The Garfield County Commissioners have not objected to sale of the land.

The terms and conditions applicable to the sale are:

1. The patent will include a reservation of a right-of-way for ditches and canals constructed by the authority of the United States in accordance with 43 U.S.C. 945.

2. All mineral rights will be reserved to the United States.

3. The sale of this land will be subject to all valid existing rights, including the right-of-way for Colorado State Highway 82 as approved by Bureau of Land Management decision under Serial No. Colorado 16822.

4. The sale of the land will be subject to a provision guaranteeing a continuation of access across the northeast corner of Lot 19 to adjacent private lands to the east. This can be done by an agreement between Mr. Hubbell and the adjacent landowner, or by a reservation in the patent.

Detailed information concerning the sale, including environmental assessment report and land report, is available for review at the Bureau of Land Management, Glenwood Springs Resource Area Office, P.O. Box 1009,

50629 Highways 6 & 24, Glenwood Springs, Colorado 81601.

For a period of 45 days from date of this notice, interested parties may submit comments to the State Director, (930), Bureau of Land Management, 2000 Arapahoe Street, Denver, Colorado 80205. Any adverse comments will be evaluated by the State Director who may vacate or modify this realty action and issue a final determination. In the absence of any action by the State Director, this realty action will become the final determination of the Department of the Interior.

George C. Francis

State Director.

[FR Doc. 81-20758 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-84-M

Office of the Secretary

Commission on Fiscal Accountability of the Nation's Energy Resources

This notice is published in accordance with Section 9(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463). Following consultation with the General Services Administration, notice is hereby given that the Secretary of the Interior is establishing a Commission on Fiscal Accountability of the Nation's Energy Resources.

The purpose of the Commission will be to advise the Secretary concerning the accountability for mineral related revenues generated from Federal and Indian lands.

To complete its mission the Commission will:

(a) Examine the allegations of waste and loss in mineral royalty revenues due the Federal government, States, Indian tribes, and allottees;

(b) Evaluate past, present, and planned efforts to improve the Department's royalty management system; and

(c) Recommend improvements in the internal controls of the royalty management program.

Further information regarding the Committee may be obtained from a member of the Office of Financial Management, Department of the Interior, 343-4701.

The certification of establishment is published below.

Certification

I hereby certify that the Commission on Fiscal Accountability of the Nation's Energy Resources is in the public interest in connection with the performance of duties imposed on the Department of the Interior by 43 U.S.C. 1457, the Minerals Leasing Act of 1920 (30 U.S.C. 191, 30 U.S.C. 226) and the Outer Continental Shelf Lands Act, as amended (43 U.S.C. 1337, 1338).

Dated: July 10, 1981.

James G. Watt,

Secretary of the Interior.

[FR Doc. 81-20796 Filed 7-15-81; 8:45 am]

BILLING CODE 4310-10-M

INTERSTATE COMMERCE COMMISSION

Motor Carrier; 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** 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 statues 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 a public need for the proposed operations and that it 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. This presumption shall not be deemed to exist where the application is opposed. 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.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Please direct status inquiries to the Ombudsman's Office, (202) 275-7326.

Volume No. OPY-3-116

Decided: July 10, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams. (Member Williams not participating.)

MC 156815, filed June 29, 1981. Applicant: WESTERN REFRIGERATED EXPRESS, 3804 NE Highcrest Rd, #306, Minneapolis, MN 55421. Representative: Glenn L. Christensen (same address as applicant), (612) 788-1431. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizer, and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S.

MC 156854, filed June 30, 1981. Applicant: ARTHUR L. ROCHE, d.b.a. SHAMROCK SALES, 2000 Santa Cruz, Anaheim, CA 92805. Representative: (same as applicant) (714) 634-1230. As a *broker* of *general comodities* (except household goods), between points in the U.S.

Volume No. OPY-3-119

Decided: July 9, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 153724, filed June 5, 1981. Applicant: BUFFALO DOWNTOWN DUMP TRUCK SERVICE & SUPPLIES, INC., 113 Gillette Ave., Buffalo, NY 14214. Representative: Paul Harrison (same address as applicant) (716) 886–0237. (A) As a *broker* of *general commodities* (except household goods), and (B) transporting, (1) for or on behalf of the U.S. Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), (2) *shipments weighing 100 pounds* or less if transported in a motor vehicle in which no one package exceeds 100 pounds, (3) *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizer, and other soil conditioners* by the owner of the motor vehicle in such vehicle, and (4) *used household goods* for the account of the U.S. Government incident to the performance of a pack-and-crate service on behalf of the Department of Defense, between points in the U.S.

Volume No. OPI–200

Decided: July 8, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler and Fortier. (Member Parker participating in part.)

MC 154460 (Sub-1), filed June 16, 1981. Applicant: Q CARRIERS, INC., 14086 Rutgers Street, N.E., Prior Lake, MN 55372. Representative: Randall D. Quiring (same address as applicant), (612) 445–8718. 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 156731, filed June 22, 1981. Applicant: NATIONAL FREIGHT, INC., 1506 14th Ave., S.W., Decatur, AL 35601. Representative: John R. Frawley, Jr., Suite 200, 120 Summit Pkwy., Birmingham, AL 35209, (205) 942–9116. As a *broker* of *general commodities* (except household goods), between points in the U.S.

MC 156750, filed June 22, 1981. Applicant: SEYMOUR KAPLAN, 7637 Leesburg Pike, Falls Church, VA 22043. Representative: Wayne Hartke (same address as applicant) (703) 734–2810. As a *broker of general commodities* (except houshold goods), between points in the U.S.

MC 156760, filed June 22, 1981. Applicant: ALVIN A. STEGMAN d.b.a. STEGMAN TRUCKING COMPANY, Box 485, Bucklin, KS 67834. Representative: John E. Jandera, P.O. Box 1979, Topeka, KS 66601, (913) 234–0565. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverges 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 156811, filed June 26, 1981. Applicant: RUSSELL H. OSTERHOUT, d.b.a. PACIFIC FREIGHT SERVICES, 13824 Wayland Grove Ct., Poway, CA 92064. Representative: William R. Daly, 4340 Vandever Ave., Suite S, P.O. Box 20521, San Diego, CA 92120, (714) 282–7337. As a *broker* of *general commodities* (except household goods) between points in the U.S.

MC 156820, filed June 26, 1981. Applicant: SOUTHEASTERN MICHIGAN BROKERAGE COMPANY, 559 N. Cedar Street, Imlay City, MI 48444. Representative: Douglas John Kazal (same address as applicant), (313) 724–6402. As a *broker* of *general commodities* (except household goods), between points in the U.S.

MC 156870, filed June 29, 1981. Applicant: JOSEPH BOYKO, 1505 Cedar Ave., Scranton, PA 18505. Representative: Joseph Boyko (same address as applicant), (717) 342–9354. 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–4–250

Decided: July 9, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams. (Member Williams not participating.)

MC 152056 (Sub-4), filed June 30, 1981. Applicant: RHETT BUTLER TRUCKING, INC., Rt. 6, Box 83, Andalusia, AL 36420. Representative: Gerald D. Colvin, Jr., 603 Frank Nelson Bldg., Birmingham, AL 35203, (205) 251–2881. As a broker of *general commodities* (except household goods), between points in the U.S.

Volume No. OPY–4–255

Decided: July 9, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams. (Member Williams not participating.)

MC 156937, filed June 24, 1981. Applicant: J. P. MCGRENRA, d.b.a. LOUGHLIN'S LONG HAUL, 1123 Stratford Ave., Melrose Park, PA 19126. Representative: J. P. McGrenra (same address as applicant), (215) 635–0992. 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–4–256

Decided: July 9, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams. (Member Williams not participating.)

MC 154987, filed March 20, 1981, and previously noticed in the **Federal Register.** Issue of April 14, 1981, and republished this issue. Applicant: KEY MOVING & STORAGE, INC., 2312 Lapeer Road, Flint, MI 48503. Representative: Robert H. Reiss, 12714 Joseph Dr., Grand Blanc, MI 48439, (313) 233–5641. 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), (2) *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, (3) *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, (4) *used household goods* for the account of the United States Government incident to the performance of a pack-and-crate service on behalf of the Department of Defense, and (5) as a *broker of general commodities* (except household goods), between points in the U.S.

Note.—The purpose of this republication is to correctly reflect the commodity description.

[FR Doc 81–20807 Filed 7–15–81; 8:45 am]

BILLING CODE 7035–01–M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Decided: July 9, 1981.

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the **Federal Register** of December 31, 1980, at 45 FR 86771. For compliance procedures, refer

to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

FINDINGS:

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated a public need for the proposed operations and that it 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. This presumption shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board No. 2, Members Carleton, Fisher and Williams. (Williams not participating.)

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Please direct status inquiries to the Ombudsman's Office, (202) 275–7326.

Volume No. OPY–4–251

MC 148866 (Sub-4), filed June 29, 1981. Applicant: GILBERT F. & RAYMOND L. GUSTAFSON d.b.a. G & R GUSTAFSON TRANSPORT, 102 No. Giffin St., Grant Park, IL 60940. Representative: Abraham A. Diamond, 29 So. LaSalle St., Chicago, IL 60603 (312) 236–0548. Transporting (1) *rubber and plastic products*, (2) *pulp, paper and related products*, and (3) *printed matter*, between points in Cook, Will, and Kankakee Counties, IL, Cumberland and Morris Counties, NJ, Morgan County, GA, and Tulare County, CA, on the one hand, and, on the other, points in the U.S.

MC 152706 (Sub-3), filed July 1, 1981. Applicant: MIDWEST OIL TRANSIT, INC., 4902 W. 86th St., P.O. Box 68123, Indianapolis, IN 46268. Representative: Robert B. Hebert, 777 Chamber of Commerce Bldg., 320 No. Meridian St., Indianapolis, IN 46204 (317) 639–4511. Transporting *petroleum and coal products*, between Indianapolis, IN, on the one hand, and, on the other, Chicago, IL, St. Louis, MO, Cincinnati, OH, Louisville, KY, and points in Allen County, OH.

MC 155016, filed June 30, 1981. Applicant: BRANDON CLEMENTS, d.b.a. BRANDON CLEMENTS TRUCKING CO., P.O. Box 797, Waverly, VA 23890. Representative: Carroll B. Jackson, 1810 Vincennes Rd., Richmond, VA 23229 (804) 282–3809. Transporting (1) *building materials*, and (2) *lumber and wood products*, between points in the U.S., under continuing contract(s) with Commonwealth Wood Preservers, Inc., of Newport News, VA.

MC 155136, filed June 26, 1981. Applicant: RED TRAIL TRANSPORT, INC., Box 997, Beach, ND 58621. Representative: Charles E. Johnson, P.O. Box 2578, Bismark, ND 58502 (701) 258–8550. Transporting *Mercer commodities*, between points in ND, SD, MT, WY, CO, UT, KS, NE, OK, NM, LA, and TX.

MC 156876, filed June 30, 1981. Applicant: VLM TRUCKING, INC., 35 Scudder St., Garfield, NJ 07026. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934 (201) 435–7140. Transporting *clay, concrete, glass, or stone products*, between points in Bergen County, NJ, on the one hand, and, on the other, points in McKean County, PA.

Volume No. OPY–4–252

MC 76266 (Sub-150), filed June 26, 1981. Applicant: ADMIRAL-MERCHANTS MOTOR FREIGHT, INC., 215 So. 11th St., Minneapolis, MN 55403. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118 (612) 457–6889. Transporting *metal products*, between the facilities of Anaconda Ericsson Inc. at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 113666 (Sub-197), filed June 30, 1981. Applicant: FREEPORT TRANSPORT, INC., P.O. Drawer A, Freeport, PA 16229. Representative: R. Scott Mahood (same address as applicant) (412) 295–2181. Transporting *metal and metal products*, between points in the U.S.

MC 139126 (Sub-2), filed June 30, 1981. Applicant: SOUTHERN CALIFORNIA MOTOR DELIVERY, INC., 633 So. Maple Ave., P.O. Box 756, Montebello, CA 90640. Representative: Wm. S. Aylmer (same address as applicant) (213) 685–6255.Transporting *general commodities* (except classes A and B explosives), between points in AZ, CA and NV.

MC 139906 (Sub-162), filed June 26, 1981. Applicant: INTERSTATE CONTRACT CARRIER CORP., P.O. Box 30303, Salt Lake City, UT 84125. Representative: Richard A., Peterson, P.O. Box 81849, Lincoln, NE 68501, (402) 476–1144. Transporting *general commodities* (except classes A and B explosives), between points in the U.S.

MC 141516 (Sub-8), filed June 29, 1981. Applicant: RICHARD L. HODGES, INC., P.O. Box 141, Unity, ME 04988. Representative: John C. Lightbody, 30 Exchange St., Portland, ME 04101 (207) 773–5651. Transporting *food and related products*, between points in and east of MN, IA, NE, KS, OK and TX.

MC 142546 (Sub-3), filed July 1, 1981. Applicant: MER-LOU TRANSPORTATION, INC., P.O. Box 247, Millsboro, DE 19966. Representative: James H. Sweeney, P.O. Box 9023, Lester, PA 19113 (215) 365–5141. Transporting *food and related products*, between Chicago, IL, New York, NY, Camden, NJ, points in Altantic, Burlington, Cumberland, Gloucester and Salem Counties, NJ, Duplin County, NC, and points in DE,

MD, VA and DC, on the one hand, and, on the other, points in the U.S.

MC 146666 (Sub-3), filed July 1, 1981. Applicant: EDWARD R. CORCORAN d.b.a. CORCORAN TRUCKING, P.O. Box 1472, Billings, MT 59103. Representative: Edward R. Corcoran (same address as applicant) (406) 245–6065. Transporting *meat by-products and packinghouse products*, between points in MT, on the one hand, and, on the other, AZ, CA, CO, NM and TX.

MC 156856, filed June 26, 1981. Applicant: GULF COAST DELIVERY SERVICE, INC., 1499 No. Post Oak, Suite 101, Houston, TX 77055. Representative: Joe G. Fender, 9601 Katy Freeway, Suite 320, Houston, TX 77024 (713) 827–1407. Transporting *Mercer commodities*, between points in Aransas, Austin, Brazoria, Brooks, Calhoun, Cameron, Chambers, Colorado, Fayettee, Ft. Bend, Galveston, Hardin, Hidalgo, Jackson, Jefferson, Jim Wells, Kenedy, Kleberg, Lavaca, Liberty, Lee, Matagorda, Montgomery, Nueces, Orange, Refugio, San Patricio, Victoria, Waller, Washington, Wharton, and Willacy Counties, TX, and points in LA.

Volume No. OPY–4–253

FF–557, filed June 25, 1981. Applicant: MOVER'S INTERNATIONAL, INC., 18800 Hwy 99, Suite 12, Lynnwood, WA 98036. Representative: Robert H. Johnson (same address as applicant) (206) 775–3888. As a freight forwarder, in connection with the transportation of *general commodities*, between points in the U.S.

MC 156837, filed June 29, 1981. Applicant: BOB'S NEVADA TOURS, INC. 100 "E" St., Santa Rosa, CA 95404. Representative: Eldon M. Johnson, 650 California St., San Francisco, CA 94108 (415) 986–8696. To engage in operations in interstate or foreign commerce, as a broker, at San Francisco and Santa Rosa, CA, in arranging for the transportation, by motor vehicles, of *passengers and their baggage*, in special and charter operations, beginning and ending at points in Alameda, Contra Costa, Lake, Marin, Mendocino, Napa, San Francisco, San Mateo, Santa Clara, and Sonoma Counties, CA, and extending to points in the U.S.

MC 156847, filed June 23, 1981. Applicant: ATOM EXPRESS COMPANY, 495 Broadwell Dr., Nashville, TN 37220. Representative: J. R. St. John (same address as applicant) (615) 832–5501. Transporting *general commodities* (except classes A and B explosives), between points in AL, TN, OH, MI. CONDITION: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. § 11343(A) or submit an affidavit indicating why such approval is unnecessary to the Secretary's office. In order to expedite issuance of any authority please submit a copy of the affidavit or proof of filing the application(s) for common control to Team 4, Room 5331.

Volume No. OPY–4–254

MC 19227 (Sub-255), filed June 29, 1981. Applicant: LEONARD BROS. TRUCKING CO., INC., 2515 N.W. 20th St., Miami, FL 33152. Representative: Robert F. McCaughey (same address as applicant) (305) 634–2661. Transporting *turbines and turbines parts*, between points in Charleston County, SC, on the one hand, and, on the other, points in the U.S.

MC 28517 (Sub-9), filed June 29, 1981. Applicant: FARNEY TRUCK SERVICE, INC., 1947 N.W. Savier, Portland, OR 97209. Representative: Michael D. Crew, 205 Riviera Plaza, 1618 S.W. First, Portland, OR 97201 (503) 221–1529. Transporting (1) *pulp, paper and related products*, (2) *chemicals* (3) *machinery*, and (4) *plastic and plastic products*, between points in OR and WA.

MC 34027 (Sub-18), filed June 29, 1981. Applicant: GREETINGS, INC., P.O. Box 82, Pella, IA 50219. Representative: Ronald R. Adams, 600 Hubbell Bldg., Des Moines, IA 50309 (515) 244–2329. Transporting (1) *fabricated metal products*, and (2) *machinery*, between points in Marion County, IA, on the one hand, and, on the other, points in OH, MI, IN, IL, WI, KY, TN, MO, IA, MN, NE, KS, ND, and SD.

MC 59117 (Sub-83), filed July 1, 1981. Applicant: ELLIOTT TRUCK LINE, INC., 101 East Excelsior, P.O. Box 1, Vinita, OK 74301. Representative: Tom Kretsinger, 20 East Franklin, Liberty, OK 64068 (816) 781–6000. Transporting *commodities in bulk and in containers*, between the facilities of The Carborundum Company at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 93147 (Sub-26), filed July 1, 1981. Applicant: DELTA TRANSPORT CORPORATION, 840 Union St., P.O. Box 846, West Springfield, MA 01089. Representative: James M. Burns, 1383 Main St., Suite 413, Springfield, MA 01103 (413) 781–8205. Transporting *general commodities* (except classes A and B explosives), between the facilities of International Paper Co. at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 121517 (Sub-18), filed June 29, 1981. Applicant: ELLSWORTH MOTOR FREIGHT LINES, INC., P.O. Box 15627, Tulsa, OK 74112. Representative: Wilburn L. Williamson, Suite 615-East, The Oil Center, 2601 Northwest Expressway, Oklahoma City, OK 73112 (405) 848–7946. Transporting *building and construction materials*, between points in Lincoln County, OK, on the one hand, and, on the other, points in the U.S.

MC 125687 (Sub-26), filed June 26, 1981. Applicant: EASTERN STATES TRANSPORTATION PA, INC., 1060 Layfayette St., York, PA 17405. Representative: Jeremy Kahn, Suite 733 Investment Bldg., 1511 K St., NW, Washington, D.C. 20005 (202) 783–3524. Transporting (1) *pulp, paper and related products*, (2) *rubber and plastics products*, and (3) *containers and container closures*, between points in ME, VT, NH, on the one hand, and, on the other, points in MA, CT, RI, NY, PA, NJ, MD, DE, and DC.

MC 126667 (Sub-6), filed June 30, 1981. Applicant: BRUSH HILL TRANSPORTATION COMPANY, 109 Norfolk St., Dorchester, MA 02124. Representative: Jeremy Kahn, Suite 733 Investment Bldg., 1511 K St., NW, Washington, D.C. 20005 (202) 783–3524. Transporting *passengers and their baggage*, in the same vehicle with passenagers, in round-trip charter and special operations, beginning and ending at points in MA, and extending to points in the U.S., including AK but excluding HI.

MC 129537 (Sub-56), filed June 30, 1981. Applicant: REEVES TRANSPORTATION CO., Rt. 5, Dew's Pond Rd., Calhoun, GA 30701. Representative: John C. Vogt, Jr., 406 No. Morgan St., Tampa, FL 33602 (813) 229–6155. Transporting *textile mill products*, between points in Mobile, Baldwin, and Escambia Counties, AL, on the one hand, and, on the other, points in the U.S. (except FL, GA, MS, AR, LA, TX, OK, and NM).

MC 144667 (Sub-24), filed June 29, 1981. Applicant: ARTHUR E. SMITH & SON TRUCKING, INC., P.O. Box 1054, Scottsbluff, NE 69361. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501 (402) 475–6761. Transporting *metal products*, between points in the U.S., under continuing contract(s) with Timberline Pipe Corporation, of Pueblo, CO.

MC 150937, filed June 29, 1981. Applicant: R & R DISTRIBUTING, INC., 1355 Abbott St., Salinas, CA 93901. Representative: William J. Monheim, P.O. Box 1756, Whittier, CA 90609 (213) 945–2745. Transporting *rubber and plastic products*, between points in Los

Angeles County, CA, on the one hand, and, on the other, points in the U.S.

MC 151087 (Sub-7), filed June 29, 1981. Applicant: AREA INTERSTATE TRUCKING, INC., 15224 Dixie Highway, Harvey, IL 60426. Representative: Leonard R. Kofkin, 30 S. La Salle St., Chicago, IL 60603, (312) 236-9375. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Extruded Metals, an Indianhead Company, of Belding, MI

MC 152447, filed June 26, 1981. Applicant: OPIES' MILK HAULERS, INC., Highway 52 West, P.O. Box 89, Eldon, MO 65026. Representative: James C. Swearengen, P.O. Box 456, Jefferson City, MO 65102, (314) 635-7166. Transporting *commodities in bulk*, between the facilities Hubinger Company, in Lee County, IA, Hancock, IL, and Clark County, MO, on the one hand, and, on the other, points in the U.S.

MC 153957, filed June 30, 1981. Applicant: SCA SERVICES OF KENTUCKY, INC., 200 Highrise Dr., P.O. Box 19380, Louisville, KY 40219. Representative: Robert E. Lee (same address as applicant), (502) 969-2355. Transporting (1) *hazardous wastes*, and (2) *sludges*, between points in KY, OH, IL, IN, TN, NC, SC, WI, MI, ME, VT, NH, MA, CT, RI, NJ, NY, PA, WV, MD, DE, VA, MS, AL, FL, GA, and DC. Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. § 11343(A) or submit an affidavit indicating why such approval is unnecessary to the Secretary's office. In order to expedite issuance of any authority please submit a copy of the affidavit or proof of filing the application(s) for common control to Team 4, Room 5331.

MC 156167, filed June 30, 1981. Applicant: KEVIN STUBBS, Sherman, ME 04776. Representative: John C. Lightbody, 30 Exchange St., Portland, ME 04101, (207) 773-5651. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Patten Veneer Products, Inc., of Patten, ME, Katahdin Forest Products Co., of Oakfield, ME, and Old Town Lumber Company, of Old Town, ME.

MC 156877, filed June 29, 1981. Applicant: WHITED TRANSPORTATION COMPANY, a corporation, P.O. Box 593, Paramount, CA 90723. Representative: Miles L. Kavaller, 315 South Beverly Dr., Suite 315, Beverly Hills, CA 90212, (213) 277-2323. Transporting (1) *such commodities* as are dealt in or used by home improvement stores, and (2) *building materials*, between points in the U.S., under continuing contract(s) with Butler-Johnson Corporation-Los Angeles, of North Long Beach, CA, and Butler-Johnson Corporation-San Jose, of San Jose, CA.

MC 156887, filed June 29, 1981. Applicant: ANTIQUE CAR CARRIERS, INC., 186 S. Prospect Ave., Bergenfield, NJ 07621. Representative: Robert B. Pepper, 168 Woodbridge Ave., Highland Park, NJ 08904. Transportating *antique and classic cars*, between points in the U.S.

[FR Doc. 81-20808 Filed 7-15-81; 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 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 applicants 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) a public need for the proposed operations and that it 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. This presumption shall not be deemed to exist where the application is opposed. 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 upopposed 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 conpliance 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.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Please direct status inquiries to the Ombudsman's Office, (202) 275-7326.

Volume No. OPY-3-120

Decided: July 9, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 153724 (Sub-1), filed June 5, 1981. Applicant: BUFFALO DOWNTOWN DUMP TRUCK SERVICE & SUPPLIES, INC. 113 Gillette Ave. Buffalo, NY 14214. Representative: Paul Harrison (same address as applicant) (716) 754-4353. Transporting *coke, graphite, scrap, carbon and graphite electrodes*, between points in Niagara and Erie Counties, NY and Elk County, PA, on the one hand, and, on the other, points in PA, OH, IL, IN, NJ, NC, SC, MD, and DE.

Volume No. OPI-199

Decided: July 8, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier. (Member Parker participating in part.)

MC 2900 (Sub-448), filed June 22, 1981. Applicant: RYDER TRUCK LINES, INC., P.O. Box 2408, Jacksonville, FL 32203. Representative: S. E. SOMERS, Jr. (same address as applicant) (904) 353-3111. Transporting *chemicals and related products* (except classes A and B

explosives) between points in the U.S., under continuing contract(s) with Exxon Chemical Americas, of Houston, TX.

MC 35320 (Sub-660) (republication), filed May 18, 1981, previously noticed in the Federal Register issue of June 11, 1981. Applicant: T.I.M.E.-DC, INC., 2598 74th St., P.O. Box 2550, Lubbock, TX 79408. Representative: Kenneth G. Thomas (same address as applicant), (806) 745-7263. Transportation *general commodities* (except classes A and B explosives), between points in Lincoln County, OK, on the one hand, and, on the other, points in the U.S.

Note.—Applicant intends to tack the above requested authority with its existing regular-route operations. The purpose of this republication is to indicate Lincoln County, OK as the correct base territorial description, in lieu of Lincoln County, OH.

MC 46281 (Sub-3), filed June 29, 1981. Applicant: HAL MOTOR EXPRESS, 45 Enterprise Ave., Secaucus, NJ 07094. 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 NJ, on the one hand, and, on the other, points in NY, PA, DE, NJ, and MD.

MC 75840 (Sub-166), filed June 22, 1981. Applicant: MALONE FREIGHT LINES, INC., P.O. Box 11103, Birmingham, AL 35202. Representative: Raymond Hamilton, 3400 Third Ave. South, Birmingham, AL 35222, (205) 323-6721. Transportation *roofing materials and supplies*, between points in Jefferson County, AL, on the one hand, and, on the other, points in FL.

MC 107151 (Sub-30), filed June 19, 1981. Applicant: H. F. JOHNSON, INC., P.O. Box 1435, Billings, MT 59103. Representative: Donald L. Sand (same address as applicant) (406) 245-4153. Transportation *liquid commodities in bulk*, between points in MT, ND, SD, WY, CO, UT, ID, and WA. Condition: To the extent that the certificate in this proceeding authorizes the transportation of liquefied petroleum gas, it will expire 5 years from the date of issuance.

MC 108340 (Sub-38), filed June 29, 1981. Applicant: HANEY TRUCK LINE, P.O. Box 485, Cornelius, OR 97113. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Ave. Portland, OR 97210, (503) 226-3755. Transportation *general commodities* (except classes A and B explosives), between points in OR and WA, on the one hand, and, on the other, points in NV, AZ, NM, UT, CO, and WY.

MC 110391 (Sub-3), filed June 23, 1981. Applicant: CHESTER A. DEYOUNG, d.b.a. DEYOUNG TRANSFER & STORAGE, 214 East Park Street, Livingston, MT 59047. Representative: Chester A. DeYoung (same address as applicant) (406) 222-1990 or 222-1965. *Over regular routes*, transporting *general commodities* (except classes A and B explosives), between Livingston, MT, and West Yellowstone, MT, from Livingston over U.S. Hwy 10 to junction U.S. Hwy 191, then over U.S. Hwy 191 to West Yellowstone, and return over the same route, serving all intermediate points.

MC 113271 (Sub-80), filed June 12, 1981. Applicant: TRANSYSTEMS INC., P.O. Box 399, Black Eagle, MT 59414. Representative: Ray F. Koby, P.O. Box 2567, Great Falls, MT 59403, (406) 452-6415. Transporting *salt*, between points in UT, on the one hand, and, on the other, points in Missoula County, MT.

MC 116280 (Sub-28), filed June 22, 1981. Applicant: W. C. MCQUAIDE, INC., 153 Macridge Ave., Johnstown, PA 15904. Representative: Christian V. Graf, 407 N. Front St., Harrisburg, PA 17101, (717) 236-9318. Transporting *printed matter* and *pulp, paper and related products*, between points in Upshur County, WV, on the one hand, and, on the other, points in IN, OH, PA, WV, MD, NY, NJ, DE, and VA.

MC 116300 (Sub-88), filed June 22, 1981. Applicant: NANCE AND COLLUMS, INC., P.O. Drawer J, Fernwood, MS 39635. Representative: Harold D. Miller, Jr., 17th Floor, Deposit Guaranty Plaza, P.O. Box 22567, Jackson, MS 39205, (601) 948-5711. Transporting *Mercer commodities* (1) between points in AL, AR, FL, LA, MS, OK, and TX, and (2) between points in AL, AR, FL, LA, MS, OK, and TX, on the one hand, and, on the other, points in CA, CO, GA, IL, IN, KS, KY, MI, MO, MT, NE, NM, NC, ND, OH, PA, SC, SD, TN, UT, VA, WV and WY.

MC 128290 (Sub-20), filed June 17, 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 30330, (404) 434-3381. Transporting *textile mill products*, between points in VA, on the one hand, and, on the other, points in the U.S.

MC 131021 (Sub-1), filed June 23, 1981. Applicant: OLIVER TRUCKING CORP., 2203 W. Oliver Street, Indianapolis, IN 46221. Representative: Morton E. Kiel, Suite 1832, Two World Trade Center, New York, NY 10048, (212) 466-0220. Transporting *such commodities* as are dealt in or used by mail order houses and department stores, between points in the U.S., under continuing contract(s) with Hayes Half Size Fashions, Inc., division of Lane Bryant, Inc., of Indianapolis, IN.

MC 133811 (Sub-6), filed June 22, 1981. Applicant: H. E. McCONNELL AND H. E. McCONNELL, JR., d.b.a. McCONNELL & SON TRUCKING COMPANY, 5117½ East Broadway, North Little Rock, AR 72114. Representative: James M. Duckett, 221 W. 2nd Street, Suite 411, Little Rock, AR 72201, (501) 375-3022. Transporting *roofing granules*, between points in Pulaski County, AR, on the one hand, and, on the other, points in TX.

MC 138550 (Sub-2), filed June 26, 1981. Applicant: W. SMITH CARTAGE CO., INC., 7013 Sands Road, Crystal Lake, IL 60014. Representative: James R. Madler, 120 W. Madison St., Chicago, IL 60602, (312) 726-6525. Transporting *general commodities* (except classes A and B explosives), between those points in IL on and north of U.S. Hwy 136, on the one hand, and, on the other, points in IN, IA, MI, MO and WI.

MC 142310 (Sub-37), filed June 22, 1981. Applicant: H. O. WOLDING, INC., P.O. Box 56, Nelsonville, WI 54458. Representative: Wayne W. Wilson, 150 E. Gilman St., Madison, WI 53703, (608) 256-7444. Transporting *such commodities* as are dealt in or used by grocery stores, food processing houses, and variety stores, between points in the U.S.

MC 142711 (Sub-4), filed June 29, 1981. Applicant: BERRYMAN TRANSFER & STORAGE COMPANY, INC., 1830 Mound Road, Joliet, IL 60436. Representative: Anthony E. Young, 29 South LaSalle Street, Suite 350, Chicago, IL 60603, (312) 782-8880. Transporting *metal products*, between the facilities of Alumax, Inc., its divisions, subsidiaries, and affiliates at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 143730 (Sub-7), filed June 22, 1981. Applicant: PENINSULA TRUCKING CO., INC., 705 Morehouse Dr., New Castle, DE 19270. Representative: Richard M. Ochroch, 316 South 16th St., Philadelphia, PA 19102, (215) 735-2707. Transporting *such commodities* as are dealt in or used by industrial maintenance supply houses, between points in the U.S., under continuing contract(s) with Cello Corporation, of Havre de Grace, MD.

MC 146990 (Sub-7), filed June 26, 1981. Applicant: J. R. PORTER, INC., Route 5, Box 589, South Point, OH 45680. Representative: John M. Friedman, 2930 Putnam Ave., Hurricane, WV 25526, (304) 562-3460. Transporting *metal products*, between points in DE, IL, IN, KY, MD, MI, MO, NJ, NY, OH, PA, TN, VA, WV, and DC.

MC 147571 (Sub-3), filed June 16, 1981. Applicant: TWIN RIVERS TRANSPORTATION COMPANY, 500 Armory Drive, South Holland, IL 60473. Representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, IL 60603, (312) 236-9375. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Ralston Purina Company of St. Louis, MO, and its subsidiaries, Foodmakers, Inc. of Landiego, CA, Steak Mate, Inc., of Morgan Hill, CA, and Van Camp Seafood Company of St. Louis, MO.

MC 148281 (Sub-15), filed June 24, 1981. Applicant: SUSANA TRANSPORT SYSTEMS, INC., 2845 Workman Mill Rd., Whittier, CA 90601. Representative: Miles L. Kavaller, 315 So. Beverly Dr., Suite 315, Beverly Hills, CA 90212, (213) 277-2323. Transporting *ceramic tile*, between points in OH, TX, FL, AZ, CA, CO, and WA, on the one hand, and, on the other, points in the U.S.

MC 149330 (Sub-1), filed June 22, 1981. Applicant: DUNBAR ARMORED SECURITY, INC., 32 Belmont St., Hartford, CT 06106. Representative: George W. Dunbar, Jr. (same address as applicant), (203) 246-8805. Transporting *coin and currency*, between points in the U.S., under continuing contract(s) with The First National Bank of Boston, of Boston, MA, The Banking Center and Colonial Bank, both of Waterbury, CT, United Bank & Trust, Hartford National Bank and Connecticut Bank and Trust Co., all of Hartford, CT.

MC 155031, filed June 22, 1981. Applicant: KRAMER'S & HOUSTON TOWING SERVICE, a partnership, 1617½ E. Mulberry, Fort Collins, CO 80524. Representative: James A. Beckwith, 1365 Logan St., Suite 100, Denver, CO 80203, (303) 861-4273. Transporting *wrecked or disabled motor vehicles*, between points in AZ, CO, ID, KS, MT, NE, NV, MN, OK, TX, UT and WY.

MC 156490, filed June 12, 1981. Applicant: JACKSON FREIGHT LINES, INC., 29 Norman Dr., Bloomfield, CT 06002. Representative: Charles W. Jackson, Jr., 29 Norman Dr., Bloomfield, CT 06002, (203) 278-8196, (203) 242-3124. Transporting (1) *alcoholic beverages*, (2) *alcoholic liquors*, and (3) *wine*, between points in ME, NH, VT, MA, RI, CT, NY, PA, NJ, DE, MD, VA, WV, KY, OH, IN, IL, MI, WI, TN, MS, AL, GA, FL, SC, NC, and DC.

MC 156741, filed June 22, 1981. Applicant: ALABAMA FARM BUREAU SERVICES, INC., 3340 Fitzpatrick Ave., Montgomery, AL 36108. Representative: Terry P. Wilson, 428 So. Lawrence St., Montgomery, AL 36104, (205) 262-2756. Transporting *rubber and plastic products*, between points in the U.S., under continuing contract(s) with The BF Goodrich Company of Akron, OH, and Lee Tire and Rubber Company of Conshohocken, PA.

MC 156810, filed June 26, 1981. Applicant: DONALD ZIMMER TRUCKING, INC., P.O. Box 41, Echo, MN 56237. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440, (612) 542-1121. In foreign commerce only, transporting *potash*, between points in IA, MN, ND, SD, and WI, on the one hand, and, on the other, the ports of entry on the international boundary line between the U.S. and Canada at points in MT, ND, and MN.

Volume No. OPY-2-124

Decided: July 8, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 4242 (Sub-93), filed June 18, 1981. Applicant: PITTSBURGH-FAYETTE EXPRESS, INC., Fourth & Main St., Belle Vernon, PA 15012. Representative: John A. Vuono, 2310 Grant Bldg., Pittsburgh, PA 15219. Transporting *general commodities* (except classes A and B explosives), between points in IN, MD, MI, NY, OH, PA, VA, and WV.

MC 12872 (Sub-2), filed June 9, 1981. Applicant: BLUE BIRD WORLD TRAVEL, INC., 502 North Barry St., Orlean, NY 14760. Representative: Charles A. Webb, Suite 1111, 1828 L St., NW., Washington, D.C. 20036, (202) 296-2929. As a *broker*, at points in the U.S., in arranging for the transportation, by motor vehicle, of *passengers and their baggage*, in special and charter operations, between points in the U.S.

MC 27903 (Sub-23), filed June 17, 1981. Applicant: CHARLES W. KARPER, INC., 40 Industrial Dr., P.O. Box H, Chambersburg, PA 17201. Representative: Christian V. Graf, 407 N. Front St., Harrisburg, PA 17101. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of metal containers and container ends, between points in Frederick County, VA, on the one hand, and, on the other, points in Franklin, Adams, York, Lancaster, Cumberland, Dauphin, Philadelphia, Montgomery, Chester, Delaware and Berks Counties, PA.

MC 35602 (Sub-5), filed June 25, 1981. Applicant: BETTENDORF TRANSFER, INC., Rt. 2, Box 261, River Falls, WI 54022. Representative: Norman A. Cooper, 145 W. Wisconsin Ave., Neenah, WI 5495, (414) 722-2848. Transporting *food and related products*, between the facilities of McCormick & Co. and its subsidiaries, at Minneapolis, MN, Baltimore, MD, and points in CA, on the one hand, and, on the other, points in the U.S.

MC 59223 (Sub-13), filed June 19, 1981. Applicant: NEW DEAL DELIVERY SERVICE, INC., 206 W. 37th St., New York City, NY 10018. Representative: Kenneth M. Piken, 95—25 Queens Blvd., Rego Park, NY 11374. Transporting *such commodities* as are dealt in by retail department stores, between points in the U.S., under continuing contract(s) with (a) R. H. Macy & Co., Inc., of New York, NY, its divisions, affiliates and subsidiaries, and (b) The May Department Stores Co., of St. Louis, MO.

MC 92733 (Sub-3), filed June 23, 1981. Applicant: DORAL TRANSPORT COMPANY, 2600 Hamburg Turnpike, Lackawanna, NY 14218. Representative: Leonard A. Jaskiewicz, 1730 M Street, NW., Suite 501, Washington, D.C. 20036, (202) 296-2900. Transporting *metal products, clay, concrete, glass or stone products, pulp, paper and related products, printed matter, lumber and wood products, machinery, and carbon electrodes*, (a) between ports of entry on the international boundary line between the United States and Canada on the Niagara River, in NY, on the one hand, and, on the other, points in AL, AR, CT, DE, FL, GA, IL, IN, IA, KY, LA, ME, MD, MA, MI, MN, MS, MO, NH, NJ, NY, NC, OH, OK, PA, RI, SC, TN, TX, VT, VA, WV, WI, and DC, and (b) between points in AL, AR, CT, DE, FL, GA, IL, IN, IA, KY, LA, ME, MD, MA, MI, MN, MS, MO, NH, NJ, NY, NC, OH, OK, PA, RI, SC, TN, TX, VT, VA, WV, WI, and DC.

MC 95813 (Sub-19), filed June 26, 1981. Applicant: SHUMAKER TRUCKING COMPANY, 601 U.S. Route 15N, Dillsburg, PA 17019 Representative: David Shumaker (same address as applicant), 717-432-9617. Transporting (1) clay, concrete, glass or stone products, and (2) lime, limestone and limestone products, between those points in the U.S. in and east of MN, IA, MO, AR and LA.

MC 99882 (Sub-4), filed June 18, 1981. Applicant: Y. G. TRUCKING, INC., 742 Garden Wood, Greenville, OH 45331. Representative: Stephen J. Habash, 100 E. Broad St. Columbus, OH 43215. Transporting (1) *General commodities* (except classes A and B explosives), between Pittsburgh, PA, Dallas, TX, Chicago, IL, St. Louis, MO, points in Knox, Henderson, and Giles Counties, TN, Union County, KY, Payne County, OK, Storey County, NV, OH, IN, and MI, on the one hand, and, on the other, points in the U.S. and (2) *general commodities*, between points in Huron

County, OH, on the one hand, and, on the other, points in OH. Condition (1): To the extent this certificate authorizes the transportation of classes A and B explosives, it shall be limited to a period expiring 5 years from its date of issuance. (2): Issuance of a certificate here is subject to prior or coincidental cancellation at applicant's written request of Certificate of Registration No. MC-99882 Sub-No. 3, issued June 29, 1979.

MC 99443 (Sub-1), filed June 23, 1981. Applicant: CURRIER'S EXPRESS INC., 30 Lowell Jct. Road, Andover, MA 01810. Representative: Hughan R. H. Smith, 26 Kenwood Place, Lawrence, MA 01841, (617) 241-8296. Transporting *general commodities* (except classes A and B explosives) between points in MA, on the one hand, and, on the other, points in ME, RI, NH, CT, and VT.

MC 106222 (Sub-67), filed June 24, 1981. Applicant: WALLACK FREIGHT LINES, INC., 65 Court St., Copiague, NY 11726. Representative: Robert B. Pepper, 168 Woodbridge Ave., Highland Park, NJ 08904, (201) 572-5551. Transporting *general commodities* (except classes A and B explosives), between New York, NY and points in Suffolk County, NY, on the one hand, and, on the other, points in CT, DE, MA, NJ, NY, PA, and RI.

MC 111432 (Sub-16), filed June 17, 1981. Applicant: FRANK J. SIBR & SONS, INC., 5240 West 123rd Place, Alsip, IL 60658. Representative: Douglas G. Brown, 913 South Sixth Street, Springfield, IL 62703, (217) 753-3925. Transporting *petroleum products*, between points in the U.S., under continuing contract(s) with J. D. Streett & Co., Inc., of Maryland Heights, MO.

MC 125433 (Sub-476), filed June 29, 1981. Applicant: F-B TRUCK LINE COMPANY, 1945 So. Redwood Rd., Salt Lake City, UT 84104. Representative: Roger E. Crum (same as applicant) (801) 973-4242. Transporting *general commodities* (except classes A and B explosives and hazardous waste), between points in the U.S.

MC 144513 (Sub-19), filed June 22, 1981. Applicant: CONDOR CONTRACT CARRIERS, INC., 656 Wooster St., Lodi, OH 44254. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501, (402) 475-6761. Transporting *general commodities* (except classes A and B explosives), between points in OH, on the one hand, and, on the other, points in the U.S.

MC 148143 (Sub-9), filed June 22, 1981. Applicant: MID-AMERICA FARM LINES, INC., M.P.O. Box 71, Springfield, MO 65801. Representative: John M. Ringenberg (same address as applicant), (417) 862-7460. Transporting *food and related products*, between the facilities used by Banquet Foods Corporation, at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 151173 (Sub-6), filed June 18, 1981. Applicant: HAR-BET, INC., 7209 Tara Blvd., Jonesboro, GA 30236. Representative: Bruce E. Mitchell, Fifth Floor, Lenox Towers South, 3390 Peachtree Rd., NE., Atlanta, GA 30326. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Century Commodity Brokers, Inc., of Jonesboro, GA.

MC 153163, filed June 17, 1981. Applicant: HOWARD D. AND BEVERLY J. SCROGGINS d.b.a. CROSSROADS CHARTER COACHES, Rt. 4, Box 158-A, Joplin, MO 64801. Representative: Howard D. Scroggins (same address as applicant), (417) 781-9222. Transporting *passengers and their baggage*, in special and charter operations in round-trip pleasure tours, beginning and ending at points in Newton County, MO.

MC 154563, filed June 22, 1981. Applicant: WESTBROOK TRUCKING, INC., 600 S. Davis, Clovis, NM 88101. Representative: Lynn Westbrook, Sr., 1421 E. 21st St., Clovis, NM 88101, 505-763-7677. Transporting *meats, meat products, meat by-products, and articles distributed by meat packing houses*, between points in the U.S., under continuing contract(s) with Clovis Packing, Inc., of Clovis, NM.

MC 154652 (Sub-1), filed June 26, 1981. Applicant: PENNCO TRUCKING, INC., P.O. Box 129, Cumberland, PA 17070. Representative: Dixie C. Newhouse, 1329 Pensylvania Ave., P.O. Box 1417, Hagerstown, MD 21740, (301) 797-6060. Transporting *General commodities* (except classes A and B explosives), between points in Dauphin, Perry, Cumberland, Franklin, Adams, York, Lancaster, Lebanon and Berks Counties, PA.

MC 156752, filed June 22, 1981. Applicant: MEL'S TRUCKING & BRAKE SERVICE, INC., 209 Sycamore Road, Vestal, NY 13850. Representative: Donald C. Carmien, 501 Midtown Mall, P.O. Box 1922, Binghamton, NY 13901, (607) 772-6993. Transporting *petroleum and related products*, (1) between Philadelphia, PA, and points in NJ, on the one hand, and, on the other, points in Broome, Cortland, and Tioga Counties, NY, (2) between points in Broome County, NY, on the one hand, and, on the other, points in Susquehanna, Bradford, Pike, Sullivan, and Wayne Counties, PA, and (3) between points in Chemung County, NY, on the one hand, and, on the other, points in Susquehanna, Bradford, Pike, Sullivan, and Wyoming Counties, PA.

MC 156772, filed June 25, 1981. Applicant: OLDENBERG & SON, INC., 2319 Cline Ave., Gary, IN 46406. Representative: Norman R. Garvin, 1301 Merchants Plaza, Indianapolis, IN 46204. Transporting *wrecked, disabled and replacement vehicles*, between points in IL, IN, IA, KY, MI, OH, and WI.

MC 156782, filed June 25, 1981. Applicant: JACKWIC, INC., 1206 Sunset Dr., Thomasville, GA 31792. Representative: Archie B. Culbreth, Suite 202, 2200 Century Parkway, Atlanta, GA 30345, (404) 321-1765. Transporting *rubber and plastic products*, between points in Bibb and Thomas Counties, GA, on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, CO, OK, and TX.

MC 156793, filed June 25, 1981. Applicant: EAST COAST CARTAGE, INC., 10 Otis Street, Westboro, MA 01581. Representative: Harold R. Rudnick (same address as applicant), (617) 366-9601. Transporting *food and related products* as is dealt in by grocery and food business houses, between points in ME, NH, CT, VT, RI, MA, NY, PA, NJ, DE, MD, OH, VA, WV, SC, NC, GA, and FL.

[FR Doc. 81-20674 Filed 7-15-81; 8:45 am]
BILLING CODE: 7035-01-M

[Volume No. 120]

Motor Carriers; Permanent Authority Decisions; Restriction Removals; Decision-Notice

Decided: July 13, 1981.

The following restriction removal applications, filed after December 28, 1980, are governed by 49 CFR 1137. Part 1137 was published in the **Federal Register** of December 31, 1980, at 45 FR 86747.

Persons wishing to file a comment to an application must follow the rules under 49 CFR 1137.12. A copy of any application can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the restriction removal applications are not allowed.

Some of the applications may have been modified prior to publication to conform to the special provisions applicable to restriction removal.

Findings

We find, preliminarily, that each applicant has demonstrated that its

requested removal of restrictions or broadening of unduly narrow authority is consistent with 49 U.S.C. 10922(h).

In the absence of comments filed within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Restriction Removal Board, Members Sporn, Alspaugh, and Shaffer.

Agatha L. Mergenovich,

Secretary.

MC 64373 (Sub-16)X, filed June 25, 1981. Applicant: CLARKSON BROS. MACHINERY HAULERS, INC., P.O. Box 788, Cowpens, SC 29330. Representative: Edward P. Bocko, P.O. Box 496, Mineral Ridge, OH 44440. Applicant seeks to remove restrictions in its Sub-No. 9 certificate to broaden the commodity description from cotton mill machinery to "commodities which, because of size or weight, require the use of special equipment or special handling," in connection with its service between points in GA, SC, and that part of NC on and west of Highway 21.

MC 73866 (Sub-9)X, filed June 16, 1981. Applicant: LOUIS J. GARDELLA, INC., 111 Harbor Avenue, Norwalk, CT 06850. Representative: Gerald A. Joseloff, 410 Asylum Street, Hartford, CT 06103. Applicant seeks to remove restrictions in its lead and Sub-Nos. 5, 6 and 7F certificates to (A) remove all restrictions in its general commodities authority "except classes A and B explosives" in the lead docket and Sub-Nos. 5 and 6; and broaden its other commodity descriptions: lead certificate, to "contractors' materials from contractor's materials and supplies when their transportation is incidental to that of size and weight commodities, and to "transportation equipment" from boats; and Sub-No.7, to "food and related products" from malt beverages; (B) broaden the territorial description in the regular-route portion of the lead certificate to authorize county-wide authority in place of the specified off-route points, as follows: New Haven County, CT (Bradford, New Haven, and Milford, CT), Essex County, NJ (Newark, NJ), and Fairfield County, CT (Bethel, Ridgefield, and New Canaan, CT); and (C) broaden the irregular route portions of its authority to authorize county-wide authority for the named city points: lead certificate, Fairfield County, CT (Norwalk, CT and points within 15 miles of Norwalk); Sub-No. 6, Essex County, NJ (Newark, NJ); and Sub-No. 7, Hillsborough County, NH (Merrimack, NH), and Hartford and New Haven Counties, CT (Hartford, Wallingford, West Haven, and Orange, CT).

MC 93236 (Sub-3)X, filed June 22, 1981. Applicant: BONDY CARTAGE LIMITED, P.O. Box 420, Windsor, Ontario, Canada N9A 6L7. Representative: John P. McMahon, Baker & Hostetler, 100 E. Broad St., Columbus, OH 43215. Applicant seeks to remove restrictions in its MC-93236 and Sub-No. 2X to (1) broaden the commodity description (a) in MC-93236 from general commodities (usual exceptions) to general commodities, except classes A and B explosives, and (b) in MC-93236 (Sub-No. 2)X from motor vehicle parts to "transportation equipment, metal products, machinery, lumber and wood products, instruments and photographic goods, textile mill products, rubber and plastic products, clay, concrete, glass or stone products, furniture and fixtures, and chemicals and related products"; (2) remove restrictions in Sub-No. 2X (a) against commodities in bulk, in tank vehicles and (b) in foreign commerce only; and (3) change ports of entry on the international boundary line between the United States and Canada at Detroit, MI, in MC-93236, to Wayne County, MI.

MC 98979 (Sub-6)X, filed June 29, 1981. Applicant: MILLER BROS., INC., 305 N. 8th Ave., Greeley, CO 80631. Representative: Jack B. Wolfe, 1600 Sherman St. No. 665, Denver, CO 80203. Applicant seeks to remove restrictions in its Sub-Nos. 3F and 4F certificates to (1) broaden the commodity description from general commodities (with exceptions) to "general commodities (except classes A and B explosives), in both certificates; (2) eliminate the restriction limiting service to traffic having a prior or subsequent movement by rail, in Sub-No. 3F; (3) broaden the territorial authority which authorizes service at specified or prohibits intermediate point service to authorize service at all intermediate points on its described regular routes between (a) Denver, CO and facilities located at or near Buckeye, CO, and (b) Denver, CO and Ault, CO, in Sub-No. 4F; (4) replace existing city-wide service with county-wide authority: Ft. Collins and Greeley, CO, with Larimer and Weld Counties, CO, in Sub-No. 3F; and, (5) replace off-route authority with county-wide authority: Loveland, Ft. Collins, Wellington, Livermore and Red Feather Lakes, CO, with Larimer County, CO, in Sub-No. 4F.

MC 107478 (Sub-89)X, filed June 2, 1981. Applicant: OLD DOMINION FREIGHT LINE, INC., 1791 Westchester Drive, Post Office Box 20006, High Point, NC 27261. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, DC 20014. Applicant seeks to remove restrictions from its Sub 12, 13, 15, 18, 22, 23, 25, 27, 29, 33, 34G, 35, 37F, 38F, 39F, 40F, 42F, 43F, 45F, 46F, 49F, 50F, 54F, 55F, 56F, 57F, 59F, 63F, 65F, 68F, 69F, 70F, 71F, 72F, 73F, 75F, 76F, 77F, 78F, 79F, 80F, and 81 F certificates, its E1, E12, E19, E20, and E22 letter notices, and MC-7640, Sub-Nos. E1, E2, E3, E4, and E5 letter notices of Barnes Truck Line, Inc., (acquired in MC-F-10522), (A) to broaden the commodity descriptions to (1) "food and related products" from (a) canned goods, pickles and mustard, in containers, and coffee in Sub-No. 12, (b) dairy products and fruit drinks in Sub-No. 13, (c) fruit and vegetable crystals in Sub-No. 15, (d) dairy products (except in bulk, in tank vehicles) and Sub-No. 25, (e) flour, in bulk, in Sub-No. 28, (f) juice and beverages (except in bulk and except frozen), in Sub-No. 72F, (g) malt beverages in Sub-No. 75F, and (h) dog food in Sub-No. 77F, (2) "lumber and wood products" from (a) veneer, plywood, and finished lumber in Sub-No. 12, (b) wood dimension stock in Sub-No. 12, (c) compressed wood logs, lumber (with exceptions), and laminated modular panels in Sub-No. 23, (d) lumber, landscape timbers, and pallets in Sub-No. 33F, (e) lumber, in Sub-Nos. 12 and 39F and Barnes E1 and E4, (f) fibreboard and fibreboard products in Sub-No. 45F, (g) fibreboard, particleboard, and plywood in Sub-No. 45F and Barnes E3 (h) lumber and particleboard in Sub 45F, (i) particleboard, fibreboard, and built-up woods in Sub 54F, and (j) lumber (except plywood and veneers), in Old Dominion E22 and Barnes E1 and E4, (3) "farm products, food and related products, tobacco products, and textile mill products" from agricultural commodities in Sub-No. 12, (4) "building materials, lumber and wood products, pulp, paper, and related products, and metal products" from asphalt and asbestos roofing and siding, building paper, plaster, wallboard, sheathing, lime, metal lath, paint, and plasterboard in Sub-No. 12, (5) "chemicals and related products, farm products, and food and related products" from cottonseeds, seeds, feeds, fertilizer, cottonseed meal, and hulls in Sub-No. 12, (6) "chemicals and related products" from fertilizer in Sub-No. 12, (7) "farm products, lumber and wood products, building materials, and textile mill products" from lumber, brick, cotton, and cottonseed in Sub-No. 12, (8) "furniture and fixtures, lumber and wood products, pulp, paper, and

related products, metal products, and rubber and plastic products" from new furniture, beverage cases, and wooden boxes, crates, and reels in Sub-Nos. 12 and 18, and Old Dominion E1, (9) "pulp, paper, and related products" from (a) paper and paper articles in Sub-No. 12 and Old Dominion E20, (b) paper and paper products in Sub-No. 23, (c) woodpulp in Sub-No. 23, (d) paper and paper products (except in bulk) in Sub-No. 56F, and (e)(1) paper and paper products and woodpulp and (2) materials, equipment and supplies used in the manufacturing and distribution of those commodities, in Sub-No. 69F, (10) "building materials and lumber and wood products" from (a) roofing, siding, and roofing and siding materials in Sub-No. 12, and (b) roofing, building, and insulating materials (except iron and steel articles and commodities in bulk), in Sub-No. 27, (11) "metal products, rubber and plastic products, and clay, concrete, glass, and stone products" from pipe, tubing, and fittings in Sub-Nos. 12 and 18 and Old Dominion E12, (12) "textile mill products" from wool, wool tops, noils, and wool waste (carded, spun, woven and knitted), in Sub-Nos. 12 and 29, (13) "machinery" from agricultural machinery in Sub-Nos. 22 and 70F, (14) "metal products" from (a) iron and steel and iron and steel articles in Sub-Nos. 23 and 34G, and Old Dominion E19, (b) iron and steel bars and rods in Sub-No. 23, (c) metal cans in Sub-No. 37F, (d) iron and steel articles in Sub-Nos. 42F, 43F, 48F, 50F, 59F, 63F, 65F, and 68F, (e) copper rods in Sub-No. 49F, (f) steel wire mesh in Sub-No. 57F, and (g) part (1) fabricated metal products (except ordnance) in Sub-No. 79F, (15) "pulp, paper and related products and lumber and wood products" from (a) lumber, flakeboard, pulpboard, sheets, boards, millwork, particleboard, and plywood in Sub-No. 23 and (b) paper, paper products, and composition board in Sub-No. 23, (16) "building materials" from insulating materials in Sub-No. 23, (17) "pulp, paper, and related products and waste or scrap materials" from waste paper in Sub-No. 23 above, (18) "furniture and fixtures" from furniture in Sub-No. 35, (19) "clay, concrete, glass, and stone products" from (a) asbestos cement pipe and pipe couplings, fittings and accessories (except commodities in bulk), in Sub-No. 38F and (b) stone, concrete cast stone, prestressed and precast concrete, and prestressed and precast concrete products in Sub-No. 55F, (20) "containers" from containers (except tank and hopper containers), in Sub-No. 40F, (21) "coal and coal products, metal products, lumber and wood products, and petroleum, natural gas, and their products" from charcoal, charcoal briquettes, hickory and wood chips, charcoal products, portable grills, grill accessories, and charcoal lighter fluid in starters (except commodities in bulk) in Sub-No. 71F, (22) "rubber and plastic products and metal products" from part (1), plastic pipe, pipe fittings, valves, and hydrants, in Sub-No. 73F, (23) "rubber and plastic products" from plastic articles in Sub-No. 76F (24) "machinery" from (a) electrical storage batteries in Sub-No. 78F, (b) material-handling equipment, machinery (except electrical), and electrical machinery, equipment, and supplies in Sub-No. 80F, and (c) agricultural machinery, implements, and machinery parts in Barnes E2 and E5, and (25) "pulp, paper, and related products and machinery" from paper, paper products, and machinery in Sub-No. 81F, (b) to authorize radial in place of existing one-way authority in all Sub-Nos. and E letter notices; (C) to replace origin and destination point authority (including facilities) with city and county wide authority (1) in Sub-No. 12 (a) from Dandridge, TN and Charleston, SC (and points within 15 miles of Charleston) to Jefferson County, TN and Charleston, Berkeley, and Dorchester Counties, SC, (b) from Ehrardt, SC to Bamberg and Colleton Counties, (c) from Port Wentworth, GA (and points within 7 miles thereof) to Effingham and Chatham Counties, GA and Jasper County, SC, (d) from Lake Wales, FL to Polk County, (e) from Augusta and Savannah, GA to Columbia, Richmond, and Chatham Counties, GA and Aiken, Edgefield, Jasper, and Beaufort Counties, SC, (f) from St. Stephens, SC to Berkeley and Williamsburg Counties, (g) from Georgetown, SC (and points within 5 miles thereof) to Georgetown County, (h) from Varnville and Walterboro, SC, Conover, Hickory, High Point, Lenoir, Lincolnton, Marion, Mebane, Newton, Statesville, and Winston-Salem, NC, and Bassett, Galax, Martinsville, and Stanleytown, VA to Hampton and Colleton Counties, SC, Alamance, Alexander, Burke, Caldwell, Catawba, Davidson, Davie, Forsyth, Guilford, Iredell, Lincoln, McDowell, Orange, Randolph, Stokes, and Yadkin Counties, NC, and Patrick, Henry, Grayson, and Carroll Counties, VA, (i) from New York, NY, Concord, Albemarle, and Greensboron NC, and Chattanooga, TN to New York, NY, Rockingham, Randolph, Davidson, Forsyth, Guilford, Stanly, and Cabarrus Counties, NC, Hamilton, Sequatchie, and Marion Counties, TN, and Dade, Walker, and Catoosa Counties, GA, (j) from Johnsonville, SC and Mobile, AL to Florence and Williamsburg Counties, SC and Mobile and Baldwin Counties, AL (k) from Bennettsville, SC and Greenville, MS to Marlboro County, SC, Washington County, MS, and Chicot County, AR, (l) from Kansas City, MO and Jamestown, SC to Cass, Johnson, Jackson, Clay, and Platte Counties, MO, Johnson, Leavenworth, and Wyandotte Counties, KS, and Georgetown and Berkeley Counties, SC, (m) from Spartanburg and Woodruff, SC to Spartanburg and Laurens Counties, SC (n) from Dover, DE, Artesia and Roswell, NM, Greer, SC, and Abingdon, VA to Kent County, DE, Chaves and Eddy Counties, NM, Greenville and Spartanburg Counties, SC, and Washington County, VA, and (o) from Jacksonville and Jacksonville Beach, FL to Nassau, Duval, Clay, and St. Johns Counties, FL (2) in Sub-No. 13 from High Point, NC to Randolph, Davidson, Forsyth and Guilford Counties, NC (3) in Sub-No. 15 from Lake Wales, FL and Charleston, SC (and points within 15 miles of Charleston) to Polk County, FL and Charleston, Berkeley, and Dorchester Counties, SC, (4) in Sub-No. 18 from Philadelphia, PA, Providence, RI, and Corning, NY to Philadelphia, PA, Bristol, Kent, and Providence Counties, RI, Bristol County, MA, and Steuben County, NY, (5) in Sub-No. 22 from Tarboro, NC to Edgecombe County, NC (6) in Sub-No. 23 (a) from Baltimore, MD and Faison and Burgaw, NC to Baltimore, MD, and Duplin, Sampson, and Pender Counties, NC, (b) from Catawba, SC, and points within 5 miles thereof, and Dover, DE to York, Chester, and Lancaster Counties, SC and Kent County, DE, (c) from Farmville, NC to Greene and Pitt Counties, NC, (d) from facilities at Franklin, VA to Franklin, VA (e) from Moncure, NC to Chatham and Lee Counties, NC (f) from facilities at or near Spring Hope, NC to Nash County, NC (g) from Waverly, VA to Sussex County, VA, (h) from Ambridge, PA to Allegheny and Beaver Counties, PA (i) from Williamstown Junction, NJ to Camden County, NJ, (j) from Riegelwood and Cape Fear, NC to New Hanover, Brunswick, Columbus, and Pender Counties, NC (k) from, Plymouth, NC to Bertie, Washington, and Martin Counties, NC (1) from Askin and Morehead City, NC to Craven and Carteret Counties, NC (m) from Wilmington, NC to Brunswick and New Hanover Counties, NC (n) from facilities at Frankfort, IN and Tarboro, NC to Clinton County, IN and Nash and Edgecombe Counties, NC, and (o) from facilities at Plymouth, NC to Bertie,

Washington, and Martin Counties, NC, (7) in Sub-No. 25 from Spartanburg, SC to Spartanburg County, SC; (8) in Sub-No. 27 from facilities in Granville County, NC to Granville County, NC; (9) in Sub-No. 29 (a) from North Chelmsford, Boston, East Weymouth, West Millbury, and Lawrence, MA and Baltimore, MD to Rockingham County, NH, Middlesex, Norfolk, Suffolk, Essex, Plymouth, and Worcester Counties, MA, and Baltimore, MD, and (b) from Muirkirk and Baltimore, MD and Washington, DC to Prince Georges County, MD, and Baltimore, MD, and Washington, DC, (10) in Sub-No. 33F from Kinsale, VA to Westmoreland County, VA; (11) in Sub-No. 37F from Tampa, FL and Charlotte, NC to Pinellas, Hillsborough, and Pasco Counties, FL, Mecklenberg, Gaston, Lincoln, Union, and Cabarrus Counties, NC and York and Lancaster Counties, SC; (12) in Sub-No. 38F from facilities at Ambler, PA to Montgomery and Philadelphia Counties, PA (13) in Sub-No. 39F from Milford, VA to Caroline County, VA (14) in Sub-No. 40F from Cambridge, Fruitland, and Hurlock, MD, Hanover, PA, Winchester, VA, and Wilson, NC to Adams and York Counties, PA, Winchester, VA, Dorchester, Talbot, and Wicomico Counties, MD, and Wilson County, NC; (15) in Sub-No. 42F from named facilities at Aliquippa and Pittsburgh, PA to Beaver, Washington, Westmoreland, and Allegheny Counties, PA (16) in Sub-No. 43F from Carnegie, PA to Allegheny County, PA; (17) in Sub-Nos. 45F and 54F from Towanda, PA to Bradford County, PA; (18) in Sub-No. 48F from Buffalo, NY, Cleveland, Canton, Elyria, Warren, Massillon, and Youngstown, OH, Sharon, PA, and Ferndale, MI to Niagara and Erie Counties, NY, Cuyahoga, Geauga, Lake, Portage, Summit, Medina, Lorain, Stark, Trumbull, Mahoning, and Wayne Counties, OH, Mercer County, PA, and Macomb, Oakland, and Wayne Counties, MI; (19) in Sub-No. 49F from Abingdon, VA, Eden and Tarboro, NC, and Watkinsville, GA to Washington County, VA, Rockingham and Edgecombe Counties, NC and Oconee County, GA (20) in Sub-No. 50F from Atlanta and Marietta, GA to Fulton, De Kalb, Cobb, Clayton, Henry, Gwinnett, and Douglas Counties, GA; (21) in Sub-No. 55F from Raleigh, NC to Johnston and Wake Counties, NC; (22) in Sub-No. 56F from facilities at or near Ticonderoga, NY to Essex, Washington, and Warren Counties, NY and Addison County, VT; (23) in Sub-No. 57F from Mt. Airy, NC to Surry County, NC and Patrick and Carroll Counties, VA; (24) in Sub-No. 59F from facilities at or near Perth Amboy, NJ to Union, Middlesex, and Monmouth Counties, NJ; (25) in Sub-No. 63F from facilities at or near Clairton, Dequesne, Fairless, Homestead, Dravosburg, Johnstown, McKeesport, McKees Rocks, and Vandergrift, PA, and Cleveland and Lorain, OH to Washington, Allegheny, Bucks, Westmoreland, Indiana, Cambria, Somerset, and Armstrong Counties, PA, Mercer and Burlington Counties, NJ, and Lake, Lorain, Summit, Medina, and Cuyahoga Counties, OH; (26) in Sub-No. 65F from facilities at Youngstown, Trumball and Mahoning Counties, OH and Lawrence and Mercer Counties, PA (27) in Sub-No. 68F from Bagdad, Brackenridge, and West Leechburg, PA and New Castle, IN to Henry County, IN and Butler, Allegheny, Westmoreland, and Armstrong Counties, PA, (28) in Sub-No. 69F from facilities at or near Trinity, MS to Lowndes County; (29) in Sub-No. 72F from Bradenton, FL to Manatee County, FL; (30) in Sub-No. 73F from facilities at Colfax, NC to Forsyth and Guilford Counties, NC; (31) in Old Dominion E20 from Plymouth, NC to Washington, Martin, and Bertie Counties, NC; (32) in Old Dominion E21 from Wilmington, NC to New Hanover and Brunswick Counties, NC; and (33) in Barnes E2 from Baltimore, MD to Baltimore, MD; (D) to remove restrictions excepting Alaska and Hawaii in Sub-Nos. 69F, 73F, 76F, 78F, 79F, and 80F, (E) to remove restrictions limiting transportation to traffic originating at and/or destined to named facilities in Sub-Nos. 22, 48F, and 54F; and (F) in Sub-No. 23 remove the restriction against the transportation of traffic originating at Franklin or Norfolk, VA, or points within 20 miles thereof, and destined to Baltimore, MD or Philadelphia, PA or points within 5 miles thereof and, conversely, traffic originating at the said Baltimore-Philadelphia points and destined to the said Virginia points; against the transportation of shipments originating at Farmville, NC and destined to points in described destination territory; and against transportation of furniture from 5 South Carolina cities to Raleigh, NC; and (G) in Sub-No. 12 remove the restriction against combination with other operation rights contained therein and against joining authority for the handling of traffic moving to or from points in South Carolina other than those within 15 miles of Charleston, SC or to or from Augusta, GA, or to or from North Carolina.

Note.—Applicants authority to tack will be governed by 49 CFR 1042.10(b).

MC 108962 (Sub-8)X, filed June 30, 1981. Applicant: MIDWEST SPECIALIZED HAULERS, INC., P.O. Box 753, Dubuque, IA 52001. Representative: Walter Keal, P.O. Box 322, Cuyahoga Falls, OH 44222. Applicant seeks to remove restrictions in its Sub-No. 5F certificate to (1) replace one-way authority with radial authority between points in MN and WI, and, points in the U.S. (with exceptions); and (2) remove the except AK and HI restriction.

MC 115826 (Sub-603)X, filed June 29, 1981. Applicant: W.J. DIGBY, INC., 6015 E. 58th Ave., Commerce City, CO 80022. Representative: Jack B. Wolfe, 1600 Sherman St., No. 665, Denver, CO 80203. Applicant seeks to remove restrictions from its Sub-No. 584F certificate to (1) broaden the commodity description of oils, cleaning and washing compounds, wax, textile softeners, fire-proofing compounds, fatty acids and chemicals, and materials and supplies used in the manufacture and distribution of the commodities named, to "chemicals and related products, petroleum, natural gas and their products, and materials and supplies used in the manufacture and distribution thereof"; (2) replace facilities at Santa Fe Springs and Los Angeles, CA, Cincinnati, OH, Lock Haven, PA, Mauldin, SC, and Linden, NJ, with Ventura, Orange and Los Angeles Counties, CA; Hamilton, Butler, and Clermont Counties, OH and Campbell, Kenton and Boone Counties, KY; Clinton County, PA; Greenville, County, SC; and Union and Middlesex Counties, NJ; (3) remove the in bulk restriction and (4) remove the restriction "except AK and HI".

MC 117548 (Sub-5)X, filed June 17, 1981. Applicant: M & M TANK LINES OF VIRGINIA, INC., P.O. Box 30006, Washington, D.C. 20014. Representative: William P. Sullivan, 818 Connecticut Avenue, NW., Washington, D.C. 20006. Applicant seeks to remove restrictions in its lead No. MC-117548, and Sub-Nos. 2 and 4 certificates and No. MC-123067 (Sub-Nos. 35, 73, and 111) certificates, granted pursuant to MC-F-11656, to (a) broaden the commodity description in No. MC-117548 and Sub-No. 2, and No. MC-123067 (Sub-No. 35), from liquid petroleum products, in tank trucks, liquid asphalt in bulk, and liquefied petroleum gas, in bulk, to "petroleum products"; in No. MC-123067 (Sub-Nos. 73 and 111) from chemicals, in bulk, dry chemicals, in bulk, and dry salt, in bulk, to "chemicals and related products"; in No. MC-123067 (Sub-No. 35), from liquid products, in bulk, in tank vehicles, to "liquid products"; in No. MC-117548

(Sub-No. 4), from pulverized and crushed limestone and silica sand materials (except in bulk) to "ores and minerals" and from premixed building materials (except in bulk) to "building materials"; and (b) change one-way authority to radial authority between specified States located throughout the eastern portion of the U.S.; (c) remove ex-rail restrictions; and (d) replace specific point authority with countywide authority wherever they appear in the above described certificates as follows: Buchanan with Botetourt County, VA, Hollins with Roanoke County, VA, and Wilmington with New Hanover County, NC.

MC 120126 (Sub-4)X, filed June 30, 1981. Applicant: HARRIET TRANSPORT, INC., 63 Conway Street, P.O. Box D-620, New Bedford, MA 02742. Representative: Frank J. Weiner, 15 Court Square, Boston, MA 02108. Applicant seeks to remove restrictions in MC-61019, acquired in MC-FC-78962, to (1) broaden the commodity descriptions to (a) "general commodity (except classes A and B explosives)" from general commodity with exceptions, in part (1); (b) "food and related products" from fresh, frozen smoked, or salted fish, in barrels, boxes or paper cartons, in part (2), fish (including shell fish), processed fish, fish livers, fish oils and fish scrap, in containers, in parts (3) and (4), and, cranberries, in part (7); (c) "containers" from empty fish containers, in part (5); and (d) "food and related products, and materials and supplies used in the sale or distribution of food and related products" from malt beverages, in containers, and advertising matter used in connection with the sale or distribution of malt beverage; (2) allow service at all intermediate points on its regular route authority between New York, NY and New Bedford, MA, Boston, MA and Philadelphia, PA, and Barnstable County, MA and Providence, RI; (3) remove the "for delivery only" and "pick-up only" restrictions and the restriction limited to the pick-up only of fresh fish, including shell fish, processed fish, and fish other than frozen or in hermetically sealed containers; (4) change its one-way regular route to two-way authority between NY and MA, MA and PA, and MA and RI, and its one-way irregular route to radial authority between points in the northeastern portions of the U.S.; (5) replace off-route points on the regular route authority with county-wide authority as follows: Pawtucket with Providence County, RI and Taunton and Brockton with Bristol and Plymouth Counties, MA; and (6) replace cities with county-wide authority on the irregular route authority as follows: New Bedford, Fairhaven and Fall River with Bristol Counties, MA; Providence and Pawtucket with Providence, Bristol, and Kent Counties, RI; Newark with Essex County, NJ; and New London and Hartford with New London and Hartford Counties, CT.

MC 123872 (Sub-127)X, filed May 12, 1981, published in the **Federal Register** of June 3, 1981, and republished as follows: Applicant: W & L MOTOR LINES, INC., P.O. Box 3467, Hickory, NC 28601. Representative: Timothy C. Miller, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101. Applicant seeks to remove restrictions in its Sub-Nos. 104F, 116F and 118 certificates to (1) broaden the commodity descriptions from (a) cellulose wadding and padding, paper products, and extruded plastic foam and film to "textile mill products, pulp, paper, and related products, printed matter, and rubber and plastic products", in Sub-No. 116F, and (b) plastic articles to "rubber and plastic products," in Sub-No. 118; (2) eliminate (a) the bulk exceptions in all certificates, and (b) the "in tank vehicles" and "in vehicles equipped with mechanical refrigeration" restrictions, in Sub-No. 104F; (3) eliminate the restriction: restricted to the transportation of traffic originating at or destined to the facilities of Kraft, Inc., and revise the territorial description authorizing non-radial service between points in 27 States to read between the facilities of Kraft, Inc., at points in the named 27 States, on the one hand, and, on the other, points in the named 27 States, in Sub-No. 104F; and (4) authorize county-wide, radial authority to replace existing city-wide, one-way service: between Hartford, Middlesex, and Tolland Counties, CT (for East Hartford, CT), Grenada County, MS (for Grenanda, MS), Caldwell County, NC (for Patterson, NC) and Northumberland and Lancaster Counties, PA (for Paxinos and Lititz, PA), and the western U.S., in Sub-No. 116F. The purpose of this republication is to notice Hartford, Middlesex, and Tolland Counties, CT, for East Hartford, CT, in Sub-No. 116F, and the elimination of the restriction and revision of the territorial description as described in (3) above, in Sub-No. 104F.

MC 124624 (Sub-8)X, filed June 29, 1981. Applicant: EXPRESSWAY, INC., 1105 St. Louis Ave., Louisville, KY 40210. Representative: Robert H. Kinker, 314 West Main St., P.O. Box 464, Frankfort, KY 40602. Applicant seeks to remove restrictions in its Sub-Nos. 1, 3F, 5F, and 7F certificates to (1) broaden its commodity descriptions: in Sub-Nos. 1 and 7F, from general commodities (with exceptions), to "general commodities (except classes A and B explosives)"; in Sub-No. 3F, from cosmetics and toilet preparations, articles and sundries, and equipment and supplies used in connection with the sale thereof (except in bulk), to "such commodities as are dealt in or used by manufacturers and distributors of cosmetics and toilet preparations, articles, and sundries"; in Sub-No. 5F part (1) from radios, television sets, phonographs, sound recorders, sound players, amplifiers, loudspeakers, electric games, and electric toys, to "such commodities as are dealt in or used by manufacturers or distributors of radios, television sets, phonographs, sound recorders, sound players, amplifiers, loudspeakers, electric games, and electric toys"; (2) remove the facility restriction in Sub-No. 3F; and change one-way to radial authority between: in Sub-No. 3F, between Springdale, OH, and points in KY; and in Sub-No. 5F, between Louisville, KY, and described points in KY and IN; and (3) eliminate: in Sub-No. 1, the weight restriction; and Sub-No. 3F, the originating at and destined to restriction.

MC 127187 (Sub-No. 57)X, filed June 22, 1981. Applicant: FLOYD DUENOW, INC., P.O. Box 86, Savage, MN 55378. Representative: James B. Hovland, 525 Lumber Exchange Building, Ten South Fifth Street, Minneapolis, MN 55402. Applicant seeks to remove restrictions in its Sub-Nos. 1, 12, 13, 15, 16, 19, 21, 23, 26, 29, 32, 33, 38, 39, 43, 46, 47, 48, 49, 50 and 53 certificates to (1) broaden its commodity descriptions (a) in portions of Sub 1 and portions of Sub-Nos. 16, 21, 23, 29, 38, 39, 50, from animal and poultry feeds, feed ingredients and animal and poultry feed ingredients, dry animal feed, dry poultry feed, dry animal feed ingredients and dry poultry feed ingredients to "farm products"; (b) in portions of Sub-Nos. 1, 13, 43 and 47 from dry fertilizer, dry fertilizer ingredients, dry urea, fertilizer, fertilizer ingredients, fertilizer materials to "farm products and chemicals and related products"; (c) in a portion of Sub 1, from grain augers, steel buildings, storage bins, grain dryers and corn cribs, knocked down and in sections and component parts, materials and supplies, fixtures and accessories used in the construction and erection thereof to "farm products, machinery and metal products"; (d) in Sub-No. 15, from limestone and dicalcium phosphate to "farm products"; (e) in a portion of Sub-No 16 from dog and cat food and milk replacer and dried molasses to "farm products and food and related products"; (f) in Sub-No. 19, 21, 46, 49

and 53 from agricultural chemicals to "chemicals and related products"; (g) in Sub-No. 26 from lumber to "lumber and wood products"; (h) in Sub-No. 32 from dolomite and dolomite products to "ores and minerals, and clay, concrete, glass and stone products"; and (i) in Sub-No. 33 from dry corn and soybean products to "farm products and food and related products"; (2) remove restrictions in Sub-Nos. 1, 12, 16, 19, 21, 33, 38, 39, 46, 49, 50 and 53 against the transportation of commodities in bulk, in tank vehicles; liquid commodities in bulk, in tank vehicles; in bulk; and liquids in bulk, in tank or hopper type vehicles; (3) replace facilities restrictions with city-wide and/or county-wide authority (a) in Sub-No. 1, part (D), Sioux City, IA with Woodbury and Plymouth Counties, IA, (b) in Sub-No. 1, part (E), Omaha, NE with Douglas, Sarpy and Washington Counties, NE; (c) in Sub-No. 1, part (F), York and Columbus, NE, Sioux Falls, SD and Hull, IA with York and Platte Counties, NE, Minnehaha County, SD and Sioux County, IA, (d) in Sub-No. 12 East Grand Forks, Crookston, Moorhead and Renville, MN with Polk, Clay and Renville Counties, MN; (e) in Sub-No. 15, Weeping Water, NE with Cass County, NE; (f) in Sub-No. 16, part (1), Belmond, IA with Wright County, IA and in Sub-No. 16, part (3), Owatonna, MN with Steele County, MN; (g) in Sub-No. 21, Des Moines, Clinton, Fort Dodge, Clarence, Muscatine, Sergeant Bluff, Sheldon and Mason City, IA with Polk, Warren, Madison, Dallas, Clinton, Webster, Cedar, Muscatine, Woodbury, O'Brien and Cerro Gordo Counties, IA; (h) in Sub-No. 23, Emporia, KS with Lyon County, KS; (i) in Sub-No. 29, Culbertson, MT with Roosevelt County, MT; (j) in Sub-No. 33, North Kansas City, MO with Clay County, MO; (k) in Sub-No. 43, Mason City, IA with Cerro Gordo County, IA; (4) remove the facilities restrictions (a) in Sub-No. 1, paragraph (I) restricting service against the transportation of traffic from Port Cargill, MN; (b) in Sub-No. 19 restricting service from Muscatine, IA to the facilities of the Monsanto Company; (5) remove originating at or destined to restrictions in Sub-Nos. 1, 19, 26, 33, and 38F; (6) replace a specified port of entry on the International Boundary line between the U.S. and Canada in MN with all ports of entry in MN; (7) remove a restriction to interstate commerce only in Sub-No. 1; (8) remove restriction in Sub-No. 19 limiting service to points in the provinces of Alberta, Saskatchewan and Manitoba, Canada; and (9) remove the restriction in Sub-No. 21 against the transportation of traffic originating at points in IL and NE within the commercial zone of the named IA points in that certificate.

MC 129788 (Sub-21)X, filed May 22, 1981 and noticed in the Federal Register of June 11, 1981, republished as corrected in this issue. Applicant: NASS TRUCK LINES, INC., P.O. Box H, Wenona, IL 61377. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., N.W., Washington, D.C. 20001. Applicant seeks to remove restrictions in its lead and Sub-Nos. 2, 6, and 17 certificates to (1) broaden its commodity descriptions from malt beverages and related advertising materials, to "food and related products", in the lead and Sub-Nos. 2 and 6; (2) replace cities with county-wide authority: in the lead and Sub-No. 6, Newport, KY, with Campbell and Kenton Counties, KY, and Hamilton County, OH; in the lead, South Bend, IN with Elkhart and St. Joseph Counties, IN, and Berrien and Cass Counties, MI; Sheboygan, WI with Sheboygan County, WI; in the lead Sub-No. 6, Peoria, IL with Peoria, Tazewell and Woodford Counties, IL; in Sub-No. 2, Galesburg, IL with Knox and Warren Counties, IL; Macomb, IL with McDonough County, IL; Rock Island, IL with Rock Island County, IL and Scott County, IA; in the lead Sub-Nos. 2 and 6, Rockford, IL with Boone, Ogle, and Winnebago Counties, IL; and Bloomington, IL with McLean County, IL; in the lead Sub-No. 17, Milwaukee, WI with Kenosha, Milwaukee, Ozaukee, Racine, Washington, and Waukesha Counties, WI; and Detroit, MI with Macomb, Monroe, Oakland, Washtenau, and Wayne Counties, MI; and in Sub-No. 6, Evansville, IN with Posey, Vanderburgh, and Warrick Counties, IN, and Henderson County, KY; and (3) change its one-way to radial authority between points in the above-named counties and specified cities in Wisconsin, Illinois, Indiana, Michigan, Kentucky, and Missouri, in the lead and Sub-Nos. 2 and 6. The purpose of this republication is to correct the proposed territorial modification in Sub-No. 6.

MC 138880 (Sub-3)X, filed July 2, 1981. Applicant: RED RIVER TRANSPORT & DEVELOPMENT CO., INC. d.b.a. AIR FREIGHT EXPRESS, P.O. Box 1535, St. Paul, MN 55111. Representative: Richard P. Anderson, 502 First National Bank Bldg. Fargo, ND 58126. Applicant seeks to remove restrictions in its Sub-No. 2(M1)F certificate to (1) broaden the commodity description from general commodities (with exceptions) to "general commodities" (except classes A and B explosives) and (2) broaden the territorial description by substituting county-wide authority for city wide authority airports as follows: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington Counties, MN (Airport in or near Minneapolis, MN) and Douglass County, WI (for Superior, WI).

MC 139312 (Sub-13)X, filed June 22, 1981. Applicant: NORTHEAST TRUCK BROKERS OF TEXAS, INC., 2501 North Cage, P.O. Box 826, Pharr, TX 78577. Representative: Thomas R. Kingsley, 10614 Amherst Avenue, Silver Spring, MD 20902. Applicant seeks to remove restrictions in its Sub-No. 11F Certificate (1) by broadening its commodity description from frozen food to "food and related products" and (2) by authorizing radial in lieu of one-way operations between points in CA and TX, and, points in the United States; and (3) delete exception to AK, HI, CA, and TX.

MC 143988 (Sub-18)X, filed June 17, 1981. Applicant: JAMES W. TATE d.b.a. JAMAR TRUCKING, P.O. Box 18970, Memphis, TN 38118. Representative: Thomas A. Stroud, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. Applicant seeks to remove restrictions in its Sub-Nos. 1, 3, 4, 6, 7 and 12 certificates to: (1) broaden the commodity descriptions from specified foodstuffs such as bananas and frozen pasteries to "food and related products" in Sub-Nos. 1, 3F, 4F, and 6F; (2) broaden the commodity description from general commodities (with the usual exceptions) to general commodities (except classes A and B explosives) in Sub-No. 7F and 12F; (3) remove the facilities limitations in Sub/Nos. 3F, 4F, 6F, 7F and 12F and replace with country-wide authority as follows: In Sub-No. 1, Gulfport, MS, with Harrison County, MS; in Sub-No. 3F, Little Rock, AR, with Pulaski County, Ar; in Sub-No. 4F, plantsite at Belvidere, IL with Belvidere, IL; in Sub-No. 6X, plantsite at Memphis, TN with Memphis, TN; in Sub-No. 7F, Fort McCoy, WI, Camp Ripley, MN, Grand Forks AFB, ND, Minot AFB, ND, Ellsworth AFB, SD, Offutt AFB, NE, Fort Leavenworth, KS, McConnell AFB, KS and Fort Hood, TX with La Crosse and Monroe Counties, WI, Crow Wing and Morrison Counties, MN, Ward, Renille, and Grand Forks Counties, ND, Meade and Pennington Counties, SD, Omaha, NE, Leavenworth, Johnson, Wyandotte, Sedgwick and Butler Counties, KS, and Coreyell, Bell and McLennan Counties, TX; in Sub-No. 12F, Fort Sam Houston, Randolph AFB, Lackland AFB, Kelley AFB, Fort Bliss, Red River Army Depot at Texarkana, Corpus Christi Naval Air Station, NAS, Department of Defense facility at Kingsville, Goodfellow AFB, and Naval

Auxiliary Air Station at Beeville, all in Texas with Atascosa, Bee, Bexar, Bowie, Comal, El Paso, Guadalupe, Hudspeth, Kleberg, Medina, Nuece, San Patricio, Tom Green and Wilson Counties, TX and Dona Ana and Otero Counties, NM (4) expand existing one way authority in Sub-Nos. 1, 3F, 4F, 6F, 7F, and 12F to radial authority between various combinations of points in the U.S.

Note.—Certificate No. MC-143988 (Sub-No. 7F) served November 12, 1980, incorrectly relects Camp Ripley, MN as Camp Riley, WI.

MC 145720 (Sub-3)X, filed June 25, 1981. Applicant: STORE WIDE DELIVERY CO., INC., 2820 16th Street, North Bergen, NJ 07047. Representative: Richard Rueda, 133 North 4th Street, Philadelphia, PA 19106. Applicant seeks to remove restrictions in its Sub-No. 2 permit by broadening its territorial description to between points in the U.S. under continuing contract(s) with named shippers.

MC 146050 (Sub-5)X, filed May 18, 1981 and noticed in the **Federal Register** of June 11, 1981, republished as corrected in this issue. Applicant: ALPHA & OMEGA TRANSPORT, INC., P.O. Box 19309, Airport Station, Charlotte, NC 28219. Representative: Eirc Meierhoefer, Suite 1000, 1029 Vermont Avenue, NW. Washington, DC 20005. Applicant seeks to remove restrictions in its Sub-No. 2F certificates to (1) broaden the commodity description from hospital supplies, drugs, and health care products, and materials and supplies used in the manufacture of the commodities above (except in bulk), to "chemicals and related products, and medical, dental, hospital, and health care products, supplies, equipment, instruments and furnishings"; (2) remove facilities limitations at Rocky Mount, NC, Altavista, VA, and North Chicago, IL and replace with Edgecombe and Nash Counties, NC, Campbell and Pittsylvania Counties, VA, and Lake and Cook Counties, IL, and (3) remove the restriction against transportation to AK and HI in its radial authority between the above points and points in the U.S. The purpose of this republication is to correct certain proposed territorial modifications.

MC 146479 (Sub-13)X, filed June 17, 1981. Applicant: HARRISON CARRIERS, INC., P.O. Box 367, Harrison, NY 10528. Representative: David M. Marshall, 101 State Street—Suite 304, Springfield, MA 01103. Applicant seeks to remove restriction in its lead and Sub-Nos. 1F, 2F, 3F, 4F, 5F, 6F, 7F, 8F, 9F, 10F, and 11F certificates to (1) broaden the commodity description in Sub-No. 10F from (a) plastic and plastic articles (except plastic pipe), and (b) materials and supplies used in the manufacture and distribution of the commodities in (a) above (except commodities in bulk, in tank vehicles) to "such commodities as are dealt in by a manufacturer or distributor of paper, plastic, rubber, or paper products, plastic products, or rubber products"; in Sub-Nos. 3F and 9F from sporting goods, and sports apparel and materials and supplies used in the manufacture, distribution and sale of such commodities, to "such commodities as are dealt in by a manufacturer or distributor of sporting goods, sports wear, and recreational and leisure products"; in Sub-Nos. 5F and 7F from beverages, fruit, fruit products, condiments and related materials and supplies, to "such commodities as are dealt in by a manufacturer or distributor of beverages, food, or related products"; in Sub-No. 2F from light bulbs, lamps, lighting fixtures and materials, equipment and supplies used in the manufacture and distribution of such commodities, to "such commodities as are dealt in by a manufacturer or distributor of electrical and related products"; in Sub-No. 1F from footwear, handbags, accessories, and materials and equipment and supplies used in the manufacture and distribution of such commodities, to "such commodities as are dealt in by a manufacturer or distributor of wearing apparel and related accessories", (2) remove the "in bulk and in tank vehicles" restrictions, in the lead and Sub-Nos. 1F, 2F, 3F, 5F, 7F, 8F, 10F, and 11F, (3) replace one-way authority with radial authority in Sub-No. 10F, (4) remove the commodity exceptions, in Sub-Nos. 9F, 10F and 11F, (5) remove the AK and HI exceptions, in Sub-Nos. 2F, 3F, 5F, 6F, 7F, 8F, 9F, 10F and 11F, (6) eliminate the facilities restrictions, in the lead and Sub-Nos. 1F, 2F, 3F, 4F, 5F, 6F and 7F, (7) remove the restriction against service at points in Mammondsport and Naples, NY and Denver, CO, in Sub-No. 7F and Delaware, IL in Sub-No. 10F, (8) remove the originating at and/or destined to restrictions, in Sub-Nos. 1F, 3F, and 5F and (9) broaden the territorial description by substituting county-wide authority for city-wide authority as follows: hampshire and Hampden Counties, MA (for Easthampton and Westfield, MA), Onondaga County, NY (for Syracuse, NY), Dauphin County, PA (for Harrisburg, PA), Cook County, IL (for Des Plaines, IL), Mecklenburg County, NC (for Charlotte, NC), Dallas and Bexar Counties, TX (for Irving and San Antonio, TX), Dubuque County, IA (for Dubuque, IA), Muskingum County, OH (for Zanesville, OH), Jefferson County, KY (for Louisville, KY), Los Angeles County, CA (for Torrance, CA), Shelby County, TN (for Memphis, TN), and Orange County, FL (for Orlando, FL), in the lead; Middlesex and Mercer Counties, NJ (for South Brunswick and Hightstown, NJ), in Sub-No. 2F; Hampden County, MA (for East Longmeadow and Springfield, MA) and Albany County, NY (for Voorheesville, NY), in Sub-No. 4F; Sutter County, CA (for Yuba City, CA), Grays harbor County, WA (for Markham, WA), Burlington County, NJ (for Bordentown, NJ), Erie County, PA (for North East, PA) and Kenosha, County, WI (for Kenosha, WI), in Sub-No. 5F.

MC 148409 (Sub-3)X, filed June 30, 1981. Applicant: CGR TRUCK LINES, INC., 221 Carolina Ave. E., Memphis, TN 38126. Representative: Thomas A. Stroud, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137. Applicant seeks to remove restrictions from its Sub-No. 2 certificate to (1) broaden the commodity description from feed, feed ingredients, feed supplements, molasses, meals, fertilizers, fertilizer ingredients, caustic soda, sulphuric acid and solvents to "chemicals and related products, feed, feed ingredients, feed supplements, molasses and meal"; (2) remove the "in bulk" restriction; and (3) broaden Helena and Blytheville, AR to Phillips and Mississippi Counties, AR.

MC 152218 (Sub-2)X, filed June 23, 1981. Applicant: OHIO PIGGYBACK TRANSPORTATION, INC., 2660-A Fisher Rd., Columbus, OH 43204. Representative: David A. Turano, 100 E. Broad St., Columbus, OH 43215. Applicant seeks to remove restrictions in its Sub-No. 3 common carrier authority, acquired in to MC-FC 78818, to (1) broaden the commodity description to "general commodities (except Classes A and B explosives)" from general commodities (usual exceptions); and (2) remove restriction against the transportation of traffic having a prior or subsequent movement by rail or water.

[FR Doc. 81-20873 Filed 7-15-81; 8:45 am]
BILLING CODE 7035-01-M

[I.C.C. Order No. P-32]

Atchison, Topeka and Santa Fe Railway Co.; Passenger Train Operation

It appearing, That the National Railroad Passenger Corporation (Amtrak) has established through passenger train service between Chicago, Illinois and Oakland, California. The operation of these trains

requires the use of the tracks and other facilities of Burlington Northern Inc. (BN). A portion of the BN tracks between Chicago and Galesburg, Illinois, are temporarily out of service because of a derailment. An alternate route is available via The Atchison, Topeka and Santa Fe Railway Company.

It is the opinion of the Commission that the use of such alternate route is necessary in the interest of the public and the commerce of the people; that notice and public procedure herein are impracticable and contrary to the public interest; and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, (a) Pursuant to the authority vested in me by order of the Commission served March 6, 1978, and of the authority vested in the Commission by Section 402(c) of the Rail Passenger Service Act of 1970 (45 U.S.C. 562(c)), The Atchison, Topeka and Santa Fe Railway Company (ATSF) is directed to operate trains of the National Railroad Passenger Corporation (Amtrak) between Chicago, Illinois and a connection with Burlington Northern Inc. (BN), at Galesburg, Illinois.

(b) In executing the provisions of this order, the common carriers involved shall proceed even though no agreements or arrangements now exist between them with reference to the compensation terms and conditions applicable to said transportation. The compensation terms and conditions shall be, during the time this order remains in force, those which are voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, the compensation terms and conditions shall be as hereafter fixed by the Commission upon petition of any or all of the said carriers in accordance with pertinent authority conferred upon it by the Interstate Commerce Act and by the Rail Passenger Service Act of 1970, as amended.

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

(d) *Effective date.* This order shall become effective at 5:00 p.m., July 3, 1981.

(e) *Expiration date.* The provisions of this order shall expire at 11:59 p.m., July 6, 1981, unless otherwise modified, amended, or vacated by order of this Commission.

This order shall be served upon The Atchison, Topeka and Santa Fe Railway Company and upon the National Railroad Passenger Corporation (Amtrak), and a copy of this order shall be filed with the Director, Office of the Federal Register.

Interstate Commerce Commission.

Robert S. Turkington,

Agent.

[FR Doc. 81-20872 Filed 7-15-81; 8:45 am]

BILLING CODE 7035-01-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (81-58)]

NASA Advisory Council; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the national Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council.

DATE AND TIME: August 3, 1981, 8:30 a.m. to 5 p.m.; August 4, 1981, 8:30 a.m. to 5:30 p.m.; August 5, 1981, 8 a.m. to 12 noon.

ADDRESS: Scripps Institution of Oceanography, Conference Room, Marine Biology Building, La Jolla, California 92093.

FOR FURTHER INFORMATION CONTACT: Mr. Nathaniel B. Cohen, Code LB-4, National Aeronautics and Space Administration, Washington, DC 20546 (202/755-8383).

SUPPLEMENTARY INFORMATION: The NASA Advisory Council was established as an interdisciplinary group to advise senior management on the full range of NASA's programs, policies, and plans. The Council is chaired by Dr. William A. Nierenberg and is composed of twenty members. Standing committees containing additional members report to the Council and provide advice in the substantive areas of aeronautics, life sciences, space and terrestrial applications, space science, space systems and technology, and history, as they relate to NASA's activities.

The meeting will be closed to the public from 10 a.m. to 12 noon on August 5, 1981, for a discussion of qualifications of candidates for membership on the Council. Such a discussion would invade the privacy of the candidates and other individuals involved. Since this session will be concerned throughout with matters listed in 5 U.S.C. 552b(c)(6) it has been determined that this session should be closed to the public. The remainder of the meeting will be open to the public up to the seating capacity of the room (approximately 50 persons including Council members and other participants). Visitors will be requested to sign a visitor's register.

Type of meeting

Open—except for a closed session as noted in the agenda below.

Agenda

August 3, 1981

8:30 a.m.—Introduction.
8:45 a.m.—Overview: Administration Guidelines and NASA Strategy.
9:15 a.m.—Space and Life Science.
12:30 p.m.—Aeronautics.
3 p.m.—Space Technology and Energy.
5 p.m.—Adjourn.

August 4, 1981

8:30 a.m.—Space and Terrestrial Applications.
11 a.m.—Council Report to NASA.
12:30 p.m.—Where do we go in earth orbital activities?
5:30 p.m.—Adjourn.

August 5, 1981

8 a.m.—NASA's Long Range goals.
10 a.m.—Membership issues (Closed Session).
12 noon—Adjourn.

Russell Ritchie,

Deputy Associate Administrator for External Relations.

July 10, 1981.

[FR Doc. 81-20707 Filed 7-15-81; 8:45 am]

BILLING CODE 7510-01-M

[Notice (81-59)]

NASA Advisory Council; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces the forthcoming meeting of the NASA Advisory Council, Informal Ad Hoc Solar System Exploration Committee.

DATE AND TIME: August 10-14, 1981, 8:30 a.m.-4:30 p.m. and August 15, 1981, 8:30 a.m.-12 noon.

ADDRESS: Room 2101, Urey Hall, Revelle Campus, University of California-San Diego, La Jolla, California 92093.

FOR FURTHER INFORMATION CONTACT: Mrs. Diane M. Mangel, National Aeronautics and Space Administration, Code SL-4, Washington, DC 20546 (202/755-3728).

SUPPLEMENTARY INFORMATION: The Informal Ad Hoc Solar System Exploration Committee was established

under the NASA Advisory Council to translate the scientific strategy developed by the Committee on Planetary Exploration (COMPLEX) into a realistic, technically sound sequence of missions consistent with that strategy and with resources expected to e available for solar system exploration. The committee will report its findings to the Council and to NASA. The committee is chaired by Dr. John E. Naugle and is composed of four other members of the Council and its standing committees, who will meet with about 9 other invited participants and certain NASA personnel. The meeting will be open to the public up to the seating capacity of the room (approximately 30 persons, including committee members and invited meeting participants). Visitors will be requested to sign a visitor's register.

Type of Meeting:

Open.

Agenda

August 10, 1981

8:30 a.m.—Program Status.
1 p.m.—Review of Draft Report.

August 11, 1981

8:30 a.m.—Mission Priorities Programmatic Considerations.

August 12, 1981

8:30 a.m.—Review of Draft Report.
1 p.m.—Mission Sequences.

August 13, 1981

8:30 a.m.—Review of Draft Report.
1 p.m.—Mission Sequences.

August 14, 1981

8:30 a.m.—Preparation of Draft Report.
1 p.m.—Conclusions and Recommendations.

August 15, 1981

8:30 a.m.—Conclusions and Recommendations.
12:00 noon—Adjourn.

Russell Ritchie,

Deputy Associate Administrator for External Relations.

July 8, 1981.

[FR Doc. 81-20798 Filed 7-15-81; 8:45 am]

BILLING CODE 7510-01-M

[Notice (81-60)]

National Environmental Policy Act; Finding of No Significant Impact

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of Finding of No Significant Impact.

SUMMARY: Commercial spacecraft missions have been identified which require delivery to orbits not attainable by the Space Shuttle alone. Many of these spacecraft include a commercially avialable Spinning Solid Upper Stage (SSUS) as one propulsive element. NASA may, at a later time, use SSUS with NASA spacecraft. This finding of no significant impact is published in recognition of NASA responsibilities associated with launch of a variety of spacecraft that include this common element.

Spinning Solid Upper Stages are being developed by McDonnell Douglas as a commercial venture. These are solid propellant spin stabilized stages available in two sizes: one containing about 2000 kg of propellant and the other containing about 3400 kg. SSUS vehicles will be manufactured and tested in existing facilities, assembled at the Eastern Launch Site in Florida, and launched into earth orbit inside the cargo bay of the Space Shuttle. After separation from the Orbiter, the SSUS will burn its solid propellant motor at approximately 300 km altitude to place spacecraft into geosynchronous transfer orbit. Some of the SSUSs will be carried aloft by the Delta during the transition period from expendable launch vehicles to the Space Shuttle. Approximately 190 launches of the smaller SSUS (SSUS-D for Delta class spacecraft) and approximately 8 launches of the larger SSUS (SSUS-A for Altlas Centaur class spacecraft) are anticipated during the 10-year period 1981-1992.

Alternatives considered include the Delta and Atlas Centaur expendable launch vehicles and the Inertial Upper Stage (IUS). Delta and Atlas Centaur will be phased out as the Space Shuttle becomes operational and are not therefore considered significant alternatives. The SSUS was selected over the IUS because it can perform the required missions at lower cost (IUS is much larger and its performance and cost are excessive for these missions). SSUS environmental impact is less than IUS.

The SSUS environmental impact has been examined and compared to the IUS. Since it has been determined that no IUS Environmental Impact Statement (EIS) is required and SSUS impact is less, no EIS is required for SSUS. For comparison, the large and small SSUSs are only 28% and 16% the size of the smallest IUS. SSUS will eject approximately 40,000 kg/yr of solid rocket motor combustion products all above 300 km, compared to 100,000 kg/yr projected for IUS when it was environmentally evaluated. A single Shuttle launch will eject 1,000,000 kg/flight, below 40 km, of similar products. SSUS will have no significant impact on the space environment because the combustion products will diffuse throughout the vastness of space.

SSUS will have no impact on the air, land, water or noise environment because it is used only in space, no new facilities are required, and it uses only small quantities of hydrazine (6 kg of hydrazine—0.06% that in the Shuttle Orbiter). Neither fabrication nor use of SSUS will have a significant biological impact. There are no known socio-economic impacts.

DATE: Comments must be received in writing on or before August 17, 1981.

ADDRESS: National Aeronautics and Space Administration, Code MUI-12, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Mr. M. D. Kitchens, 202-755-3166.

SUPPLEMENTARY INFORMATION: NASA has examined the impact of SSUS on the environment. (Reference: NASA Headquarters Memorandum dated September 18, 1979, from the Director, Expendable Launch Vehicles, Office of Space Transportation Systems to the Director, Management Support Office; IUS Environmental Determination 43 FR 59419 dated December 20, 1978.)

Conclusion: SSUS will have no short or long term impact on the environment. No EIS is required.

Russell Ritchie,

Deputy Associate Administrator for External Relations.

July 10, 1981.

[FR Doc. 81-20799 Filed 7-15-81; 8:45 am]

BILLING CODE 7510-01-M

NATIONAL TRANSPORTATION SAFETY BOARD

[N-AR 81-29]

Reports, Recommendations; Availability

Recently released by the Board are the following accident reports and related safety recommendations:

Aircraft: *Florida Commuter Airlines, Inc., Douglas DC-3, N75KW, Grand Island, Bahamas, September 12, 1980 (NTSB-AAR-81-5).*—Recommendation issued April 2 to the Federal Aviation Administration:

Require all aircraft used in revenue passenger operations which are not presently required to be equipped with an approved weather detection device under 14 CFR Part 121 or 14 CFR Part 135 to have an appropriate airborne weather detection device that is in satisfactory operating condition when flight

under IFR or night VFR conditions is anticipated and current weather reports indicate that thunderstorms or other potentially hazardous weather conditions that can be detected with an airborne weather detection device may reasonably be expected along the route to be flown. (A-81-35).

Aircraft: *Georgia-Pacific Corporation, Cessna 500 Citation, N501GP, Mercer County Airport, Bluefield, West Virginia, January 21, 1981 (NTSB-AAR-81-9).*—Recommendations issued June 23 to the Federal Aviation Administration:

Require Cessna to include in the appropriate sections of all Citation aircraft flight manuals the portion on page IV-3 of the manufacturer's aircraft operating manual which pertains to landing on slippery runways. (A-81-65)

Require Cessna to include in the appropriate sections of all Citation aircraft flight manuals a warning that solid ice, snow, or slush corrected landing distances may not be adequate in operations. (A-81-66)

Through advisory circulars and/or operations bulletins, emphasize and reinforce in the training curricula for a least all turbojet initial and recurrent phases the limitations and the hazards that may be encounterred when landing on slippery runways. (A-81-67)

Review and require revisions as appropriate of manufacturer's aircraft flight manuals to include sufficient slippery runway condition correction factor information or require an appropriate warning that landing distances under slippery runway conditons are unknown. (A-81-68)

Highway: *Multiple-Vehicle Collisions and Fire in Fog, Interstate 15, Near San Bernardino, California, November 10, 1980 (NTSB-HAR-81-2).—Recommendations issued June 23 to—*

National Highway Traffic Safety Administration: Consider the circumstances of this and other similar limited-visibility accidents and develop a strategy such as that recommended in H-71-17 for inclusion in Highway Safety Program Standard No. 4, "Driver Education," to inform motorists faced with adverse, limited-visibility driving conditions about the safest actions to take to protect themselves from injury. (H-81-26)

In developing the new standard related to Rear Underride Protection as proposed in NHTSA Docket No. I-11, Notice 07, of January 8, 1981, incorporate the specification modifications submitted by Safety Board letter dated April 18, 1981, to the Docket. (H-81-27)

Initiate (through an appropriate demonstration project) a program and procedures for minimizing the likelihood of catastrophic chain-reaction collisions on high-speed, multilaned highways in adverse weather or visibility conditions; such program to consider, among others, requirements to: (1) segregate heavy vehicles from light vehicles by assigned use of lanes whenever safe speed is below posted speed; (2) forbid overtaking and passing by heavy vehicles; (3) use of four-way flashers by all vehicles; (4) prohibit stopping on the traveled portion of highways (unless conditions will not permit otherwise); and (5) evacuate stopped vehicles under certain conditions. (H-71-17) (This reiterated recommendation is still in "open" status.)

State of California: Encourage the California Highway Patrol to extend its communication facilities throughout the State and to monitor National Weather Service or local or regional weather forecasting services regularly to obtain advance warning of weather changes that may seriously affect traffic movement and to provide adequate leadtime for implementing contingency plans. (H-81-28)

Identify areas throughout the State having a high potential for experiencing adverse weather conditions (fog, snow, sand, or dust storms, etc.) that may seriously affect major highway routes and/or traffic corridors. Develop contingency plans similar to the Riverside plan for those areas to warn and to guide traffic through affected areas, to redeploy personnel resources, and to notify other government agencies should weather conditions reach the plan implementation threshold. (H-81-29)

Evaluate accidents involving vehicles transporting loads of aluminum and other metal products to determine if such accidents and any attendant injuries could be prevented or their severity reduced by requiring such products to be secured so as to meet the securement requirements for steel products contained in Title 13 of the California Administrative Code. (H-81-30)

Marine: *Collision of Panamanian Bulk Carrier M/V SEADANIEL with German Containership M/V TESTBANK, Mississippi River Gulf Outlet, Near Shell Beach, Louisiana, July 22, 1980 (NTSB-MAR-81-8).*—Recommendations issued June 29 to—

Owners of TESTBANK: Whenever possible, considering the various requirements for vessel safety and ports of call, require that containers with dangerous cargo carried on your vessels be stowed as near the centerline as possible, if "on-deck" stowage is utilized. (M-81-36)

U. S. Coast Guard: In conjunction with the Materials Transportation Bureau and the National Cargo Bureau, Inc., conduct an evaluation of the requirement for the stowage of containerized dangerous cargo and, if practicable, require that "on-deck" containerized dangerous cargo be stowed as close to the centerline as possible. (M-81-37)

If stowage of containerized dangerous cargo near centerline is found to be practical, bring such a requirement to the attention of the appropriate IMCO subcommittee for adoption on the international level. (M-81-38)

Conduct an analysis of Mississippi River Gulf Outlet Canal traffic and economics to determine if restricting major vessel traffic to one-way operation for designated time periods and in particular locations during dangerous cargo transit is warranted. (M-81-39)

Materials Transportation Bureau: In conjunction with the U.S. Coast Guard and the National Cargo Bureau, Inc., conduct an evaluation of the requirement for the stowage of containerized dangerous cargo and, if practicable, require that "on-deck" containerized dangerous cargo be stowed as close to the centerline as possible. (M-81-40)

National Cargo Bureau, Inc.: In conjunction with the U.S. Coast Guard and the Material Transportation Bureau, conduct an evaluation of the requirement for the stowage of containerized dangerous cargo and, if practicable, require that "on-deck" containerized dangerous cargo be stowed as close to the centerline as possible. (M-81-41)

Railroad: *Derailment of Amtrak Passenger Train No. 21, the Inter-American, on the Illinois Central Gulf Railroad, Springfield, Illinois, October 30, 1980 (NTSB-RAR-81-5).*—Recommendations issued June 23 to—

Illinois Central Gulf Railroad: Take immediate action to determine that train and engine service employees of the Alton District are fully conversant with and comply with timetable speed restrictions and the various color-light signal aspects that can be displayed at Iles and K.C. Junction.(R-81-61)

Increase the frequency with which train and engine service employees are instructed and examined on the rules, timetable, and bulletin instructions. (R-81-62)

Erect speed limit signs as provided for in its rules, and/or provide milepost references in its timetable to indicate the limits of restricted speed sections on the Alton District at Springfield, Illinois. (R-81-63)

Reduce the allowable speed for passenger trains between Laurel Street and K.C. Junction to a speed that is consistent with the restrictions north of Laurel Street and at the N & W crossing as well as the possibility that a train may have to reduce speed to 10 mph at K.C. Junction. (R-81-64)

In cooperation with the National Railroad Passenger Corporation (Amtrak), develop and execute a program of surveillance of passenger train operations on the Alton District, including on-board determination of how engine crews comply with signal aspects, speed restrictions, and ICG Rule 34, as well as routine monitoring of locomotive speed recorder tapes. (R-81-65)

Require that appropriate division officers determine that enginemen who have been restricted because of impaired vision have obtained proper corrective eyeglasses and fully understand the nature of their restriction before they are allowed to continue in service. (R-81-66)

National Railroad Passenger Corporation: In cooperation with the Illinois Central Gulf Railroad, develop a program of close surveillance of the operation of its trains on ICG's Alton District which includes the compliance of train crews with speed restrictions and signal aspects, as well as the monitoring of locomotive speed recorder tapes. (R-81-67)

Make route and schedule studies to determine that Amtrak trains can be safely operated over the ICG's Alton District on the existing schedules. (R-81-68)

Federal Railroad Administration (FRA): Conduct a safety review of the Alton District of the Illinois Central Gulf Railroad to determine whether existing track and signal features, existing training of employees, and

the enforcement of the operating rules and timetable are adequate for the safe operation of passenger trains over this district. (R-81-69)

Railroad: *Head-on Collision Between Baltimore & Ohio Railroad Company Train No. 88 and the Brunswick Helper 7603-7545 Near Germantown, Maryland, February 9, 1981 (NTSB-RAR-81-6).*— Recommendations issued June 23 to—

Baltimore & Ohio Railroad Company: Establish a train reporting procedure at Rocks and similar locations, that will enable each train dispatcher and the tower operator, in advance and to the rear of the train, to have a record of the times trains pass the reporting point. (R-81-70)

Evaluate the workloads carried by the Old Main Line and the Baltimore Terminal dispatchers to determine if they are manageable. If either is not, adjust the workloads so that each dispatcher has a manageable assignment. (R-81-71)

Redesign the Baltimore train dispatcher's office to provide facilities based on good human engineering principles and to eliminate the current distractions and uncomfortable environment. (R-81-72)

Upgrade the radio system to eliminate the marginal coverage area between Barnesville and Gaithersburg. (R-81-73)

Federal Railroad Administration: Establish regulations that would require all trains operating on main track to be equipped with an operable radio. (R-79-73) (This reiterated recommendation is still in "open" status.)

Note.—Single copies of Board reports are available without charge as long as limited supplies last. Copies of recommendation letters, responses and related correspondence are also free of charge. All requests must be in writing, identified by recommendation or report number. Address request to: Public Inquiries Section, National Transportation Safety Board, Washington, D.C. 20594.

Multiple copies of Board reports may be purchased from the National Technical Information Service, U.S. Department of Commerce, Springfield, Va. 22161.

(49 U.S.C. 1903(a)(2), 1906)

Margaret L. Fisher,

Federal Register Liaison Officer.

July 10, 1981.

[FR Doc. 81-20713 Filed 7-15-81; 8:45 am]

BILLING CODE 4910-58-M

NUCLEAR REGULATORY COMMISSION

Criteria for Guidance of States and NRC in Discontinuance of NRC Regulatory Authority and Assumption Thereof by States Through Agreement; Statement of Policy

AGENCY: Nuclear Regulatory Commission.

ACTION: Revision of Criterion 29f.

SUMMARY: In a Federal Register document published on January 23, 1981 (46 FR 7540-7546, FR Doc. 81-2428), the NRC published Criteria for Guidance of States and NRC in Discontinuance of NRC Regulatory Authority and Assumption Thereof by States Through Agreement. As published at 46 FR 7544, Col. 1, Criterion 29f. which states "ban on major construction prior to completion of the aforementioned stipulations," is inaccurate. This document corrects the text of Criterion 29 by revising paragraph f. to read as follows:

"f. A ban on major construction prior to completin of the written environmental analysis stipulated in Criterion 31."

FOR FURTHER INFORMATION CONTACT: John F. Kendig, Office of State Programs, Nuclear Regulatory Commission, Washington, D.C. 20555, (301) 492-9891.

Dated at Washington, D.C. this 10th day of July 1981.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 81-20681 Filed 7-15-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-458 and 50-459]

Gulf States Utilities Co., Cajun Electric Power Cooperative; Receipt of Antitrust Information

Gulf States Utilities Company, on behalf of itself and Cajun Electric Power Cooperative, has filed antitrust information for their application for operating licenses for the River Bend Station, Units 1 and 2. This information was filed pursuant to Part 2.101 of the Commission Rules and Regulations and is in connection with the owners' plans to operate two boiling water reactors in West Feliciana Parris, Louisiana. The application contains antitrust information for review pursuant to NRC Regulatory Guide 9.3 to determine whether there have been any significant changes since the completion of the antitrust review at the construction permit stage. The remainder of the application for operating licenses is currently undergoing acceptance review. Following docketing, a notice will be published in the **Federal Register**.

Following completion of staff antitrust review of the above-named application, the Director of Nuclear Reactor Regulation will issue an initial finding as to whether there have been "significant changes" under section 105c(2) of the Atomic Energy Act. A copy of this finding will be published in the **Federal Register** and will be sent to the Washington and local public document rooms and to those persons providing comments or information in response to this notice. If the initial finding concludes that there have not been any significant changes, request for reevaluation may be submitted for a period of 60 days after the date of the **Federal Register** notice. The results of any reevaluations that are requested will also be published in the **Federal Register** and copies sent to the Washington and local public document rooms.

A copy of the application for operating licenses and the antitrust information submitted are available for public examination and copying for a fee at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555 and in the local public Document Rooms at the Audubon Library, West Feciliana Branch, Ferdinand Street, St. Francisville, Louisiana and at the Louisiana State University, Government Document Department, Baton Rouge, Louisiana.

Any person who desires additional information regarding the matter covered by this notice or who wishes to have his views considered with respect to significant changes related to antitrust matters which have occurred in the applicant's activities since the construction permit antitrust reviews for the above-named plant should submit such requests for information or views to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Chief, Utility Finance Branch, Office of Nuclear Reactor Regulation, on or before September 14, 1981.

Dated at Bethesda, Maryland, this 30th day of June 1981.

For the Nuclear Regulatory Commission.

A. Schwencer,

Chief, Licensing Branch No. 2, Division of Licensing.

[FR Doc. 81-20662 Filed 7-15-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-382]

Louisiana Power & Light Co.; Availability of Safety Evaluation Report; Waterford Steam Electric Station, Unit 3

Notice is hereby given that the Office of Nuclear Reactor Regulation has published its Safety Evaluation Report relating to the proposed operation of the Waterford Steam Electric Station, Unit 3, to be located in St. Charles Parish, Louisiana. Notice of receipt of the application by the Louisiana Power & Light Company to operate the Waterford Steam Electric Station, Unit 3 was published in the **Federal Register** on January 2, 1979 (44 FR 125).

The report is being referred to the Advisory Committee on Reactor Safeguards and is being made available at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the University of New Orleans Library, Louisiana Collection, Lakefront, New Orleans, Louisiana for inspection and copying. The report (Document No. NUREG–0787) can also be purchased, at current rates, from the National Technical Information Service, Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161, and by GPO deposit account holders by calling (301) 492–9530 or by writing to the U.S. Nuclear Regulatory Commission, Division of Technical Information and Document Control, Washington, D.C. 20555, Attn: Publications Sales Manager.

Dated at Bethesda, Maryland, this 9th day of July, 1981.

For the Nuclear Regulatory Commission.

Frank J. Miraglia,

Acting Chief, Licensing Branch No. 3, Division of Licensing.

[FR Doc. 81–20863 Filed 7–15–81; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 50–281]

Virginia Electric and Power Co.; Issuance of Amendment to Facility Operating License.

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 72 to Facility Operating License No. DPR–37 issued to Virginia Electric and Power Company (the licensee), which revised Technical Specifications for operations for the Surry Power Station, Unit No. 2, (the facility) located in Surry County, Virginia. The amendment is effective as of the date of issuance.

The amendment provides a one time 60 day extension for the visual inspection surveillance requirement for inaccessible snubbers.

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 amendent. 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 July 7, 1981, (2) Amendment No. 72 to License No. DPR–37, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Swem Library, College of William and Mary, Williamsburg, Virginia 23185. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C., 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 9th day of July, 1981.

For the Nuclear Regulatory Commission.

Steven A. Varga,

Chief, Operating Reactors Branch No. 1, Division of Licensing.

[FR Doc. 81–20864 Filed 7–15–81; 8:45 am]

BILLING CODE 7590–01–M

OFFICE OF MANAGEMENT AND BUDGET

Agency Forms Under Review; Background

When executive departments and agencies propose public use forms, reporting, or recordkeeping requirements, the Office of Management and Budget (OMB) reviews and acts on those requirements under the Paperwork Reduction Act (44 USC, Chapter 35). Departments and agencies use a number of techniques including public hearings to consult with the public on significant reporting requirements before seeking OMB approval. OMB in carrying out its responsibility under the Act also considers comments on the forms and recordkeeping requirements that will affect the public.

List of Forms Under Review

Every Monday and Thursday OMB publishes a list of the agency forms received for review since the last list was published. The list has all the entries for one agency together and grouped into new forms, revisions, extensions (burden change), extensions (no change), or reinstatements. The agency clearance officer can tell you the nature of any particular revision you are interested in. Each entry contains the following information:

The name and telephone number of the agency clearance officer (from whom a copy of the form and supporting documents is available);

The office of the agency issuing this form;

The title of the form;

The agency form number, if applicable;

How often the form must be filled out;

Who will be required or asked to report;

The Standard Industrial Classification (SIC) codes, referring to specific respondent groups that are affected;

Whether small businesses or organizations are affected;

A description of the Federal budget functional category that covers the information collection;

An estimate of the number of responses;

An estimate of the total number of hours needed to fill out the form;

An estimate of the cost to the Federal Government;

An estimate of the cost to the public;

The number of forms in the request for approval;

An indication of whether Section 3504(h) of P.L. 96–511 applies;

The name and telephone number of the person or office responsible for OMB review; and

An abstract describing the need for and uses of the information collection.

Reporting or recordkeeping requirements that appear to raise no significant issues are approved promptly. Our usual practice is not to take any action on proposed reporting requirements until at least ten working days after notice in the **Federal Register**, but occasionally the public interest requires more rapid action.

Comments and Questions

Copies of the proposed forms and supporting documents may be obtained from the agency clearance officer whose name and telephone number appear under the agency name. The agency clearance officer will send you a copy of the proposed form, the request for clearance (SF83), supporting statement, instructions, transmittal letters, and other documents that are submitted to OMB for review. If you experience difficulty in obtaining the information you need in reasonable time, please advise the OMB reviewer to whom the report is assigned. Comments and questions about the items on this list should be directed to the OMB reviewer or office listed at the end of each entry.

If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the

reviewer of your intent as early as possible.

The timing and format of this notice have been changed to make the publication of the notice predictable and to give a clearer explanation of this process to the public. If you have comments and suggestions for further improvements to this notice, please send them to Jim J. Tozzi, Deputy Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget, 726 Jackson Place, Northwest, Washington, D.C. 20503.

DEPARTMENT OF AGRICULTURE

Agency Clearance Officer—Richard J. Schrimper—202–447–6201

Revisions

• Economics and Statistics Service
Eggs, chicken and turkey surveys
Weekly, monthly, quarterly, annually
State or local governments/farms
Chicken, egg & turkey prod., testing agencies of poultry
SIC: 025, 964
Small businesses or organizations
Agricultural research and services: 74,967 responses; 11,148 hours; $600,000 Federal cost; 14 forms; not applicable under 3504(h)
Off. of Federal Statistical Policy & Standard, 202–673–7974

Provides data to prepare various estimates of production, disposition and income derived from eggs, chickens and turkeys. These estimates are prepared on a State and National basis. The comprehensive series of surveys keeps the poultry industry abreast of current status and coming changes.

DEPARTMENT OF COMMERCE

Agency Clearance Officer—Edward Michals—202–377–3627

Extensions (no change)

• Bureau of the Census
Atomic Energy Products and Services
MA–38Q
Annually
Businesses or other institutions
Manufacturers of atomic energy products
SIC: 349, 331, 339, 344, 355, 382, 356, 381, 281, 286
Small businesses or organizations
Other advancement and regulation of commerce: 130 responses; 130 hours; $3,315,000 Federal cost; 1 form; not applicable under 3504(h)
Off. of Federal Statistical Policy & Standard, 202–673–7974

This survey was begun in 1957 on an annual basis to provide data on shipments, exports, and unfiled orders for atomic energy products. The primary users of these data are Government agencies. The Bureau of Industrial Economics and Department of Energy use the data to analyze changes and forecast long-term growth in the industry.

• International Trade Administration
Exceptions to the Order Requirement
EAR 372.6(C)
On occasion
Businesses of other institutions
Commercial exporters
SIC: Multiple
Other advancement and regulation of commerce: 2,000 responses; 500 hours; $71,500 Federal cost; 1 form; not applicable under 3504(h)
William T. Adams, 202–395–4814

An applicant for an export license must have received an order from his foreign customer before submitting an application. However, if no order has been received, the Office of Export Administration will consider granting a waiver of the order requirement where the applicant is able to show that an exception is warranted.

DEPARTMENT OF DEFENSE

Agency Clearance Officer—John V. Wenderoth—703–697–1195

New

• Department of the Air Force
Community Response to Air Force Noise
Nonrecurring
Individuals or households
Individual households
Department of Defense—Military: 650 responses; 435 hours; $82,000 Federal cost; 1 form; not applicable under 3504(h)
Edward C. Springer, 202–395–4814

(Air installation compatability use zones) testing validity of air installation compatibility use zones predicted noise exposure contours. Present noise indexes (LDN) are based on best available judgments. Noise contours are used in land acquisition and operations planning. Present indexes will be tested and new methods for combining noise exposures and community reactions could result.

Extensions (no change)

• Departmental and Others
Contract Data Status Report
Monthly
State or local governments/businesses or other institutions
Businesses having Government contracts
SIC: 372
Small businesses of organizations
Multiple functions: 192 responses; 1,536 hours; $560,000 Federal cost; 1 form; not applicable under 3504(h)
Kenneth B. Allen, 202–395–3785

Provides F–15 program, functional, and data managers with the current status of all contractual data deliveries. At least monthly, an in-house report is generated by the data manager to identify all late contractual data submittals, total number of data submittals, and the percentage of contractual data submitted late, how many contractual data submittals were due but not submitted, and percentage of late data approval actions.

DEPARTMENT OF EDUCATION

Agency Clearance Officer—Wallace McPherson—202–426–5030

New

• Office of Postsecondary Education
Application for State Student Incentive Grant Program
ED 1288
Annually
State or local governments
State agencies
SIC: 941
Higher education: 57 responses; 171 hours; $50,000 Federal cost; 1 form; not applicable under 3504(h)
Federal Education Data Acquisition Council, 202–426–5030

Completed application shows States qualification for Federal funds, specifying matching and maintenance of effort capability, methods of determining student financial need, and extent of institutional eligibility. With its signed assurances, the document commits the State to administer the Fed. funds and State matching in compliance with the statute. Data are used in program mgmt.

• Office of Special Education and Rehabilitative Services
FY 1981 Financial/performance report for the incentive grant program (P.L. 94–142, section 619)
ED 716–1, 716–2
Annually
State or local governments
State education agencies
SIC: 821
Elementary, secondary, and vocational education:
116 responses; 145 hours; $2,500 Federal cost; 2 forms; not applicable under 3504(h)
Federal Education Data Acquisition Council, 202–426–5030

To collect data on the incentive grant program, authirized by section 619 of the Education for All Handicapped Children Act of 1975 (P.L. 94–142), for monitoring activities and to prepare the annual congressional report.

• Office of Postsecondary Education

Title I, ESEA, section 143, migrant education interstate and intrastate programs
ED 362-3
Annually
State or local governments
State education agencies/local education agencies
SIC: 941
Higher education: 40 responses; 200 hours; $48,500 Federal cost; 2 forms; not applicable under 3504(h)
Federal Education Data Acquisition Council, 202-426-5030

Grants are needed for State education agencies (that may apply individually or cooperatively) to plan and implement special projects designed to improve the interstate and intrastate coordination of migrant activities. Reports on accomplishments are required by Edgar and OMB A-102.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency Clearance Officer—Joseph Strnad—202-245-7488

• Centers for Disease Control
Medical needs for laboratory precision
Nonrecurring
Businesses or other institutions
Physicians in AMA
SIC: 801
Health: 2,400 responses; 600 hours; $75,285 Federal cost; 6 forms; not applicable under 3504(h)
Gwendolyn Pla, 202-395-6880

The purpose of this study is to provide data to establish a target for precision of laboratory results that is adequate for medical care without being unrealistically stringent. Physicians will be asked what laboratory results would prompt them to act in given hypothetical situations.

• Alcohol, Drug Abuse, and Mental Health Administration
Natural history of homocystinuria
Nonrecurring
Businesses or other institutions
Physicians for one or more homocystinuric patients
SIC: 801
Health: 150 responses; 75 hours; $5,410 Federal cost; 1 form; not applicable under 3504(h)
Gwendolyn Pla, 202-395-6880

The goal of this survey is to obtain standardized information about the natural history of homocystinuria due to cystthionine B-synthase deficiency, taking into account genetic heterogeneity and the effect of various treatments. The results should permit more rational and better treatment of these patients.

• Office of Assistant Secretary for Health
Pilot study of the 1981-1982 visual acuity impairment supplement (to the national health interview survey)
Nonrecurring
Individuals or households
A sample of households in three SMSAS in the NHIS sample
Health: 2,700 responses; 810 hours; $177,343 Federal cost; 1 form; not applicable under 3504(h)
Gwendolyn Pla, 202-395-6880

The pilot study will be used to determine the feasibility of conducting a full scale study on visual acuity impairments. The data are needed to ascertain the extent of etiology of eye pathologies in the population and to develop prevalence estimates.

• Health Resources Administration
National study of internal medicine manpower (NASIMM)
Nonrecurring
Businesses or other institutions
1976 cohort of internal med. resi. & fellow in pract., etc.
SIC: 801
Health: 2,768 responses; 1,403 hours; $270,000 Federal cost; 3 forms; not applicable under 3504(h)
Gwendolyn Pla, 202-395-6880

The data will be used to analyze the types of residences in which practicing physicians obtained their graduate medical education and the relationship between the characteristics of that training program and the profiles of their current practice.

• Health Care Financing Administration
Hospice Statements of Reimbursements
HCFA-278, 278Q, 279, 279Q, 280, 280Q
Quarterly, annually
Businesses or other institutions
Medical and psycho-social care for terminally ill persons
SIC: 808
Small businesses or organizations
Health: 150 responses; 2,724 hours; $51,647 Federal cost; 3 forms; not applicable under 3504(h)
Richard Eisinger, 202-395-6880

The cost reports will be used by HCFA's Office of Direct Reimbursement to ensure proper and timely payments to the hospice facilities. ODR will perform desk reviews of the cost reports and prepare interim payments and final settlements for hospice reimbursements.

• Social Security Administration
Radio Program Evaluation Study
SSA-4711 BK (5-81)
Nonrecurring
Businesses or other institutions
Radio station program directors
SIC: 483
Small businesses or organizations
General retirement and disability insurance: 1,250 responses; 195 hours; $80,000 Federal cost; 1 form; not applicable under 3504(h)
Barbara F. Young, 202-395-6880

The Social Security Administration annually invests over $300,000 in radio public information programs. Information is needed to assess program distribution effectiveness and actual station use. Information will be used for a cost benefit analysis of program effectiveness and for program distribution and design improvement if warranted.

Revisions

• Office of Assistant Secretary for Health
Health Maintenance Organization National Data
Reporting requirements
PHS-6080
Monthly, quarterly
Businesses or other institutions
All federally qualified health maintenance organ. in U.S.
Small businesses or organizations
Health: 536 responses; 10,720 hours; $103,362 Federal cost; 1 form; not applicable under 3504(h)
Gwendolyn Pla, 202-395-6880

The NDRR provides OHMO staff information required to effectively monitor and evaluate the progress and effectiveness of the HMO program and to provide technical assistance to HMOs as appropriate. This ensures the protection of the Federal investment and enrolled members of HMOs. Additionally, the NDRR provides statistical data required for continued regulation.

Extensions (No Change)

• Alcohol, Drug Abuse, and Mental Health Administration
Client Data Reporting System—Outpatient and Partial Care Services
ADM 569-1, ADM 569-2, ADM 569-3A, ADM 569-3B, ADM 569-4, ADM 569-5, ADM 569-6A, ADM 569-6B
Nonrecurring
Businesses or other institutions
Mental health facilities
SIC: 808
Health: 1,500 responses; 3,984 hours; $83,000 Federal cost; 8 forms; not applicable under 3504(h)
Gwendolyn Pla, 202-395-6880

Data from these surveys will provide national estimates describing the MH recipients of outpatients and partial care programs in speciality MH organizations. These Data permit consideration of such issues as equity or difference in service delivery to various target group populations in ambulatory settings.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

(Agency Clearance Officer—Robert G. Masarsky—202–755–5184)

New

• Government National Mortgage Association
Application for Approval as a Mortgage-Backed Securities Issuer
HUD 1701
On occasion
Businesses or other institutions
Mortgage bankers
SIC: 616
Small businesses or organizations
Mortgage credit and thrift insurance: 130 responses; 97 hours; $2,720 Federal cost; 1 form; not applicable under 3504(h)
Richard Sheppard, 202–395–6880

To provide a form for use by applicants proposing to become mortgage backed securities issuers to summarize their business background and experience. The information is necessary in order for GNMA to determiine whether the applicant meets all GNMA eligibility requirements contained in CFR Part 3903.

DEPARTMENT OF THE INTERIOR

(Agency Clearance Officer—Vivian A. Keado—202–343–6191)

Extensions (No Change)

• Bureau of Land Management
Actual Grazing Use Record
4130–5
Annually
Individuals or households/farms
Ranchers permitted to graze livestock on the public lands
SIC: 021
Conservation and land management: 15,000 responses; 7,500 hours; $28,125 Federal cost; 1 form; not applicable under 3504(h)
Robert Shelton, 202–395–7340

Provide uniform format for permittees to provide actual livestock grazing use information in accordance with sections 3 and 15 of the Taylor Grazing Act of 1934 and section 402 of the Federal Land Policy and Management Act of 1976.

DEPARTMENT OF TRANSPORTATION

(Agency Clearance Officer—John Windsor—202–426–1887)

New

• Urban Mass Transporation Administration
Environmental Assessments
UMTA 5620.1
Nonrecurring
State or local governments
Public and private mass transportation agencies
SIC: 411
Ground transportation: 25 responses; 2,500 hours; $6,000 Federal cost; 1 form; not applicable under 3504(h)
Mahesh Podar, 202–395–7340

Environmental assessments are required for UMTA funded project if a decision has been made not to prepare an environmental impact statement and the project cannot be classified as a categorical exclusion. Environmental assessments determine whether an EIS or finding of no significant impact shall be prepared.

• Coast Guard
Recreational Boat Manufacturer Identification Number
On occasion
Businesses or other institutions
Manufacturers building rec. boats for use or sale in U.S.A.
SIC: 373
Water transportation: 699,600 responses; 70,500 hours; $4,000 Federal cost; 1 form; not applicable under 3504(h)
Mahesh Podar, 202–395–7340

46 U.S.C. 1454, 1456 and implementing regulations require the establishment of a boat standards compliance program. The Coast Guard is required to establish a method for identifying specific boat manufacturers so that an effective compliance program may be maintained.

• Federal Railroad Administration
Records of Results of Tests (of Railroad Signal Systems)
Monthly, quarterly, semiannually, annually, biennially, other—see SF83
Businesses or other institutions
Common carriers by rail engaged in interstate commerce
SIC: 401
Ground transportation: 1,912,618 responses; 121,478 hours; 1 form; not applicable under 3504(h)
Mahesh Podar, 202–395–7340

The Signal Inspection Act, 49 U.S.C. 26, and Code of Federal Regulations, Title 49, Section 236 requires carriers to inspect and test their signal systems and record the results thereof. These records are examined by FRA safety inspectors to insure compliance, by the carriers, of Federal safety regulations.

• Coast Guard
Various International Agreement Safety Certificates
CG–3347, 3347A, 4359, 4359A, 4761, 967, 969, 979A, ship pass and ship safety cert.
Annually, biennially
Businesses or other institutions
Owners/operators of merchant vessels engaged in intern. voy.
SIC: 441
Water transportation: 4,688 responses; 1,875 hours; $55,468 Federal cost; 10 forms; not applicable under 3504(h)
Mahesh Podar, 202–395–7340

Required by the adoption of the International Convention for the Safety of Life at Sea. These forms are evidence of compliance with this convention for U.S. vessels on international voyages. Without the appropriate certificates, a U.S. vessel would be detained in foreign ports. See E.O. 12234 of September 3, 1980.

• Research and Special Programs Administration
Exemption Holder Recordkeeping Files
Annually
Individuals or households/State or local governments/businesses or other ins
State and loc. gov. agncs., shippers and carriers of haz. Mater.
SIC: All
Small businesses or organizations
Other transportation: 2,000 responses; 2,000 hours; $10,000 Federal cost; 1 form; not applicable under 3504(h)
Mahesh Podar, 202–395–7340

Needed by the MTB to evaluate the level of safety maintained by holders of exemptions for shipments made under the terms of an exemption.

• Research and Special Programs Administration
Application To Become a Party To An Exemption
Nonrecurring
Individuals or households/State or local governments/businesses or other ins
State and loc. gov. agncs., shipper and carriers of hazard. mat.
SIC: 919, 401, 421, 451, 281, 282, 283, 374, 371, 443
Small businesses or organizations
Other transportation: 300 responses; 300 hours; $35,000 Federal cost; 1 form; not applicable under 3504(h)
Mahesh Podar, 202–395–7340

To allow applicants to be included in exemptions previously granted or applied for rather than applying for a separate exemption which would entail duplicating of material previously submitted to the MTB.

• Research and Special Programs Administration
Application for exemption
Nonrecurring
Individuals or households/State or local governments/businesses or other ins
State and local government agencies wishing to ship hazard materials
SIC: 919, 401, 421, 451, 281, 282, 283, 374, 371, 443
Small businesses or organizations

Other transportation: 400 responses; 2,000 hours; $250,000 Federal cost; 1 form; not applicable under 3504(h)
Mahesh Podar, 202–395–7340

Needed to obtain information from shippers and carriers of hazardous materials and container manufacturers who wish to obtain an exemption from the hazardous materials regulations. Used by staff of MTB to evaluate requests to determine if they are to be granted or denied.

• Research and Special Programs Administration
Application for Exemption Renewal
Biennially
Individuals or households/State or local governments/businesses or other ins
State and local government agencies shippers and carriers of hazard materials.
SIC: All
Small Businesses or organizations
Other transportation: 1,000 responses; 1,000 hours; $70,000 Federal cost; 1 form; not applicable under 3504 (h)
Mahesh Podar, 202–395–7340

Needed to obtain safety analysis from exemption holders who wish to renew their exemption. Used by staff of MTB to evaluate the renewal request to determine if exemption should be renewed or renewal request denied.

Revisions

• Federal Railroad Administration
Hours of Service of Railroad Employees
On occasion
Businesses or other institutions
Railroads operating equipment on general rail. sys. tracks
SIC: 401
Ground transportation: 24,000,000 responses; 3,264,000 hours; $255,000 Federal cost; 1 form; not applicable under 3504(h)
Mahesh Podar, 202–395–7340

The Hours of Service Act as amended, PL–94–348 requires carriers to maintain records of employees hours of service and to make monthly reports of excess service to fra. Information maintainted and reported by carriers will serve as a basis for monitoring their compliance with regulations.

Reinstatements

• Federal Railroad Administration
Remotely Controlled Railroad Switch Operation Log
On occasion
Businesses or other institutions
Railroads Operating Equipment on general rail. system tracks
SIC: 401
Ground transportation: 3,600,000 responses; 300,000 hours; 1 form; not applicable under 3504(h)
Mahesh Podar, 202–395–7340

The recordkeeping requirement for remotely controlled switches contained in 49 CFR, part 218.30 of the "Blue Signal Regulations" substantiates the fact that the railraod is utilizing such switches in the prescribed manner to provide blue signal protection for workmen in accordance with the regulation.

DEPARTMENT OF THE TREASURY

Agency Clearance Officer—Ms. Joy Tucker—202–634–5394

New

• Comptroller of the Currency
Notification of Acquisition or Use of Computer Systems
Nonrecurring
Businesses or other institutions
Businesses planning to install national banking system
SIC: 602
Small businesses or organizations
Other advancement and regulation of commerce: 125 responses; 32 hours; $1,250 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202–395–6880

The OCC is charged with assuring safe and sound operation of the national banking system. Since banks automating records for the first time may not be aware of the requisite controls and contractual considerations necessary to maintain safe and sound data processing operations, advance notice of intent to automate is required.

• Comptroller of the Currency
Survey of Commercial bank Small Business Lending Practices
Nonrecurring
Businesses or other institutions
Federal insured commercial banks
SIC: 602
Small businesses or organizations
Other advancement and regulation of commerce: 250 responses; 1,000 hours; $114,230 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202–395–6880

The lack of behavioral or statistical data on whether commercial banks are meeting the credit needs of small business is the motivation for this personal interview survey. The results of this survey will be combined with other information to produce a report for the Congress as mandated under title IV (Sec. 404) of P.L. 96–302

Revisions

• Internal Revenue Service
Excise Taxes
720
Quarterly
Businesses or other institutions
Taxes due from retailers and manufacturers on sale of artl.
SIC: 501, 503, 504, 505, 508, 371, 631, 641, 478, 444
Small businesses or organizations
Central fiscal operations: 381,200 responses; 689,858 hours; $770,186 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202–395–6880

Form 720 is used to report excise taxes due from retailers and manufacturers on the sale or manufacture of various articles, to report taxes on facilities and services, and taxes on certain products and commodities (gasoline, lubricating oil, etc.). It enables IRS to monitor excise tax liability for various categories on a single form, and to collect the tax quarterly in compliance with the law and regulations (IRC section 6011).

Extensions (Burden Change)

• Comptroller of the Currency
Report of Internation Activity
CC 7610–02
On occasion
Businesses or other institutions
Nat'l banks with foreign branch or Edge Act Corp.
Other advancement and regulation of commerce: 180 responses; 90 hours; $1,800 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202–395–6880

Report provides notice that a national bank has opened, closed or relocated a foreign branch or subsidiary, or an Edge Act Corp. or has made a permissible foreign investment.

• Bureau of Government Financial Operations
Combined Analysis of U.S. Treasury Time-Deposit Open-Account and U.S. Treasury's General Account
TFS 5910
Quarterly
Businesses or other institutions
Commercial and stock savings banks
Sic: 602 603
Central fiscal operations: 876 responses; 1,314 hours; $3,309 Federal cost; 1 form; not applicable under 3504(h)
Devin Broderick, 202–395–6880

These forms are used by banks that are providing services contracted for by the Treasury Department. The reports that are provided enable us to determine the actual expense incurred by the banks in providing the services and the amount the banks should be reimbursed.

• Comptroller of the Currency
Offering Document
On occasion
Businesses or other instititions

National banks
Small businesses or organizations
Other advancement and regulation of commerce: 25 response; 375 hours; $2,500 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202–395–6880

Disclosure document of bank securities offerings of $500,000 or less (within a 12-month period immediately preceding the commencement of offering).

• Comptroller of the Currency
Abbreviated Offering Circular
None
On occasion
Businesses or other institutions
National banks
SIC: 602
Small businesses or organizations
Other advancement and regulation of commerce: 35 responses; 700 hours; $4,000 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202–395–6880

Disclosure document for offerings of securities of between $50,000 and $2,000,000 requires less information than offering circular.

Comptroller of the Currency
Offering Circular
None
On occasion
Businesses or other institutions
National banks in existence and in organization
SIC: 602
Small businesses or organizations
Other advancement and regulation of commerce: 25 responses; 1,000 hours; $7,500 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202–395–6880

The offering circular is the disclosure document used by a bank making a public offering of its own securities. It includes all material facts relating to the bank and the securities being offered.

• Bureau of Government Financial Operations
Claim for Amounts Due in the Case of a Deceased Owner of Mutilated Currency
TFS 5287
On occasion
Individuals or households
General submitting claims for reimbrse. damaged monies
Central fiscal operations: 36 responses; 36 hours; $237 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202–395–6880

This form (TFS 5287) is used when Treasury has to determine ownership in cases where the lawful or legal owner of damaged currency is deceased.

• Bureau of Government Financial Operations
Pre-employment Education Reference
TFS 5488
On occasion
Businesses or other institutions
Businesses listed under item 23 in SF–171
SIC: 822 824
Small businesses or organizations
Central fiscal operations: 189 responses; 95 hours; $115 Federal cost; 1 form; not applicant under 3504(h)
Federal Education Data Acquistion Council, 202–426–5030

Used to obtain educational data on applicant being considered for employment with the Department of Treasury, Bureau of Government Financial Operations, in order to make a comparative evaluation of his/her qualifications with the position requirements.

• Bureau of Government Financial Operations
Preemployment Job Reference
TFS 5489
On occasion
Individuals or households
Private or Gov't having qual. & fitness as detrm. SF–171.
Central fiscal operations: 639 responses; 315 hours; $500 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202–395–6880

Used to obtain information relating to work experience, qualification and fitness of applicants being considered for employment with the Department of Treasury, Bureau of Government Financial Operations in order to make a comparative evaluation of his/her qualifications with the position requirements

• Internal Revenue Service
Application for extension of time to file US Income Tax Return
2350
On occasion
Individuals or households
Individuals qualfor DS. or income earned abroad
Central fiscal operations: 22,594 responses; 15,955 hours; $66,932 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202–395–6880

Form 2350 is used to request an extension of time to file in order to meet the bona fide residence or physical presence tests required to gain the benefits permitted under 26 U.S.C. 911. The information furnished is used to determine if the extension should be granted.

• Comptroller of the Currency
Notice of exempt transaction
None
On occasion
Businesses or other institutions
National bank
SIC: 602
Small businesses or organizations
Other Advancement and regulation of commerce: 60 responses; 30 hours; $500 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202–395–6880

Generally a one page notice which is used to support banks' exemption from offering circular requirements for transactions that are not public offerings of securities.

• Internal Revenue Service
US information return for distributions in liquidation during calendar year
1099L
Nonrecurring
Businesses or other institutions
Liquidating Corporations
SIC: all
Central fiscal operations: 378,000 responses; 134,946 hours; $73,824 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202–395–6880

Used when the corporation liquidates, to report distributions (IRC section 6043). The information is used by IRS to verify reporting compliance on the part of the recipient.

Extensions (no change)

• Bureau of Alcohol, Tobacco and Firearms
Consent of surety
ATF F 1533 (5000.18)
On occasion
Businesses or other institutions
Distilled spirits, wine, beer and tobacco manufacturers
SIC: 208
Small businesses or organizations
Federal law enforcement activities: 2,000 responses; 2,000 hours; $1,610 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202–395–6880

Permittees who handle materials such as alcohol are liable for the tax attached to that alcohol. For this reason they carry bonds which cover specific liabilities. When the terms of a bond are to be changed or extended the "consent of surety" is filed, which legally binds the bonding company to the new terms.

• Bureau of Alcohol, Tobacco and Firearms
Drawback bond-ds and wine
ATF F 2738 (5100.32)
On occasion
Businesses or other institutions
Exporters of distilled spirits and wine
SIC: 208

Small businesses or organizations
Federal law enforcement activities: 500 responses; 500 hours; $225 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202-395-6880

Secures payment of tax on distilled spirits or wine shipped w/o payment of tax for export when a drawback claim on taxes has been refunded. If it is found the spirits/wines were not exported or no evidence of exportation, the form secures payment to the U.S. of taxes erroneously refunded. Describes the exporter surety company, amount and coverage of bond, and conditions the exporter and surety company must adhere to and pay tax to the U.S.

• Bureau of Alcohol, Tobacco and Firearms
Bond manufacturer of cigarette papers and tubes
ATF F 2102 (5210.1)
On occasion
Businesses or other institutions
Manufacturers
SIC: 211
Small businesses or organizations
Federal law enforcement activities: 10 responses; 10 hours; $25 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202-395-6880

Federal taxes attach to cigarette papers and tubes. Manufacturers of these products are bonded so as to protect the Federal taxes attached to them. The surety ensures payment of the Federal taxes.

• Bureau of Alcohol, Tobacco and Firearms
Bond user of specially denatured alcohol or rum
ATF F 1480 (5150.20)
On occasion
Businesses or other institutions
Miscellaneous manufacturers and laboratories
SIC: 399
Small businesses or organizations
Federal law enforcement activities: 2,639 responses; 2,639 hours; $1,000 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202-395-6880

Authorized specially denatured alcohol users receive alcohol free of tax. This bond, however, must be executed in order to ensure taxpayment should a liability be incurred due to misuse of the alcohol.

• Bureau of Alcohol, Tobacco and Firearms
Continuing export bond-distilled spirits and wine
ATF F 2735
On occasion
Businesses or other institutions
Exporters of distilled spirits and wines
SIC: 208
Small businesses or organizations
Federal law enforcement activities: 500 responses; 500 hours; $200 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202-395-6880

Bond is necessary to secure payment of taxes on continuing shipments of spirits or wine until actually exported from the U.S. Describes the person (other than a DSP's proprietor), surety company, and the particular conditions of the bond. If the shipment is not lawfully exported, the form secures payment of tax due the U.S. Government.

• Bureau of Alcohol, Tobacco and Firearms
Tax deferral bond—distilled spirits (Puerto Rico)
ATF F 5110.5 0
On occasion
Businesses or other institutions
Importers
SIC: 208
Small businesses or organizations
Federal law enforcement activities: 100 responses; 100 hours; $135 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202-395-6880

Bond secures payment of tax on distilled spirits brought into the U.S. from Puerto Rico without payment of Internal Revenue tax. Bond describes person importing spirits, the surety company, amount and type of bond and the conditions under which the surety company and principal are required to adhere to and pay the U.S.

• Comptroller of the Currency
Written Procedures for Futures and Forward Placement Contracts
None
Nonrecurring
Businesses or other institutions
National banks
SIC: 602
Small businesses or organizations
Other advancement and regulation of commerce: 200 responses; 2,000 hours; $4,808 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202-395-6880

All national banks engaging in futures contracts and/or forward placement contracts are required by banking circular #79 to submit a statement of policy to the Regional Administrator of National Banks for their respective region.

• Bureau of Government Financial Operations
Owner's Affidavit Partial Destruction of Mutilated Currency
TFS 5283
On occasion
Individuals or households/businesses or other institutions
Public submitting claims for damaged U.S. currency
SIC: 881
Central fiscal operations: 1,080 responses; 540 hours; $7,096 Federal cost; 1 form; not applicable under 3504(h)
Kevin Broderick, 202-395-6880

Currency Operations Division requests owners of partially destroyed currency, to complete and have notarized affidavit form 5283 for each claim submitted when substantial portions of the notes are missing.

• Comptroller of the Currency
Salary Survey
NA
Annually
Businesses or other institutions
Nat'l banks assets exceeding $100 million
SIC: 602
Other advancement and regulation of commerce: 124 responses; 496 hours; $7,889 Federal cost; 2 forms; not applicable under 3504(h)
Kevin Broderick, 202-395-6880

These forms are used to record necessary and pertinent salary and benefit information from national banks who voluntarily participate in this specialized salary survey. Information developed is critical to the calculation and maintenance of the OCC compensation program involving salary structure relationships and merit pay percentages.

CIVIL AERONAUTICS BOARD

Agency Clearance Officer—Clifford M. Rand—202-673-6042

Revisions

• Registration or Amendments Under Part 297 of the Economic Regulations of the Civil Aeronautics Board
297A
Nonrecurring
Businesses or other institutions
Foreign indirect air carriers
SIC: 471
Small businesses or organizations
Air transportation: 15 responses; 45 hours; 1 form; NPRM under 3504(h)
Paula Daigneault, 202-395-7340

This regulation would relieve foreign indirect air carriers from the provisions of the Federal Aviation Act which prevent them from organizing charter/tours or consolidating freight in interstate and overseas air

transportation (see attached NPRM—docket 39744, dated June 25, 1981).

FEDERAL COMMUNICATIONS COMMISSION

Agency Clearance Officer—Richard D. Goodfriend—202–632–7513

New

- Renewal Application Audit Form for Commercial TV Broadcast Stations

FCC 303–C
Other—see SF83
Businesses or other institutions
5% of the commercial TV licensees coming up for renewal
SIC: 483
Small businesses or organizations
Other advancement and regulation of commerce: 3 responses; 494 hours; $683 Federal cost; 1 form; not applicable under 3504(h)
William T. Adams, 202–395–4814

In accordance with the new system implemented, the Commission will randomly select 5% of all TV commercial licensees coming up for renewal sending this audit form in place of the short renewal form. The data will be reviewed by lawyers, engineers and analysts to determine whether the applicant is qualified and has served the public interest.

- Application for Renewal of License for Commercial and Noncommercial AM, FM or TV Broadcast Station

FCC 303–S
Other-See SF83
Businesses or other institutions
All licen. of comm., non-comm. and auxil. broadcast stations
SIC: 483
Small businesses or organizations
Other advancement and regulation of commerce: 3,162 responses; 264 hours; $3,634 Federal cost; 1 form; not applicable under 3504(h)
William T. Adams, 202–395–4814

Filing is required when applying for renewal of license for broadcast stations. This form must be filed not later than the first day of the fourth calendar month prior to the expiration date of the license sought to be renewed unless the licensee is one of those randomly selected to be audited.

- Renewal Application Audit Form for Noncommercial Educational AM, FM, and TV Broadcast Station

Other-See SF83
Businesses or other institutions
5 percent of the noncomm. AM, FM and TV licen. coming up for renewal
SIC: 483
Small businesses or organizations
Other advancement and regulation of commerce: 22 responses; 836 hours; $555 Federal cost; 1 form; not applicable under 3504(h)
Federal Education Data Acquisition Council, 202–426–5030

In accordance with the new system implemented, the commission will randomly select 5 percent of all AM, FM and TV noncommercial licensees coming up for renewal, sending this audit form in place of the short renewal form. The data will be reviewed by lawyers, engineers and analysts to determine whether the applicant is qualified and has served the public interest.

NATIONAL SCIENCE FOUNDATION

Agency Clearance Officer—Herman Fleming—202–357–7811

Revisions

- National Science Foundation Grant Applications

NSF–4, 98A, 921, 1030, 1030A
Other-See SF83
Individuals or households/State or local governments/businesses or other ins
Universities, univ. consortia, nonprofit and other res. organ.
SIC: 822
Small businesses or organizations
General science and basic research: 27,000 responses; 3,240,000 hours; $25,000 Federal cost; 1 form; not applicable under 3504(h)
Jefferson B. Hill, 202–395–7340

The National Science Foundation initiates and supports fundamental and applied research in all the scientific disciplines, science, education and research policy. This support is made through grants, contracts, and other agreements awarded to universities, university consortia, nonprofit, and other research organizations.

OFFICE OF PERSONNEL MANAGEMENT

Agency Clearance Officer—John P. Weld—202–632–7737

Extensions (No Change)

- Supplemental Qualifications Statements

1170
On occasion
Individuals or households
Federal employment applicants
Central personnel management: 150,000 responses; 100,000 hours; $2,445,000 Federal cost; 1 form; not applicable under 3504(h)
Robert Veeder, 202–395–4814

Used to obtain detailed information from applicants for Federal positions which enables determinations of eligibility. Usually supplements information obtained on SF 171 and SF 171–A.

SECURITIES AND EXCHANGE COMMISSION

Agency Clearance Officer—George G. Kundahl—202–272–2142

New

- Rule 305–1, Reports to Stockholders of Management Investment Companies

Semiannually
Businesses or other institutions
All management investment companies
Small businesses or organizations
Other advancement and regulation of commerce: 2,120 responses; 636,000 hours; 1 form; not applicable under 3504(h)
Robert Veeder, 202–395–4814

Rule 30D–1 under the investment Company Act prescribes the minimum content of reports to shareholders which management investment companies must send at least semiannually. There is no required format for these reports.

- Form N–2, Registration Statement Under the Securities and Company Acts for Closed-End Management Investment Companies

1716
On occasion, annually
Businesses or other institutions
Closed-end management investment companies
Other advancement and regulation of commerce: 130 responses; 80,000 hours; $71,082 Federal cost; 1 form; not applicable under 3504(h)
Robert Veeder, 202–395–4814

Form N–2 is the registration statement used by closed-end management investment companies to register as investment companies under the investment Company Act and to register their securities for sale to public under the Securities Act. It is used to update the 1940 Act registration statement annually and also contains the prospectus, urities.

C. Louis Kincannon,

Assistant Administrator for Reports Management.

[FR Doc. 81–20896 Filed 7–15–81; 8:45 am]

BILLING CODE 3110–01–M

SECURITIES AND EXCHANGE COMMISSION

[Rel. No. 22127; 70–6614]

Arkansas Power & Light Co. and Mississippi Power & Light Co.; Proposal by Public Utility Subsidiary To Sell Interest in Generating Station and Related Facilities to an Associate Public Utility Company

July 9, 1981.

Arkansas Power & Light Company ("AP&L"), P.O. Box 551, Little Rock,

Arkansas 72203 and Mississippi Power & Light Company ("MP&L"), P.O. Box 1640, Jackson, Mississippi 39205, each a public utility subsidiary of Middle South Utilities, Inc., a registered holding company, have filed an application-declaration and an amendment thereto with this Commission pursuant to Sections 9(a), 10, 12(d) and 12(f) of the Public Utility Holding Company Act of 1935 ("Act") and Rule 44 promulgated thereunder.

MP&L proposes to purchase from AP&L a 25% undivided ownership share of the Independence Steam Electric Station ("Independence"), a coal-fired electric generating station located near Newark, Arkansas consisting of two 815 Mw units. AP&L's present 56.5% interest in Independence will be reduced to 31.5% upon consummation of the proposed transaction. The other participants in Independence are Arkansas Electric Cooperative Corporation (35%), City Water & Light Plant of the City of Jonesboro, Arkansas (5%), City of Conway, Arkansas (2%), City of West Memphis, Arkansas (1%) and City of Osceola, Arkansas (0.5%) (collectively with AP&L, the "Participants").

AP&L will sell the 25% ownership share in Independence to MP&L at its book cost at the time of sale (including, but substituting in place of allowance for funds used during construction, AP&L's "cost of money"). As was the case with all sales to the Participants, the cost of money portion of the price will be calculated on a monthly basis starting from when expenditures were first made using AP&L's monthly marginal cost of capital.

In addition, AP&L will charge MP&L, as it did those Participants who were not originally applicants for the certificate of environmental compatibility and need, for an allocable share of its uncapitalized planning, licensing, design and construction costs for Independence. Such charge will be at the rate of $50,000 per percent of MP&L's 25% ownership share, an aggregate of $1,250,000, which sum will be payable at the closing.

Assuming the closing occurs in September, 1981, AP&L estimates that MP&L would pay AP&L approximately $79.9 million in respect of its 25% ownership share in Independence. In recognition of the fact that AP&L will not be liable for any actual taxes in the near future due to its earnings situation and its participation in the Middle South consolidated tax return, AP&L and MP&L will agree that the amount of the purchase price for Independence to be paid by MP&L at the closing will be reduced by an amount equal to AP&L's deferred taxes with respect to such sale and that MP&L will pay such amounts to AP&L at such later date or dates as AP&L actually pays such federal income taxes. Therefore, actual payment due from MP&L to AP&L at the closing will be approximately $70.5 million. AP&L intends to apply the proceeds of the sale directly or indirectly to finance its construction program.

Rather than making a cash payment at the closing for the portion of Independence comprising the pollution control facilities MP&L will, commencing with the date on which AP&L shall have expended certain deposited funds, pay 56.5% of the ongoing construction costs for such facilities until the expenditures of AP&L and MP&L with respect to such facilities are in the ratio of their respective ownership shares in Independence. Thereafter AP&L and MP&L will bear their respective ownership shares of construction costs for pollution control facilities.

The Operating Agreement provides that AP&L will manage, control, operate and maintain Independence on behalf of the Participants and that AP&L and the Participants will share in the actual operating costs incurred by AP&L in proportion to their respective ownership shares. The Operating Agreement also provides that each Participant, in accordance with its ownership share, will pay AP&L on a monthly basis for its otherwise unrecovered administrative expenses not charged directly to Independence or any other AP&L plant.

AP&L presently owns 100% of the coal handling facilities located at the Independence site and intended for use in connection with Independence's operation and is proposing to arrange to transfer them to an affiliated entity under financing arrangements which are the subject of a separate filing with this Commission (File No. 70-6604).

In the event such transfer is not arranged prior to the closing, AP&L will sell MP&L a 50% undivided ownership interest in the coal handling facilities at a cost equal to 50% of its book cost at the time of sale (including, but substituting in place of AFUDC, AP&L's cost of money). In such event MP&L would pay approximately $20 million for its 50% interest in the coal handling facilities. If AP&L has transferred its interest in the coal handling facilities to an affiliated entity prior to the closing or if such transfer is imminent, AP&L will transfer and assign 50% of its interest in the affiliated entity to MP&L in consideration of MP&L assuming 50% of AP&L's liabilities with respect to such affiliated entity. In such event MP&L would not be obligated to make a cash payment to AP&L for the interest being acquired.

The application-declaration and amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by August 3, 1981, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the applicants-declarants at the addresses specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-20609 Filed 7-15-81; 8:45 am]

BILLING CODE 8010-01-M

Boston Stock Exchange Inc.; Applications for Unlisted Trading Privileges and of Opportunity for Hearing

July 10, 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:

Freeport-McMoran, Inc., Common Stock, $1 Par Value (File No. 7-7973).

Houston Oil Trust, Units of Beneficial Interest, No Par Value (File No. 7-5974)

Richardson-Vicks, Inc., Common Stock, No Par Value (File No. 7-5975).

Seagull Pipeline Corporation, Common Stock, $.10 Par Value (File No. 7-5976).

Teco Energy, Inc., Common Stock, $1 Par Value (File No. 7-5977).

Warner Communications, Inc., Common Stock, $1 Par Value (File No. 7-5978).

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 are invited to submit on or before July 31, 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. 81-20810 Filed 7-15-81; 8:45 am]

BILLING CODE 8010-01-M

Midwest Stock Exchange, Inc.; Application for Unlisted Trading Privileges and of Opportunity for Hearing

July 10, 1981.

The above named national securities exchange has filed an application 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 common stock of: Nabisco Brands Incorporated, Common Stock, $2 Par Value (File No. 7-5972).

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 submit on or before July 31, 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. 81-20812 Filed 7-15-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-17926; Filed No. SR-MCC-81-4]

Midwest Clearing Corp.; Proposed Rule Change By; Self-Regulatory Organizations

Relating to the system establishing categories of MCC Participants used in the allocation process or automatic lending of securities.

Comments requested on or before August 6, 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 July 6, 1981, the Midwest Clearing Corporation filed with the Secruities and Exchange Commission the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit coments on the proposed rule change from interested persons.

I. Self Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Attached as Exhibit A is the Midwest Clearing Corporation's *Automatic Stock Loan Priority Ranking System.*

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) Self Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The description of the MCC Automatic Stock Loan Priority Ranking System provided is in response to the request of the Commission Staff (the Commission's letter dated December 29, 1980 to Albert Anderson) that Midwest Clearing Corporation file a proposed rule change pursuant to Section 19(b)(3)(A) of the Act, providing a more detailed description of the system establishing categories of MCC participants used in the allocation process of automatic lending of securities. The established categories will encourage participants to utilize one account settlement in the MST System thereby making MCC more competitive.

The proposed rule change is consistent with Section 17A of the Act in that the categories established by MCC will encourage greater utilization of the MST System, especially in the area of trade recording and settlement of securities transactions. This utilization of the MST System will result in the prompt and accurate clearance and settlement of securities transactions, and will foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The Midwest Clearing Corporation does not believe that any burdens will be placed on competition as a result of the proposed rule change.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others

Comments have neither been solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3) of the Securities Exchange Act of 1934 and subparagraph (e) of Securities Exchange Act Rule 19b-4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in futherance of the purposes of the Securities Exchange Act of 1934.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the

submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted on or before August 6, 1981.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: July 9, 1981.

George A. Fitzsimmons,

Secretary.

Exhibit A.—MCC Automatic Stock Loan Priority Ranking System

The following represents the categories of MCC participants which will be used in the allocation process of automatic lending of securities. The criteria distinguishing the various categories is described within.

Stock loans will be established first by utilizing level I participants. If the securities needed are not available from participants in level I, levels II through VI would be utilized in that sequence. Within each priority level, the method to determine the lending participants will be based on a "first-in first-out" sequence utilizing the securities available for loan with a date representing the longest established loan free position.

Level I: MSE/MCC Specialist Accounts, MSE/MCC Market Maker Accounts
Level II: Blank
Level III: MCC participant account utilizing trade recording (Note I) and settlement (Note II) services. (See Note III)
Level IV: Blank (See Note III)
Level V: Blank
Level VI: All remaining MCC participants (e.g., accounts without trade recording (Note I), accounts with trade recording but not settlement (Note II))

Notes

Note I: Trade Recording—the recording of trades representing transactions which have taken place in a recognized market system and which are recorded in the clearing agency for purpose of comparison and/or settlement.

Note II: Settlement is defined as: settling long or short value positions under MCC's Continuous Net Settlement (CNS) System and subsequent activity (DDI—transfers—deposits—withdrawals—etc.) resulting from the settlement of recorded trades regardless of market place origin.

Note III: Participant accounts assigned priority level III will be reassigned to priority level IV if the cumulative value of loans generated within the account provides an economic benefit to the participant in the form of interest savings or interest income sufficient to assure that MCC's net charges to the participants are competitive with those of other clearing agencies. Costs of competitive clearing agencies will be determined periodically as appropriate as will the quality of stock loans necessary to assure the comparability of MCC's charges.

[FR Doc. 81-20813 Filed 7-15-81; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. 22128; 70-6617]

Southern Co., et al.; Proposed Issuance and Sale of Common Stock In Connection With Employee Stock Ownership Plan

July 10, 1981.

In the matter of The Southern Company, 64 Perimeter Center East, P.O. Box 720071, Atlanta, Georgia 30346; Alabama Power Company, Georgia Power Company, Gulf Power Company, Mississippi Power Company, Southern Company Services, Inc., and Southern Electric Generating Company.

The Southern Company ("Southern"), a registered holding company, and its above-named subsidiary companies have filed an application-declaration with this Commission pursuant to Sections 6(a), 7, 9(a), and 10 of the Public Utility Holding Company Act of 1935 ("Act") and Rule 50(a)(5) promulgated thereunder.

Southern proposes to issue and sell up to a maximum of $35,000,000 in value of its authorized but unissued shares of common stock, par value $5 per share, in order to provide common stock to fund The Employee Stock Onwership Plan of the Southern Company System ("Plan") for the Plan year 1980, including any reinvestment of cash dividends on such stock by direct purchases of common stock from Southern. Southern intends to apply the proceeds it receives from the sale of the additional common stock for further equity investments as authorized by this Commission (File No. 70-6549) and as may be hereafter so authorized for other coroporate purposes.

The application-declaration states that in order to encourage and assist employees of Southern's subsidiaries to acquire ownership of Southern's common stock and thereby promote in the employees a strong interest in the successful operation of The Southern Company System, Southern Company Services, Inc., Alabama Power Company, Georgia Power Company, Gulf Power Company, Mississippi Power Company, and Southern Electric Generating Company (the "Employing Companies") have adopted the Plan, effective January 1, 1976. The Employing Companies will be entitled to an additional 1% investment tax credit which they otherwise would not be able to claim. In addition the Employing Companies may elect to make further contributions of common stock or cash in an annual amount of up to ½ of 1% of their qualified investment in property to the extent that such contributions are matched for that year by voluntary contributions by Plan participants for their own accounts. Thus, in effect, money that would otherwise be paid in taxes is used to provide employees with an ownership interest in Southern.

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 August 10, 1981, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the applicants-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 application-declaration, as filed or as it may be amended, may be granted and permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-20814 Filed 7-15-81; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

Questech Capital Corporation; Notice of Issuance of a License To Operate as a Small Business Investment Company

[License No. 02/02-0415]

On November 21, 1980, A Notice was published in the Federal Register (45 FR 77218) stating that Questech Capital Corporation, 11 Hanover Square, New York, New York 10005, had filed an application with the Small Business Administration pursuant to Section 107.102 of the SBA Rules and

Regulations governing small business investment companies (13 CFR 107.102 (1980)), for a license to operate as a small business investment company.

Interested parties were given until the close of business December 8, 1980, to submit their comments. No comments were received.

Notice is hereby given that, having considered the application and all other pertinent information, SBA on June 26, 1981, issued License No. 02/02-0415 to Questech Capital Corporation, pursuant to Section 301(c) of the Small Business Investment Act of 1958, as amended.

(Catalog of Federal Domestic Assistance Program No. 59.011 Small Business Investment Companies)

Dated: July 9, 1981

Peter F. McNeish,

Acting Associate Administrator for Investment.

[FR Doc. 81-20853 Filed 7-15-81; 8:45 am]

BILLING CODE 8025-01-M

[Application No. 01/01-0314]

Vadus Capital Corp.; Application for License To Operate as a Small Business Investment Company

An application for a license to operate as a small business investment company under the provisions of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 *et seq.*) has been filed by Vadus Capital Corporation (Vadus), Three Center Plaza, Suite 506, Boston, Massschusetts 02108, with the Small Business Administration (SBA), pursuant to 13 CFR 107.102 (1981).

The officers, directors and stockholders are as follows:

Peter A. Brooke, 111 Devonshire St., Boston, MA 02109—Chairman of the Board

G. Kenneth Macrae, 39 Court of Cobblestone, Northbrooke, IL 60062—President, Director

Joost E. Tjaden, Three Center Plaza, Boston, MA 02108—Treasurer, Director

Kenneth J. Novack, 376 Newton St., Brookline, MA 02184—Secretary, Director

Piet J. van de Ven, 12 Venstraat 5271 TV, St. Michielsgestel, Netherlands—Director

M.P.J.H. van Doorne, De Wolfsberg, Haagend 65, 5751 AZ Deurne, Netherlands—14 percent

Ms. M.P.M. Hohmann-van Doorne, Julianastraat 26, 5751 JX Deurne, Netherlands—14 percent

Ms. J.W.Th. van Doorne, Julianastraat 26, 5751 JX Deurne, Netherlands—14 percent

Petrus J.G. van Doorne, Geldropseweg 25, 5731 AA Mierlo, Netherlands—14 percent

Hubert J.M.M. van Doorne, Julianastraat 10, 575 I JX Deurne, Netherlands—14 percent

Martinus P.A. van Doorne, Fleix Timmermanslaan 5, 5644 RN Eindhoven, Netherlands—10 percent

Petrus H.J. van Doorne, Vesaliuslaan 25 5644 HJ Eindhoven, Netherlands—10 percent

Wilhelmus J.M. van Kortvoortbaan 3, 2230 Schilde, Belgium—10 percent

Investments Orange Nassau, Inc., Three Center Plaza Boston, MA 02109—Investment Advisor.

The Applicant, a Delaware corporation, will begin operations with $1,000,000 paid-in capital and paid-in surplus. Vadus will conduct its activities principally within the six New England states and the Gulf Coast states.

Matters involved in SBA's consideration of the application include the general business reputation and character of the proposed owners and management, and the probability of successful operation of the company under their management, including adequate profitability and financial soundness, in accordance with the Small Business Investment Act of 1958, as amended, and the SBA Rules and Regulations.

Notice is hereby given that any person may on or before July 31, 1981 submit to SBA written comments on the proposed Applicant. Any such communication should be addressed to the Acting Associate Administrator for Investment, Small Business Administration, 1441 "L" Street, N.W., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Boston, Massachusetts.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: July 8, 1981.

Peter F. McNeish,

Acting Associate Administrator for Investment.

[FR Doc. 81-20852 Filed 7-15-81; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Radio Technical Commission for Aeronautics (RTCA); Special Committee 146—Airborne Automatic Direction Finding Equipment; Meeting

Correction

In FR Doc. 81-20324 appearing on page 36032 in the issue of Monday, July 13, 1981; third column, first paragraph, seventh line, " * * * July 19-30, 1981 * * *" should read " * * * July 29-30, 1981 * * *".

BILLING CODE 1505-01-M

Federal Highway Administration

Environmental Impact Statement: Los Angeles County, California

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an Environmental Impact Statement will be prepared for a proposed highway project in Los Angeles County, California.

FOR FURTHER INFORMATION CONTACT: Albert J. Gallardo, District Engineer, Federal Highway Administration, P.O. Box 1915, Sacramento, California 95809, Telephone: (916) 440-2804.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the California Department of Transportation (Caltrans) will prepare an Environmental Impact Statement (EIS) on a proposal to alleviate traffic congestion in the Santa Monica Boulevard corridor (State Route 2) from the San Diego Freeway (Route 405) to Fairfax Avenue by the selection and implementation of one or more of the following alternatives:

A. *Transportation System Management.* This Alternative may include improvements such as:

One Way Operations.

Improved Bus Service and Signal Preemption.

Park and Ride.

Bus Bays.

Bicycle and Pedestrian Facilities.

B. *Highway Capacity Improvements.* This alternative may include improvements such as:

Widen the Highway.

Widen Highway—for exclusive HOV lanes.

Improve Parallel Facilities.

C. *Operational Improvement.* This alternative may include such alternatives as:

Upgrade Signals.

Channelization (turning pockets, etc.).

D. *Transit.* This alternative may include such alternatives as:

Extend the Wilshire Rail Starter Line west along Santa Monica Boulevard.

E. *No Project.* This alternative includes maintenance and operation of the existing facility essentially "as is", with such minor safety improvements as may be warranted from time to time.

No scoping meetings have been scheduled at this time. Meetings will be scheduled to encourage affected parties to identify crucial issues and insure that matters of importance are not overlooked in the early stages of review.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments and questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

Issued On: July 10, 1981.

Albert J. Gallardo,

District Engineer, Sacramento, California.

[FR Doc. 81-20620 Filed 7-15-81; 8:45 am]

BILLING CODE 4910-22-M

Research and Special Programs Administration; Applications for Exemptions

AGENCY: Materials Transportation Bureau, Research and Special Programs Administration, DOT.

ACTION: List of Applicants for Exemptions.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Regulation of the Materials Transportation Bureau has received the applications described herein. Each mode of transportation for which a particular exemption is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo-only aircraft, 5—Passenger-carrying aircraft.

DATE: Comment period closes August 17, 1981.

ADDRESS COMMENTS TO: Dockets Branch, Information Services Division, Materials Transportation Bureau, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate.

FOR FURTHER INFORMATION CONTACT: Copies of the applications are available for inspection in the Dockets Branch, Room 8426, Nassif Building, 400 7th Street, S.W., Washington, DC.

New Exemptions

Application No.	Applicant	Regulation(s) affected	Nature of exemption thereof
8658-N	Waters Associates, Inc., Milford, MA	49 CFR 100-199, with exceptions	To manufacture, mark, and sell specially designed packages (chromotographic columns not exceeding 60 ml each) for shipment of limited quantities of flammable liquids. (Modes 1, 2, 3, 4, 5).
8659-N	The Goodyear Tire & Rubber Company, Akron, OH	49 CFR 173.224	To authorize shipment of diisopropylbenzene hydroperoxide of strength not exceeding 80 percent in a nonvolatile solvent in DOT Specification MC-310, 311, or 312 tank motor vehicle. (Mode 1).
8660-N	Hach Company, Ames, IA	49 CFR 172.400, 172.402(a)(2), 172.402(a)(3), 172.504(a), 173.25(a)(2).	To authorize shipment of certain small quantities of Class B poisonous liquids and solids, excepted from labeling, when packaged in specially designed containers. (Mode 1).
8661-N	Ethyl Corporation, Baton Rouge, LA	49 CFR 173.119(m)	To authorize shipment of a flammable liquid, n.o.s., which is also a poison B liquid in DOT Specification 51 portable tanks. (Modes 1, 2, 3).
8662-N	Sigma-Aldrich Corporation, St. Louis, MO.	49 CFR 172.400, 172.402(a)(2), 172.402(a)(3), 172.402(a)(4), 172.500(a), 172.504(a), 173.25(a).	To authorize shipment of certain small quantities of Class B poisonous liquids, flammable liquids, flammable solids, oxidizers and corrosive materials in specially designed packagings exempt from labeling and flammable solids from placarding requirements. (Modes 1, 2, 4).
8663-N	Goex, Incorporated, Cleburne, TX	49 CFR 173.86	To authorize shipment of black powder, manufactured in a foreign country, in DOT Specification 12H fiberboard boxes overpacked in DOT Specification 15A wooden boxes, without being classified in accordance with 173.86. (Mode 1).
8664-N	Spectrix Corporation, Houston, TX	49 CFR 173.242, 173.268(i)(2), 173.268(i)(3).	To author shipment of small quantities of nitric acid, sulfuric acid and sodium hydroxide in non-DOT specification packaging described as sample preservation kits. (Modes 1, 4).
8665-N	Bethlehem Steel Corporation, Bethlehem, PA.	49 CFR 173.245, 173.248	To authorize short distance transportation of waste, sulfuric acid, ferrous chloride solution and spent hydrochloric acid, classed as corrosive materials, in rubber lined cargo tank similar to DOT Specification MC-312 except for bottom outlet variations. (Mode 1).
8667-N	Federal Emergency Management Agency, Washington, DC	49 CFR 173.389(a)(3), 173.389(b)(2)(i)	To authorize transportation of steel encapsulated sources containing Type B quantities of Cesium 137, contained in calibrated radiological instruments which do not meet all current testing requirements. (Modes 1, 3, 4).
8668-N	Millipore Corporation, Bedford, MA	49 CFR 173.119	To authorize shipment of pyroxylin solution, classed as a flammable liquid, in non-DOT specification 20 liter capacity drums. (Modes 1, 2, 4).
8669-N	Blacksburg Aviation, Incorporated, Blacksburg, VA.	49 CFR 107 Appendix B, 172.101, 172.204(c)(3), 173.27, 175.30(a)(1), 175.320(b).	To authorize carriage of Class A, B, and C explosives not permitted for air shipment or in quantities greater than those prescribed for air shipment. (Mode 4).
8670-N	Oriole Chemical Carriers, Inc., Baltimore, MD.	49 CFR 172.101, 172.203(a), 172.328(a)(e), 172.334(b)(d).	To authorize the transportation of sodium hydroxide and potassium hydroxide in MC-312 cargo tanks which display only one identification number for materials which require identical emergency response treatment. (Mode 1).
8671-N	Allied Chemical Corporation, Morristown, NJ.	49 CFR 173.119(a)(23)	To authorize shipment of various flammable liquids in non-DOT specification polyethylene bottles of 1000 ml capacity overpacked in DOT Specification 12A fiberboard boxes. (Modes 1, 2, 3, 4, 5).
8672-N	Rheem Manufacturing Company, Jefferson, LA.	49 CFR 173.115-10(a)(1)	To authorize a one time shipment of 583-30 gallon drums meeting DOT Specification 17C but improperly embossed "DOT-17E" to contain organophosphorus pesticide, liquid, Class B poison. (Mode 1).
8674-N	Gulf Chemicals Company, Overland Park, KS.	49 CFR 173.182(2)	To authorize shipment of nitro-carbo-nitrate in a concrete mixer lined with cold tar epoxy. (Mode 1).
8676-N	Southwest Aviation, Inc., Las Cruces, NM.	49 CFR 172.101, 172.204(c)(3), 173.27, 175.30(a)(1), 175.320(b), Part 107 Appendix B.	To authorize carriage of Class A, B, and C explosives not permitted for air shipment or in quantities greater than those prescribed for air shipment. (Mode 4).
8677-N	International Mineral & Chemical Corporation, Allentown, PA.	49 CFR 173.65	To authorize shipment of a high explosive, Class A in non-DOT specification 5 gallon capacity polyethylene pails. (Mode 1).
8678-N	Compagnie Francaise De materiel Ferroviaire, Paris, France.	49 CFR 173.315(a)	To authorize shipment of various flammable and nonflammable (refrigerant) compressed gases in IMCO Type V portable tanks. (Modes 1, 2, 3).

This notice of receipt of applications for new exemptions is published in accordance with Section 107 of the Hazardous Materials Transportation Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on July 2, 1981.

J. R. Grothe,

Chief, Exemptions Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 81-20500 Filed 7-15-81; 8:45 am]

BILLING CODE 4910-60-M

Applications for Renewal or Modification of Exemptions or Applications To Become a Party to an Exemption

AGENCY: Materials Transportation Bureau, Research and Special Programs Administration, DOT.

ACTION: List of applications for renewal or modification of exemptions or application to become a party to an exemption.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Regulation of the Materials Transportation Bureau has received the applications described herein. This notice is abbreviated to expedite docketing and public notice. Because the sections affected, modes of transportation, and the nature of application have been shown in earlier **Federal Register** publications, they are not repeated here. Except as otherwise noted, renewal applications are for extension of the exemption terms only. Where changes are requested (e.g. to provide for additional hazardous materials, packaging design changes, additional mode of transportation, etc.) they are described in footnotes to the application number. Application numbers with the suffix "X" denote renewal; application numbers with the suffix "P" denote party to. These applications have been separated from the new applications for exemptions to facilitate processing.

DATE: Comment period July 30, 1981.

ADDRESS COMMENTS TO: Dockets Branch, Information Services Division, Materials Transporation Bureau, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate.

FOR FURTHER INFORMATION:

Copies of the applications are available for inspection in the Dockets Branch, Room 8426, Nassif Building, 400 7th Street, S.W., Washington, DC.

Application No.	Applicant	Renewal of exemption
2709-X	Hercules, Incorporated, Wilmington, DE	2709
3121-X	U.S. Department of Defense, Washington, DC	3121
3367-X	Air Products and Chemicals, Incorporated, Allentown, PA	3367
3569-X	NL McCullough/NL Industries, Incorporated, Houston, TX [1]	3569
4262-X	Schlumberger Well Services, Houston, TX	4262
5022-X	United Technologies Corporation, Sunnyvale, CA	5022
5022-X	The Boeing Company, Seattle, WA	5022
5600-X	Ozark-Mahoning Company, Tulsa, OK	5600
5876-X	FMC Corporation, Philadelphia, PA	5876
5945-X	Air Products and Chemicals, Incorporated, Allentown, PA	5945
6016-X	Livingston Medical Products, Co., Modesto, CA	6016
6122-X	Pennwalt Corporation, Buffalo, NY [2]	6122
6126-X	Dow Chemical Company, Midland, MI	6126
6228-X	Air Products and Chemicals, Incorporated, Allentown, PA	6228
6267-X	Alden Leeds, Inc., South Kearny, NJ [3]	6267
6658-X	U.S. Department of Energy, Washington, DC	6658
6702-X	Dow Chemical Company, Indianapolis, IN	6702
6712-X	Air Products and Chemicals, Incorporated, Allentown, PA	6712
6759-X	Hercules, Incorporated, Wilmington, DE	6759
6798-X	Allied Chemical, Morristown, NJ	6798
6810-X	U.S. Department of the Interior, Amarillo, TX	6810
6824-X	Georgia-Pacific Corporation, Montebello, CA	6824
6984-X	Explo-Midwest Inc., Joplin, MO	6984
7035-X	Owens-Illinois (Plastic Products Division), Toledo, OH	7035
7603-X	Air Products and Chemicals, Incorporated, Allentown, PA	7603
7716-X	Kinepak, Inc., Lewisville, TX [4]	7716
7846-X	Air Products and Chemicals, Incorprated, Allentown, PA	7846
8012-X	Bigneir Schmid-Laurent, Paris, France	8012
8012-X	United Tank Containers, Incorporated, New York, NY	8012
8046-X	Degussa, Frankfurt, West Germany	8046
8055-X	American Cyanamid Company, Wayne, NJ	8055
8131-X	National Aeronautics and Space Administration, Washington, DC	8131
8178-X	National Aeronautics and Space Administration, Washington, DC	8178
8194-X	Pennwalt Corporation, Buffalo, NY	8194
8197-X	Container Corporation of America, Plastics Div., Wilmington, DE	8197
8213-X	Trailmaster Tanks, Incorporated, Fort Worth, TX	8213
8215-X	Olin Corporation, East Alton, IL	8215
8228-X	Bureau of Alcohol, Tobacco and Firearms, Washington, DC	8228
8239-X	Westinghouse Electric Corporation, Horseheads, NY	8239
8249-X	Lawrence Packaging Supply Corporation, Newark, NJ	8249
8253-X	Allied Drum Service, Incorporated, Louisville, KY	8253
8260-X	Bayonne Barrel and Drum Company, Newark, NJ	8260
8497-X	Roper Plastics, Inc., New York, NY [5]	8497

[1] To authorize water as an additional mode of transportation.

[2] To renew and to add additional packaging with handholes.

[3] To renew and allow an additional package to contain 20 pounds of oxidizing chemicals in a polyethylene bottle.

[4] To renew, authorize water as an additional mode of transportation and to increase the net weight of the plastic pouches, containing ammonium nitrate, not to exceed 30 pounds.

[5] To authorize shipment of methyl alcohol solution or mixture, classed as a flammable liquid as an additional commodity.

Application No.	Applicant	Parties to exemption
4453-P	Mining Services International Corporation, Salt Lake City, UT	4453
5520-P	Oxy Metal Industries Corporation, Morenci, MI	5520
6657-P	Gases & Arc Supply Company, Pueblo, CO	6657
6694-P	Compagnie des Containers Reservoirs, Paris, France	6694
6763-P	Pool Water Products, Garden Grove, CA	6763
7259-P	Hooker Chemical Company, Houston, TX	7259
7891-P	Alonon Chemical Company, Milwaukee, WI	7891
7891-P	Sigma Chemical Company, St. Louis, MO	7891
7915-P	US Department of Defense, Washington, DC	7915
8116-P	Environmental Resources Associates, South Chicago Heights, IL	8116
8116-P	Illinois Environmental Protection Agency, Springfield, IL	8116
8354-P	VTG, Hamburg, Germany	8354
8465-P	Allied Flexible Products, Inc., Helena, AL	8465
8489-P	CIBA-GEIGY Corporation, Ardsley, NY [1]	8489
8564-P	Bunke Ramo Corporation, Westlake Village, CA	8564
8613-P	Sivere Tank Lines, Inc., Dallas, TX	8613
8627-P	Petrolite Corporation, St. Louis, MO	8627
8655-P	Digital Equipment Corporation, Northborough, MA [2]	8655
8655-P	Sperry Univac Defense Systems, St. Paul, MN	8655
8678-P	Eurotainer, Paris, France	8678

[1] To be added as a party to the exemption and to authorize para-nitro toluence sulfonic acid classed as a corrosive solid as an additional commodity.

[2] To request party status and to add water as an additional mode of transportation.

This notice of receipt of applications for renewal of exemptions and for party to an exemption is published in accordance with Section 107 of the Hazardous Materials Transportation Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on July 2, 1981.

J. R. Grothe,

Chief, Exemptions Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 81-20499 Filed 7-15-81; 8:45 am]

BILLING CODE 4910-60-M

VETERANS ADMINISTRATION

Station Committee on Educational Allowances; Meeting

Notice is hereby given pursuant to Section V, Review Procedure and Hearing Rules, Station Committee on Educational Allowances that on August 18, 1981, at 1:00 p.m., the Veterans Administration Regional Office Station Committee on Educational Allowances shall at Estes Kefauver Federal Building—U.S. Courthouse, Room A–220, 110 9th Avenue, South, Nashville, Tennessee, conduct a hearing to determine whether Veterans Administration benefits to all eligible persons enrolled in Super Drive-Ins, Inc., 314 Wilhagen Road, Nashville, Tennessee, 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: July 9, 1981.

R. S. Bielak,

Director, VA Regional Office, 110 9th Avenue, South, Nashville, Tennessee.

[FR Doc. 81-20704 Filed 7-15-81; 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 Educational Allowances that on August 13, 1981, at 10 a.m., the Muskogee Station Committee on Educational Allowances shall at Room 2A20, 125 South Main Street, Muskogee, Oklahoma, conduct a hearing to determine whether Veterans Administration benefits to all eligible persons enrolled at Aircraft Service Company, 1500 South 135 East Avenue, Tulsa, Oklahoma, 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: July 8, 1981.

Ray E. Smith,

Director, VA Regional Office, 125 South Main Street, Muskogee, OK 74401.

[FR Doc. 81-20824 Filed 7-15-81; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register
Vol. 46, No. 136
Thursday, July 16, 1981

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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Federal Deposit Insurance Corporation	2, 3
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1

COMMODITY FUTURES TRADING COMMISSION.

TIME AND DATE: 11 a.m., Tuesday, July 21, 1981.

PLACE: 2033 K Street, N.W., Washington, D.C., fifth floor hearing room.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

Budget Categories, Plans, Programs and Priorities
Enforcement Matter

* * * * *

AGENCY HOLDING THE MEETING: Commodity Futures Trading Commission.

TIME AND DATE: 10 a.m., Tuesday, July 21, 1981.

PLACE: 2033 K Street, N.W., Washington, D.C. fifth floor hearing room.

STATUS: Open.

MATTERS TO BE CONSIDERED: Contract Market Designation application by the Chicago Board of Trade in Certificates of Deposit.

CONTACT PERSON FOR MORE INFORMATION: Jane Stuckey, 254-6374.

[S-1094-81 Filed 7-14-81; 3:40 pm]

BILLING CODE: 6351-01-M

2

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of Change in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its open meeting held at 2:00 p.m. on Monday, July 13, 1981, the Corporation's Board of Directors determined, on motion of Chairman Irvine H. Sprague, seconded by Director William M. Isaac (Appointive), concurred in by Director Charles E. Lord (Acting Comptroller of the Currency), that Corporation business required the withdrawal from the agenda for consideration at the meeting, on less than seven day's notice to the public, of a memorandum and resolution re: Amendments to the Corporation's statement of policy entitled "Applications Under Section 19 of the Federal Deposit Insurance Act."

The Board further determined, by the same majority vote, that no earlier notice of the change in the subject matter of the meeting was practicable.

Dated: July 13, 1981.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1089-81 Filed 7-14-81; 11:14 am]

BILLING CODE 6714-01-M

3

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of Change in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its closed meeting held at 2:30 p.m. on Monday, July 13, 1981, the Corporation's Board of Directors determined, on motion of Chairman Irvine H. Sprague, seconded by Director Charles E. Lord (Acting Comptroller of the Currency), concurred in by Director William M. Isaac (Appointive), that Corporation business required the withdrawal from the agenda for consideration at the meeting, on less than seven days' notice to the public, of a request by an insured State nonmember bank for relief from adjustment for violations of Regulation Z (name and location of bank authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(8) and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(8) and (c)(9)(A)(ii)).

The Board further determined, by the same majority vote, that no earlier notice of the change in the subject matter of the meeting was practicable.

Dated: July 13, 1981.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1090-81 Filed 7-14-81; 11:13 am]

BILLING CODE 6714-01-M

4

FEDERAL ELECTION COMMISSION.

DATE AND TIME: Tuesday, July 21, 1981 at 10 a.m.

PLACE: 1325 K Street, N.W., Washington, D.C.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Personnel. Compliance. Litigation. Audits. FOIA Appeal.

PERSON TO CONTACT FOR INFORMATION: Mr. Fred Eiland, Public Information Officer; Telephone: 202-523-4065.

Marjorie W. Emmons,

Secretary of the Commission.

[S-1093-81 Filed 7-14-81; 3:27 pm]

BILLING CODE 6715-01-M

5

FEDERAL MARITIME COMMISSION.

TIME AND DATE: 9 a.m., July 21, 1981.

PLACE: Hearing Room One, 1100 L Street, N.W., Washington, D.C., 20573.

STATUS: Parts of the meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Portions open to the public:

1. Agreement No. 10387: Rate agreement between the Pacific/Australia-New Zealand Conference and Karlander Kangaroo Line—Request for hearing.
2. Agreement No. 10412: Space chartering agreement between Societe Ivoirienne de Transport Maritime and Farrell Lines, Inc.
3. Agreement No. 10405: New York Ocean Freight Forwarder Discussion Group.
4. Proposed Rulemaking—Time Limit for Filing of Overcharge Claims.
5. Petition of Sea-Land for rulemaking to Promulgate Filing Requirements for Publication of Per-Container Rates in the U.S. Foreign Commerce.

Portion closed to the public:

1. Sea-Land Service, Inc., v. United States of America—Petition for certiorari re standing of Department of Justice to seek appellate review of Commission orders.

CONTACT PERSON FOR MORE INFORMATION: Francis C. Hurney, Secretary (202) 523–5725.

[S–1091–81 Filed 7–14–81; 2:54 pm]

BILLING CODE 6730–01–M

6

INTERNATIONAL TRADE COMMISSION.

TIME AND DATE: 2:15 p.m., Monday, July 27, 1981.

PLACE: Room 117, 701 E Street, N.W., Washington, D.C. 20436.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agenda.
2. Minutes.
3. Ratifications.
4. Petitions and complaints, if necessary:
   a. Latchet Hook Kits (Docket No. 742).
   b. Video Display Systems II (Docket No. 743).
5. Investigations 731–TA–69/78 [Preliminary] (Sodium Gluconate from Belgium, Denmark, Federal Republic of Germany, France, Greece, Ireland, Italy, Luxemburg, The Netherlands, and the United Kingdom)—briefing and vote.
6. Any items left over from previous agenda.

CONTACT PERSON FOR MORE INFORMATION: Kenneth R. Mason, Secretary (202) 525–0161.

[S–1092–81 Filed 7–14–81; 3:15 pm]

BILLING CODE: 7020–02–M

7

POSTAL RATE COMMISSION.

TIME AND DATE: 10 a.m., July 15, 1981.

PLACE: Conference Room 500, 2000 L Street, N.W. Washington, D.C. 20268.

STATUS: Closed briefing.

MATTERS TO BE CONSIDERED: The Commission has scheduled a staff briefing on the matter of the Governors', U.S. Postal Service, remand on June 29, 1981, of the Commission's Recommended Decision Upon Reconsideration in Docket R80–1 (Postal Rate and Fee Changes, 1980) dated June 4, 1981. The briefing may lead to a requirement for a meeting which could be closed to the public by majority vote pursuant to 5 U.S.C. § 552b(c)(10).

CONTACT PERSON FOR MORE INFORMATION: D. Watson, Information Officer, Postal Rate Commission, Room 500, 2000 L Street, N.W., Washington, D.C. 20268, Telephone (202) 254–5614.

[S–1088–81 Filed 7–13–81; 4:16 pm]

BILLING CODE 7715–01–M

federal register

Thursday
July 16, 1981

Part II

Department of Transportation

Coast Guard

Annexes I–V to Inland Navigation Rules

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 84

[CGD 81-008]

Annex I to Inland Navigation Rules—Positioning and Technical Details of Lights and Shapes

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: The Coast Guard is proposing regulations setting out the positioning and technical details for the vessel navigation lights and shapes prescribed by the Inland Navigational Rules Act of 1980. This Act goes into effect on most United States inland waters on December 24, 1981, and this proposal would give the details needed by a vessel to comply with this law. The intended effect of the proposed regulation is the enhancement of a mariner's ability to detect and identify vessels at night.

DATE: Comments must be received on or before September 14, 1981.

ADRESSES: Comments should be submitted to Commandant (G-CMC/44) (CGD 81-008), U.S. Coast Guard, Washington, DC 20593. Comments may be delivered to and will be available for inspection and copying at the Marine Safety Council, Room 4402, U.S. Coast Guard Headquarters, 2100 Second Street S.W., Washington, DC 20593, between the hours of 7 a.m. and 5 p.m. Monday through Thursday.

FOR FURTHER INFORMATION CONTACT: Mr. Chris Llana, Project Manager, Office of Marine Environment and Systems, Room 1606, U.S. Coast Guard Headquarters, 2100 Second Street S.W., Washington, DC 20593, (202) 426-4958.

SUPPLEMENTARY INFORMATION:

The public is invited to participate in this proposed rulemaking by submitting written views, data, or arguments. Each person submitting a comment should include his or her name and address, identify this notice as CGD 81-008, give the specific section of the proposal to which the comment applies, and give the reasons for the comment. Persons desiring acknowledgement that their comment has been received should enclose a stamped, self-addressed postcard or envelope.

The proposal may be changed in view of the comments received. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held at a time and place to be set in a subsequent notice if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will be beneficial to this rulemaking.

Drafting Information

The principal persons involved in drafting this rulemaking are Mr. Chris Llana, Project Manager, Office of Marine Environment and Systems, and Lieutenant Michael Tagg, Project Attorney, Office of Chief Counsel.

Discussion of Proposed Regulations

The Inland Navigational Rules Act of 1980 (Pub. L. 96-591) became law on December 24, 1980, and goes into effect one year from that date. The effective date for the Great Lakes will be set after consultation with the Canadian Coast Guard. The Inland Rules in this new law unify and consolidate the several sets of navigation rules now used on United States inland waters. As required by the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), the new Inland Rules parallel as closely as possible the International Navigation Rules. This latter body of rules uses a format with the technical and special requirements contained in four annexes.

While the main body of the Inland Rules is statutory, the more flexible regulatory route was chosen for the technical annexes. Section 3 of the Inland Navigational Rules Act requires the Secretary of the Department in which the Coast Guard is operating to establish four annexes, including Annex I, Positioning and Technical Details of Lights and Shapes. Section 3 goes on to say "These annexes shall be as consistent as possible with the respective annexes to the International Regulations."

The proposed Annex I is based on Annex I to 72 COLREGS, but has been changed to reflect the special conditions found on United States inland waters. The proposal also incorporates minor amendments to Annex I to 72 COLREGS which are not is process but have not yet become effective.

Annex I would supplement the Inland Navigation Rules covering lights and shapes by specifying the vertical and horizontal positioning and spacing of lights, details of location of direction indicating lights for fishing vessels, dredgers and vessels engaged in underwater operations, screens for sidelights, color and dimensions of shapes, color of lights, intensity of lights, horizontal and vertical sectors, and details of the optional maneuvering light.

The proposed Annex I would incorporate the pending 72 COLREGS amendment to the definition of "height above the hull" which clarifies that the height should be measured beneath the light in question. The proposal defines "practical cut-off", a term used but not defined in Annex I to the COLREGS, separately for lights used on vessels under 20 meters in length and for lights use on larger vessels. The definitions used for the two vessel classes reflect the characteristics of the lights suitable for the two size ranges.

Section 84.03 prescribes vertical positioning and spacing of lights. The minimum requirements for masthead light height and spacing have been reduced from that specified in 72 COLREGS to account for the low bridges over inland waterways. The reduced heights and spacings would not detract from the mariners ability to detect and assess another vessel at night because the distance at which other vessels are first encountered on inland waters is generally much less than on the open ocean. The heights were not in all cases reduced as much as the Rules of the Road Advisory Committee (RORAC) recommended. In those cases where RORAC recommendations were not adopted by the proposal, the recommended heights were not supported by any need (construction or operational constraints), and would make the lights more difficult to see. Adoption of the RORAC recommended heights in these cases would also depart from the legislative mandate to be as consistent as possible with Annex I to 72 COLREGS.

The section would also permit the sidelights to be carried higher than is allowed by 72 COLREGS. It is important for the sidelights of towing vessels pushing ahead to be seen over their barges because Western Rivers towboats are not required to carry masthead lights when towing. 72 COLREGS calls for the sidelights to be displayed no higher than three-quarters the height of the forward masthead light above the hull. The vertical separation between masthead light and sidelights would commonly be at least 3 meters under this requirement. The proposed minimum separation for the Inland Rules is 1 meter. The one-half meter separation advocated by RORAC was not adopted by this proposal because that distance would not always allow the sidelight and masthead light to be distinguished. If the two lights are close together in the line of sight, the much brighter masthead light would obscure the sidelight.

Section 84.03(d) prescribes the vertical positioning for masthead light or

optional all-round light for vessels less than 12 meters in length. This paragraph also contains a requirement for screening of the masthead or all-round light if the light would otherwise interfere with the operator's night vision. A frequent complaint of operators of small open boats is that the bright white navigation light, especially the stern pole-mounted all-round light, illuminates the interior of the boat, and reflects off the inside of the windshield, substantially degrading night vision. To combat this problem, operators sometime extinguish the light or cover it or otherwise mask it to reduce the glare. A much safer solution is a screen installed to limit the vertical dispersion of the light so that is does not illuminate the boat's interior. RORAC did not favor this requirement (based on cost considerations), but such screens are not used on some boats and we believe the benefits far outweigh the minimal cost. The requirement only comes into play if glare is a problem. If masthead light and sternlight are used instead of the optional all-round light, there is normally no glare problem.

The proposal also incorporates a pending change to 72 COLREGS permitting a towing vessel having forward and after masthead lights to display the additional masthead lights for towing (Rule 24(a)) on either the forward or after mast. 72 COLREGS now requires them to be on the forward mast.

Section 84.03(f) of the proposal adopts a pending amendment to 72 COLREGS. The amendment would allow greater flexibility in the placement of masthead lights.

Section 84.03(h) has been reserved to continue the parallel construction with the 72 COLREGS format.

Several pending editorial amendments to Annex I to 72 COLREGS have also been incorporated in this section, as well as throughout the proposed Annex.

Section 84.05 prescribes the horizontal positioning and spacing of lights. As with the vertical positioning and spacing, the proposed Annex I to the Inland Rules has been made more flexible than 72 COLREGS to accommodate the special characteristics of inland waterways vessels and the shorter distances at which vessels are first encountered. A pending 72 COLREGS Annex I amendment has been incorporated which requires that the special lights for a vessel restricted in its ability to maneuver be placed at least 2 meters off centerline when those special lights are positioned between the forward and after masthead lights. This is so they do not interfere with the use of the two masthead lights as a range.

Section 84.07 gives the details of location of direction-indicating lights for fishing vessels, dredgers and vessels engaged in underwater operations. Inland Rules 26(c) and 27(b) contain the requirements for these special purpose lights. This section is identical to the corresponding 72 COLREGS Annex I section.

Section 84.09 gives the requirements for screens for sidelights. This section incorporates the 72 COLREGS pending amendment relaxing the requirement for screens for sidelights used on vessels less than 20 meters in length. The parallel 72 COLREGS section provides that external screens need not be fitted for combined sidelights using a lamp with a single vertical filament and a very narrow division between the green and red sectors. The lenses in such lights are typically glued together, and with a vertical filament (which is parallel to the line of division between the green and red lenses), the changeover in color as you move across the sector boundary appears instantaneous. RORAC was not in favor of this special provision for vertical filament combined sidelights because of their preference for automotive-type lamps, but the provision is being retained in this proposal because removing it would impose a cost with no benefit. Screens are not required for such lights designed to meet 72 COLREGS requirements and are not now commonly used. Installing a screen on a vertical filament combined sidelight would not improve its performance, but of course would increase its cost.

Section 84.11 gives the color and dimensions of day shapes, and is identical to the 72 COLREGS requirements.

Section 84.13 sets out the color specifications (chromaticity) for the white, green, red, and yellow lights prescribed by the Inland Rules. This section is identical to the 72 COLREGS requirements.

Section 84.15 follows the 72 COLREGS Annex I section for intensity of lights. Intensity requirements are given in candelas for corresponding ranges of visibility.

Section 84.17 gives the requirements for horizontal sectors of lights, that is, it prescribes the intensity of light emitted in a horizontal plane at every point within the sector where the light should be visible and the rate the intensity should drop off at the ends of the sectors (cut-off). The section is essentially the same as 72 COLREGS with the addition of a non-obscuration requirement for the optional Great Lakes all-round light (Rule 23(d)).

Section 84.19 prescribes vertical sectors for lights, or how far above and below the horizontal a light should be visible. This section is essentially the same as 72 COLREGS.

Section 84.21 is the same as the corresponding 72 COLREGS provision and recognizes that non-electric navigation lights will probably not be able to meet the standards for electric lights, but nevertheless permits their use.

Section 84.23 gives the location for the optional maneuvering light (Rule 34(b)). The minimum vertical spacing requirement is less than that in 72 COLREGS because of inland waterways bridge clearances and the close distances at which other vessels are first encountered.

Section 84.25 refers the reader to other regulations setting out enforcement procedures.

Annex I would provide the technical and performance specifications needed to comply with the configuration and range requirements set out in the statutory Inland Navigation Rules. This Annex would be applied only to vessels operating solely on United States inland waters. Vessels using International Rules waters must comply with Annex I to 72 COLREGS, and need not be concerned with the requirements of the proposed Annex I, even while they operate on inland waters. Rule 1(b)(ii) of the new Inland Rules states that "All vessels complying with the construction and equipment requirements of the International Regulations are considered to be in compliance with these Rules." The proposed Annex I would impact only on vessels operating exclusively on inland waters.

Incorporation by Reference

The material listed in the Appendix at the end of these regulations would be incorporated by reference. If subsequent changes to the material incorporated are considered, the changes will be published in the **Federal Register** for comment before final action by the Coast Guard.

The material incorporated by reference will be maintained on file at the Library of the Office of the Federal Register, Room 8301, 1100 L Street, N.W., Washington, DC 20408, and is available for inspection and copying at Coast Guard Headquarters, Room 4407, 2100 2nd Street, S.W., Washington, DC 20593. A copy of the material may be purchased at the address listed in the Appendix.

Approval by the Director of the Federal Register for the incorporation by

reference of material listed in the Appendix has been requested.

Regulatory Analysis

These proposed regulations are considered nonsignificant under guidelines set out in the "Policies and Procedures for Simplification, Analysis and Review of Regulations" (DOT Order 2100.5 of May 22, 1980). A draft regulatory evaluation may be obtained form the office listed under "Addresses".

The proposed regulations are considered to be non-major under Executive Order 12291, and therefore a Regulatory Impact Analysis has not been prepared. Because these regulations were required by statute to be as consistent as possible with Annex I to 72 COLREGS, alternatives were restricted. Within this framework of uniformity, requirements have been tailored considering existing practice to minimize costs to the maritime industry while maintaining navigation and public safety, a balance that involves the least net cost to society.

The Regulatory Flexibility Act (Pub. L. 96–354, 5 U.S.C. 601) requires an analysis of the impact of proposed regulations on small businesses and other small entities. These proposed regulations would primarily affect companies which manufacture navigation lights and shapes, with some effects on vessels which operate on the inland waters of the United States. The proposal would not overlap, duplicate, or conflict with any existing Federal regulation.

The Inland Navigational Rules Act of 1980 (Pub. L. 96–591) prescribes the configuration and visibility of lights and shapes used on vessels operating exclusively on United States inland waters. These requirements cannot become fully effective until these proposed regulations specifying positioning and technical details are published as a final rule.

There are about ten to fifteen United States manufacturers of navigation lights. Most of the manufacturers make one or a few models of navigation lights for small vessels out of a much larger line of equipment for boats. A few of the manufacturers dominate the industry. These proposed regulations would not apply directly to manufacturers of navigation lights but rather would specify the technical characteristics of the lights prescribed for vessels by statute. The manufacturer is free to design and produce lights in whatever manner he or she finds most efficient. The vessel operator is ultimately responsible for carrying proper navigation lights and decides which model lights will be successful either by purchasing them directly or indirectly through the vessel manufacturer. The divergent preferences of vessel operators for navigation light qualities unrelated to those specified in these proposed regulations should ensure a place for a variety of navigation light manufacturers.

Certainly most manufacturers of navigation lights would feel obligated to provide vessel operators with lights meeting legal requirements. United States navigation light manufacturers have already adapted to some extent to the proposed regulations. The Inland Navigational Rules Act of 1980 requires the Secretary of Transportation to establish these technical annexes and also requires them to be as consistent as possible with Annex I to the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), which became effective in 1977. During the process of implementing this annex, the known navigation light manufacturers were consulted directly or through industry trade associations. Their input was incorporated into implementation procedures in order to minimize the burden on the manufacturers.

Navigation lights conforming to Annex I to 72 COLREGS would also conform to the proposed Annex I to the Inland Navigation Rules. Navigation lights conforming to the more general and less comprehensive existing inland waters performance requirements may or may not comply with the proposed Annex I. Modifications to bring them into conformance would involve details rather than radical changes.

These proposed regulations would not impose any direct requirements on manufacturers of vessels, but they would probably attempt to provide their customers with vessels complying with the legal requirements for navigation lights. To do this, they must select navigation lights which meet the technical performance requirements of Annex I to the Inland Navigation Rules and they must position the lights properly, which is something they should be doing already. The difference would be in some of the positioning dimensions. The impact of this would be minimal, especially since this proposed Annex I has been developed to accommodate many existing inland navigation light positioning practices.

This proposed Annex I would impose responsibility for proper navigation lights on the small businesses operating vessels such as fishermen and charter boat operators. The impact of this proposed rule is best analyzed for two classes of vessel—those existing when the rule goes into effect and those which are built after the effective date of the rule. Rule 38 of the Inland Navigation Rules gives exemptions for existing vessels from various provision of Annex I. These exemptions are for four years, nine years, or permanent, depending on the size of vessel and the particular provision. Permanent exemptions are given to small (less than 20 meters in length) existing vessels from most or all of the Annex I technical requirements if those vessels are in compliance with existing rules. Larger vessels have permanent or nine year exemptions from requirements which could be potentially costly if vessel alterations were required on short notice.

New vessels would have to comply with all of the provisions of Annex I. As required by the Inland Navigational Rules Act of 1980, the proposed Annex I is as consistent as possible with Annex I to 72 COLREGS, but some important differences have been incorporated. These differences resulted primarily from the special conditions on United States inland waterways, and reflect existing navigation light positioning practices. For this reason, and as already discussed, vessel manufacturers would not be significantly affected by these proposed rules. Navigation lights conforming to the proposed Annex I are now readily available at competitive prices. Any price difference in the navigation lights themselves would be insignificant compared to the price of a new vessel. This proposal would have virtually no impact on a small entity's ability to acquire or operate a new vessel.

For these reasons, pursuant to section 605(b) of the Regulatory Flexibility Act, it is certified that the proposed regulation would not have a significant impact on a substantial number of small entities.

This proposal would not affect the old Part 84 (Towing of barges) of Title 33, Code of Federal Regulations, which was recently renumbered to be Part 163 (see 46 FR 28153, 26 May 1981). Parts 80 through 99 of Title 33 are being reorganized in response to the Inland Navigational Rules Act of 1980, which repeals the authority for many of the regulations in these Parts, and which calls for the publication of new regulations.

For the reasons established in the preamble, the Coast Guard proposes to add a new Part 84 of Title 33, Code of Federal Regulations, to read as follows:

PART 84—ANNEX I: POSITIONING AND TECHNICAL DETAILS OF LIGHTS AND SHAPES

Sec.

84.01 Definitions.
84.03 Vertical positioning and spacing of lights.
84.05 Horizontal positioning and spacing of lights.
84.07 Details of location of direction-indicating lights for fishing vessels, dredgers and vessels engaged in underwater operations.
84.09 Screens for sidelights.
84.11 Shapes.
84.13 Color specification of lights.
84.15 Intensity of lights.
84.17 Horizontal sectors.
84.19 Vertical sectors.
84.21 Intensity of non-electric lights.
84.23 Maneuvering light.
84.25 Approval [Reserved].

Authority: Sec. 3, Pub. L. 96-591; 49 CFR 1.46(n)(14).

§ 84.01 Definitions.

(a) The term "height above the hull" means height above the uppermost continuous deck. This height shall be measured from the position vertically beneath the location of the light.

(b) The term "practical cut-off" means—

(1) For vessels less than 20 meters in length, 67 percent of the minimum required intensity. In addition, for practical cut-off to be reached, the intensity must decrease to 10 percent of minimum required intensity by 20 degrees outside of the horizontal sector prescribed in Rule 21, and

(2) For vessels 20 meters or more in length, 10 percent of the minimum required intensity.

(c) The term "Rule" or "Rules" means the Inland Navigation Rules contained in Sec. 2 of the Inland Navigational Rules Act of 1980 (Pub. L. 96-591, 94 Stat. 3415, December 24, 1980) as amended.

§ 84.03 Vertical positioning and spacing of lights.

(a) On a power-driven vessel of 20 meters or more in length the masthead lights shall be placed as follows:

(1) the forward masthead light, or if only one masthead light is carried, then that light, at a height above the hull of not less than 5 meters, and, if the breadth of the vessel exceeds 5 meters, then at a height above the hull not less than such breadth, so however that the light need not be placed at a greater height above the hull than 8 meters;

(2) when two masthead lights are carried the after one shall be at least 2 meters vertically higher than the forward one.

(b) The vertical separation of the masthead lights of power-driven vessels shall be such that in all normal conditions of trim the after light will be seen over and separate from the forward light at a distance of 1000 meters from the stem when viewed from water level.

(c) The masthead light of a power-driven vessel of 12 meters but less than 20 meters in length shall be placed at a height above the gunwale of not less than 2.5 meters.

(d) The masthead light, or the all-round light described in Rule 23(c), of a power-driven vessel of less than 12 meters in length shall be carried at least one meter higher than the sidelights, and shall be suitably screened if necessary to prevent interference with the helmsman's vision.

(e) One of the two or three masthead lights prescribed for a power-driven vessel when engaged in towing or pushing another vessel shall be placed in the same position as either the forward masthead light or the after masthead light, provided if carried on the aftermast the lowest after masthead light shall be at least 2 meters vertically higher than the forward masthead light.

(f)(i) The masthead light or lights prescribed in Rule 23(a) shall be so placed as to be above and clear of all other lights and obstructions except as described in subparagraph (ii).

(ii) When it is impracticable to carry the all-round lights prescribed in Rule 27(b)(i) below the masthead lights, they may be carried above the after masthead light(s) or vertically in between the forward masthead light(s), provided that in the latter case the requirement of § 84.05(c) shall be complied with.

(g) The sidelights of a power-driven vessel shall be placed at least one meter lower than the forward masthead light. They shall not be so low as to be interfered with by deck lights.

(h) [Reserved]

(i) When the Rules prescribe two or three lights to be carried in a vertical line, they shall be spaced as follows:

(1) on a vessel of 20 meters in length or more such lights shall be spaced not less than 1 meter apart, and the lowest of these lights shall, except where a towing light is required, be placed at a height of not less than 4 meters above the hull;

(2) on a vessel of less than 20 meters in length such lights shall be spaced not less than 1 meter apart and the lowest of these lights shall, except where a towing light is required, be placed at a height of not less than 2 meters above the hull;

(3) when three lights are carried they shall be equally spaced.

(j) The lower of the two all-round lights prescribed for a vessel when engaged in fishing shall be a height above the sidelights not less than twice the distance between the two vertical lights.

(k) The forward anchor light prescribed in Rule 30(a)(i), when two are carried, shall not be less than 4.5 meters above the after one. On a vessel of 50 meters or more in length this forward anchor light shall be placed at a height of not less than 6 meters above the hull.

§ 84.05 Horizontal positioning and spacing of lights.

(a) When two masthead lights are prescribed for a power-driven vessel, the horizontal distance between them shall not be less than one quarter of the length of the vessel but need not be more than 50 meters. The forward light shall be placed not more than one half of the length of the vessel from the stem.

(b) On a power-driven vessel of 20 meters or more in length the sidelights shall not be placed in front of the forward masthead lights. They shall be placed at or near the side of the vessel.

(c) When the lights prescribed in rule 27(b)(i) are placed vertically between the forward masthead light(s) and the after masthead light(s) these all-round lights shall be placed at a horizontal distance of not less than 2 meters from the fore and aft centerline of the vessel in the athwartship direction.

§ 84.07 Details of location of direction-indicating lights for fishing vessels, dredgers and vessels engaged in underwater operations.

(a) The light indicating the direction of the outlying gear from a vessel engaged in fishing as prescribed in Rule 26(c)(ii) shall be placed at a horizontal distance of not less than 2 meters and not more than 6 meters away from the two all-round red and white lights. This light shall be placed not higher than the all-round white light prescribed in Rule 26(c)(i) and not lower than the sidelights.

(b) The lights and shapes on a vessel engaged in dredging or underwater operations to indicate the obstructed side and/or the side on which it is safe to pass, as prescribed in Rule 27(d)(i) and (ii), shall be placed at the maximum practical horizontal distance, but in no case less than 2 meters, from the lights or shapes prescribed in Rule 27(b)(i) and (ii). In no case shall the upper of these lights or shapes be at a greater height than the lower of the three lights or shapes prescribed in Rule 27 (b)(i) and (ii).

§ 84.09 Screens for sidelights.

The sidelights of vessels of 20 meters or more in length shall be fitted with mat black inboard screens and meet the

requirements of §84.17. On vessels of less than 20 meters in length, the sidelights, if necessary to meet the requirements of § 84.17, shall be fitted with mat black inboard screens. With a combined lantern, using a single vertical filament and a very narrow division between the green and red sections, external screens need not be fitted.

§ 84.11 Shapes.

(a) Shapes shall be black and of the following sizes:

(1) A ball shall have a diameter of not less than 0.6 meter;

(2) A cone shall have a base diameter of not less than 0.6 meter and equal to its dimater;

(3) A cylinder shall have a diameter of at least 0.6 meter and a height of twice its diameter;

(4) A diamond shape shall consist of two cones (as defined in paragraph (a)(2) of this section) having a common base.

(b) The vertical distance between shapes shall be at least 1.5 meter.

(c) In a vessel of less than 20 meters in length shapes of lesser dimensions but commensurate with the size of the vessel may be used and the distance apart may be correspondingly reduced.

§ 84.13 Color specification of lights.

(a) The chromaticity of all navigation lights shall conform to the following standards, which lie within the boundaries of the area of the diagram specified for each color by the International Commission on Illumination (CIE).

(b) The boundaries of the area for each color are given by indicating the corner co-ordinates, which are as follows:

(1) White:						
x	0.525	0.525	0.452	0.310	0.310	0.443
y	0.382	0.440	0.440	0.348	0.283	0.382
(2) Green:						
x	0.028	0.009	0.300	0.203	———	———
y	0.385	0.723	0.511	0.356	———	———
(3) Red:						
x	0.680	0.660	0.735	0.721	———	———
y	0.320	0.320	0.265	0.259	———	———
(4) Yellow:						
x	0.612	0.618	0.575	0.575	———	———
y	0.382	0.382	0.425	0.406	———	———

§ 84.15 Intensity of lights.

(a) The minimum luminous intensity of lights shall be calculated by using the formula:

$$I = 3.43 \times 10^{6} \times T \times D^{2} \times K^{-D}$$

where

I is luminous intensity in candelas under service conditions,

T is threshold factor 2×10^{-7} lux,

D is range of visibility (luminous range) in the light in nautical miles,

K is atmospheric transmissivity. For prescribed lights the value of K shall be 0.8, corresponding to a meteorological visibility of approximately 13 nautical miles.

(b) A selection of figures derived from the formula is given in Table 84.15(b).

Table 84.15(b)

Range of visibilty (luminous range) of light in nautical miles (D)	Light in candelas (I)[1]
1	0.9
2	4.3
3	12
4	27
5	52
6	94

[1] Luminous intensity of light in candelas for K=0.8.

§ 84.17 Horizontal sectors.

(a)(1) In the forward direction, sidelights as fitted on the vessel shall show the minimum required intensities. The intensities shall decrease to reach practical cut-off between 1 and 3 degrees outside the prescribed sectors.

(2) For sternlights and masthead lights and at 22.5 degrees abaft the beam for sidelights, the minimum required intensities shall be maintained over the arc of the horizon up to 5 degrees within the limits of the sectors prescribed in Rule 21. From 5 degrees within the prescribed sectors the intensity may decrease by 50 percent up to the prescribed limits; it shall decrease steadily to reach practical cut-off at not more than 5 degrees outside the prescribed sectors.

(b) All-round lights shall be so located as not to be obscured by masts, topmasts or structures within angular sectors of more than 6 degrees, except anchor lights prescribed in Rule 30, which need not be placed at an impracticable height above the hull, and the all-round white light described in Rule 23(d), which may not be obscured at all.

§ 84.19 Vertical sectors.

(a) The vertical sectors of electric lights as fitted, with the exception of lights on sailing vessels shall ensure that:

(1) at least the required minimum intensity is maintained at all angles from 5 degrees above to 5 degrees below the horizontal;

(2) at least 60 percent of the required minimum intensity is maintained from 7.5 degrees above to 7.5 degrees below the horizontal.

(b) In the case of sailing vessels the vertical sectors of electric lights as fitted shall ensure that:

(1) at least the required minimum intensity is maintained at all angles from 5 degrees above to 5 degrees below the horizontal;

(2) at least 50 percent of the required minimum intensity is maintained from 25 degrees above to 25 degrees below the horizontal.

(c) In the case of lights other than electric lights these specifications shall be met as closely as possible.

§ 84.21 Intensity of non-electric lights.

Non-electric lights shall so far as practicable comply with the minimum intensities, as specified in the Table given in § 84.15.

§ 84.23 Maneuvering light.

Notwithstanding the provisions of § 84.03(f), the maneuvering light described in Rule 34(b) shall be placed approximately in the same fore and aft vertical plane as the masthead light or lights and, where practicable, at a minmum height of 1 meter vertically above the forward masthead light, provided that it shall be carried not less than 1 meter vertically above or below the after masthead light. On a vessel where only one masthead light is carried the maneuvering light, if fitted, shall be carried where it can best be seen, not less than 1 meter vertically apart from the masthead light.

§ 84.25 Approval. [Reserved]

(Sec. 3, Pub. L. 96-591; 49 CFR 1.46(n)(14))

Dated: June 11, 1981.

K. G. Wiman,

Rear Admiral, Coast Guard, Acting Chief, Office of Marine Environment and Systems.

Appendix to Part 84—Annex I—Material Approved for Incorporation by Reference

Editorial Note.—The following appendix will appear in the Finding Aids section of Title 33, Parts 1 to 199, Code of Federal Regulations.

Material approved for incorporation by Reference

[33 CFR Chapter I—Coast Guard, Department of Transportation]

	33 CFR
International Commission on Illumination (CIE). 4, Av. du Recteur—Poincare 75 782 PARIS CEDEX 16, FRANCE. Colors of Light Signals, Publication CIE no. 2.2 (TC-1.6) 1975	84.13

[FR Doc. 81-20866 Filed 7-15-81; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 85

[CGD 81-006]

Annex II to Inland Navigation Rules—Additional Signals for Fishing Vessels Fishing in Close Proximity

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: The Coast Guard is proposing regulations providing trawlers and purse seiners with standardized signals to indicate specific fishing operations. The use of these signals would not be mandatory, but permissive. The proposed Annex II to the Inland Rules is identical to Annex II to the International Navigation Rules.

DATES: Comments must be received on or before October 14, 1981.

ADDRESSES: Comments should be submitted to Commandant (G-CMC/44) (CGD 81-006), U.S. Coast Guard, Washington, DC 20593. Comments may be delivered to and will be available for inspection and copying at the Marine Safety Council, Room 4402, U.S. Coast Guard Headquarters, 2100 Second Street S.W., Washington, DC 20593, between the hours of 7 a.m. and 5 p.m. Monday through Thursday.

FOR FURTHER INFORMATION CONTACT: Mr. Chris Llana, Project Manager, Office of Marine Environment and Systems, Room 1606, U.S. Coast Guard Headquarters, 2100 Second Street S.W., Washington, DC 20593, (202) 426-4958.

SUPPLEMENTARY INFORMATION: The public is invited to participate in this proposed rulemaking by submitting written views, data, or arguments. Each person submitting a comment should include his or her name and address, identify this notice as CGD 81-006, give the specific section of the proposal to which the comment applies, and give the reason for the comment. Persons desiring acknowledgment that their comment has been received should enclose a stamped, self-addressed postcard or envelope.

The proposal may be changed in view of the comments received. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held at a time and place to be set in a subsequent notice if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will be beneficial to this rulemaking.

Drafting Information

The principal persons involved in drafting this rulemaking are Mr. Chris Llana, Project Manager, Office of Marine Environment and Systems, and Lieutenant Michael Tagg, Project Attorney, Office of Chief Counsel.

Discussion of Proposed Regulations

The Inland Navigational Rules Act of 1980 (Pub. L. 96-591) became law on December 24, 1980, and goes into effect one year from that date, except for the Great Lakes. The effective date for the Great Lakes will be set after consultation with the Canadian Coast Guard. The Inland Rules in this new law unify and consolidate the several sets of navigation rules now used on United States inland waters. As required by the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), the new Inland Rules parallel as closely as possible the International Navigation Rules. This latter body of rules uses a format with the technical and special requirements contained in four annexes.

While the main body of the Inland Rules is statutory, the more flexible regulatory route was chosen for the technical annexes. Section 3 of the Inland Navigational Rules Act requires the Secretary of the Department in which the Coast Guard is operating to establish four annexes, including Annex II, Additional Signals for Fishing Vessels Fishing in Close Proximity. Section 3 states "These annexes shall be as consistent as possible with the respective annexes to the International Regulations."

Annex II would provide trawlers and purse seiners with standardized light signals to indicate when they are setting their nets, hauling their nets, when a net has come fast on an obstruction, when pair trawling, and when hampered by purse seine gear. The use of these signals would be voluntary. The proposed Annex II to the Inland Rules would be identical to Annex II to the International Rules. These signals would aid vessels fishing in groups to coordinate their movements.

Regulatory Evaluation

These proposed regulations are considered to be nonsignificant in accordance with guidelines set out in the "Policies and Procedures for Simplification, Analysis, and Review of Regulations" (DOT Order 2100.5 of May 22, 1980). A draft regulatory evaluation of the proposal has not been prepared since its impact is expected to be minimal because use of the specified light signals would be voluntary. This proposed regulation would have minimal energy, environmental, and economic impacts.

The proposed regulations are considered to be non-major under the criteria of Executive Order 12291, and therefore a Regulatory Impact Analysis has not been prepared. Because these regulations were required by statute to be as consistent as possible with Annex II to 72 COLREGS, alternatives were restricted. By adopting without change the international Annex for application to our inland waters, the full benefit of uniformity is retained. No existing special lights would be made obsolete by these regulations, nor would this proposal require new lights to be installed. For these reasons, benefits are maximized at the least net cost to society.

The Regulatory Flexibility Act (94 Stat. 1164, Pub. L. 96-354, September 19, 1980) requires an analysis of the impact of proposed regulations on small businesses, organizations, and small governmental jurisdictions. The proposed regulation would merely make available to commercial fishermen standardized light signals by which they could indicate their activity to nearby fishing vessels. The use of these light signals is entirely voluntary. The proposed regulations would not overlap, duplicate, or conflict with any other rules. For these reasons, pursuant to section 605(b) of the Regulatory Flexibility Act, it is certified that the proposed regulation would not have a significant impact on a substantial number of small entities.

For the above reasons, the Coast Guard proposes to add a new Part 85 of Title 33, Code of Federal Regulations, to read as follows:

PART 85—ANNEX II, ADDITIONAL SIGNALS FOR FISHING VESSELS FISHING IN CLOSE PROXIMITY

Sec.

85.1 General.
85.3 Signals for trawlers.
85.5 Signals for purse seiners.

Authority: Sec. 3, Pub. L. 96-591; 49 CFR 1.46(n)(14).

§ 85.1 General.

The lights mentioned herein shall, if exhibited in pursuance of Rule 26(d), be placed where they can best be seen. They shall be at least 0.9 meter apart but a lower level than lights prescribed in Rule 26(b)(i) and (c)(i). The lights shall be visible all around the horizon at a distance of at least 1 mile but at a lesser distance from the lights prescribed by these Rules for fishing vessels.

§ 85.3 Signals for trawlers.

(a) Vessels when engaged in trawling, whether using demersal or pelagic gear, may exhibit:

(1) when shooting their nets: two white lights in a vertical line;

(2) when hauling their nets: one white light over one red light in a vertical line;

(3) when the net has come fast upon an obstruction: two red lights in a vertical line.

(b) Each vessel engaged in pair trawling may exhibit:

(1) by night, a search light directed forward and in the direction of the other vessel of the pair;

(2) when shooting or hauling their nets or when their nets have come fast upon an obstruction, the lights prescribed in paragraph (a) above.

§ 85.5 Signals for purse seiners.

Vessels engaged in fishing with purse seine gear may exhibit two yellow lights in a vertical line. These lights shall flash alternately every second and with equal light and occulation duration. These lights may be exhibited only when the vessel is hampered by its fishing gear.

(Sec. 3, Pub. L. 96-591; 49 CFR 1.46(n)(14))

Dated: May 27, 1981.

W. E. Caldwell,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc. 81-20867 Filed 7-15-81; 8:45 am]

BILLING CODE 4910-14-M

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33 CFR Part 86

[CGD 81-009]

Annex III to Inland Navigation Rules—Technical Details of Sound Signal Appliances

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: The Coast Guard is proposing regulations setting out the technical details for the vessel sound signal appliances prescribed by the Inland Navigational Rules Act of 1980. This Act goes into effect on most United States inland waters on December 24, 1981, and this proposal would give the details needed by a vessel to comply with this law. The intended effect of the proposed regulation is to ensure that mariners on United States inland waters will be able to hear the sound signals of other vessels at appropriate distances and will be able to judge the approximate size of the other vessel by the tones of its whistle.

DATE: Comments must be received on or before September 14, 1981.

ADDRESSES: Comments should be submitted to Commandant (G-CMC/44) (CGD 81-009), U.S. Coast Guard, Washington, DC 20593. Comments may be delivered to and will be available for inspection and copying at the Marine Safety Council, Room 4402, U.S. Coast Guard Headquarters, 2100 Second Street S.W., Washington, DC 20593, between the hours of 7 a.m. and 5 p.m. Monday through Thursday.

FOR FURTHER INFORMATION CONTACT: Mr. Chris Llana, Project Manager, Office of Marine Environment and Systems, Room 1606, U.S. Coast Guard Headquarters, 2100 Second Street S.W., Washington, DC 20593, (202) 426-4958.

SUPPLEMENTARY INFORMATION: The public is invited to participate in this proposed rulemaking by submitting written views, data, or arguments. Each person submitting a comment should include his or her name and address, identify this notice as CGD 81-009, give the specific section of the proposal to which the comment applies, and give the reason for the comment. Persons desiring acknowledgment that their comment has been received should enclose a stamped, self-addressed postcard or envelope.

The proposal may be changed in view of the comments received. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held at a time and place to be set in a subsequent notice if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will be beneficial to this rulemaking.

Drafting Information

The principal persons involved in drafting this rulemaking are Mr. Chris Llana, Project Manager, Office of Marine Environment and Systems, and Lieutenant Michael Tagg, Project Attorney, Office of Chief Counsel.

Discussion of Proposed Regulations

The Inland Navigational Rules Act of 1980 (Public Law 96-591) became law on December 24, 1980, and goes into effect one year from that date, except for the Great Lakes. The effective date for the Great Lakes will be set after consultation with the Canadian Coast Guard. The Inland Rules in this new law unify and consolidate the several sets of navigation rules now used on United States inland waters. As required by the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), the new Inland Rules parallel as closely as possible the International Navigation Rules. This latter body of rules uses a format with the technical and special requirements contained in four annexes.

While the main body of the Inland Rules is statutory, the more flexible regulatory route was chosen for the technical annexes. Section 3 of the Inland Navigational Rules Act requires the Secretary of the Department in which the Coast Guard is operating to establish four annexes, including Annex III, Technical Details of Sound Signal Appliances. Section 3 goes on to say "These annexes shall be as consistent as possible with the respective annexes to the International Regulations."

The proposed Annex III is based on Annex III to 72 COLREGS, but has been changed in response to problems with the 72 COLREGS Annex III, and to reflect the special situation of the inland waters towboats. The problems in Annex III to 72 COLREGS are being discussed by the Inter-Governmental Maritime Consultative Organization (IMCO) and changes are expected to result, but would not become effective for at least several years. Many of the changes from Annex III to 72 COLREGS proposed for the Inland Rules were generated by the IMCO discussions. The Coast Guard intends to propose to IMCO that certain provisions of the international Annex III be made consistent with the proposed Annex III for United States inland waters.

Section 86.01 gives the fundamental frequency limits for sound signals, and the frequency range in which sound signal intensity may be measured to determine range of audibility. The upper limit for fundamental frequency would be lowered from that specified in 72 COLREGS and the frequencies that could be measured to determine audibility would be expanded. These changes are being proposed to reduce hearing impairment on the source vessel, and to more accurately reflect audibility ranges. The changes would impact (for the better) primarily on vessels less than 75 meters in length which have higher frequency sound signals and lower required audibility ranges. The 72 COLREGS Annex III does not now adequately recognize the importance of the higher frequency component for these smaller vessels. Even though the higher frequencies do not carry as far as the low, the human ear is more sensitive to them, and for shorter distances, the higher frequencies are relatively more easily heard. The changes would allow a reduction in overall sound intensity while requiring the same audibility range, with the result being less hearing impairment on the source vessel. This is especially important on small vessels where it is difficult to separate the sound signal appliance (whistle) from the listening post by a substantial distance.

Section 86.03 assigns fundamental frequency ranges to different size vessels, with the longer vessels having lower tone whistles. The upper frequency limit for vessels between 12 and 20 meters long would be reduced from that in Annex III to 72 COLREGS, which may preclude the use of the smallest and highest pitched hand-held gas-operated whistles by vessels over 12

meters in length. Whistles used on vessels less than 12 meters in length are not covered by this proposed Annex III or by Annex III to 72 COLREGS. Rule 33 requires only that such small vessels ". . . be provided with some other means of making an efficient sound signal", which of course includes, but is not limited to, those whistles which are acceptable for larger vessels.

Section 86.05 gives the sound pressure levels in dB for each class of vessel. The measurement of sound pressure level would be changed (as discussed above) to account for the variation of propagation and hearing sensitivity characteristics with frequency. For each class of vessel, alternative minimum sound pressure levels have been given depending upon the frequencies being measured.

Section 86.07 covers directional properties of whistles and has been changed from 72 COLREGS so as not to penalize a whistle for having a louder than minimum required intensity in the forward direction.

Section 86.09 concerns positioning of whistles and § 86.11 provides that widely separately whistles shall not be sounded simultaneously. Both of these sections are the same as the corresponding 72 COLREGS Annex III provisions.

Section 86.13 prescribes the rule for combined whistle systems. The corresponding 72 COLREGS provision has been rewritten to make clear that the multiple horn whistles used on many Western Rivers towboats are acceptable and are treated as a single whistle.

Section 86.15 is not found in Annex III to 72 COLREGS. This section permits towing vessels to use a whistle appropriate for the length of their longest tows, even when they are not towing or are pushing shorter tows.

Subpart B of the proposed Annex III contains the rules for bells and gongs and is the same as the corresponding 72 COLREGS provisions.

Annex III would provide the technical and performance specifications needed to comply with the sound signal requirements set out in the statutory Inland Navigation Rules. This Annex would be applied only to vessels operating solely on United States inland waters. Vessels using International Rules waters must comply with Annex III to 72 COLREGS, and need not be concerned with the requirements of the proposed Annex III, even while they operate on inland waters. Rule 1(b)(ii) of the new Inland Rules states that "All vessels complying with the construction and equipment requirements of the International Regulations are considered to be in compliance with these Rules."

Regulatory Analysis

These proposed regulations are considered to be nonsignificant under guidelines set out in the "Policies and Procedures for Simplification, Analysis, and Review of Regulations" (DOT Order 2100.5 of May 22, 1980). A draft regulatory evaluation prepared under this order may be obtained from the office listed under "Addresses".

The proposed regulations are considered to be non-major under the criteria of Executive Order 12291, and therefore a Regulatory Impact Analysis has not been prepared. Because these regulations were required by statute to be as consistent as possible with Annex III to 72 COLREGS, alternatives were restricted. Within this framework of uniformity, requirements have been tailored considering existing practice to minimize costs to the maritime industry while maintaining navigation and public safety, a balance that involves the least net cost to society.

The Regulatory Flexibility Act (Pub. L. 96-354, 5 U.S.C. 601) requires an analysis of the impact of proposed regulations on small businesses and other small entities. The proposed regulation would primarily affect manufacturers of sound signals and vessels. Owners and operators of vessels would be legally responsible but in practice they would normally rely on the vessel and sound signal appliance manufacturers to comply with the construction requirements. These proposed regulations would not apply to the many manufacturers of vessels less than 12 meters in length and the many manufacturers of sound signal appliances intended for use on such vessels. The proposal would not overlap, duplicate, or conflict with any other existing Federal regulations.

There are only one or two known United States manufacturers of whistles used on large vessels and several others making whistles, portable and fixed, for use on smaller vessels. The proposed requirements for bells and gongs would have minimal or no impact on the manufacturers of those appliances. The proposed regulation was developed with the input of the larger vessel sound signal appliance industry and we do not foresee any adverse impacts on that industry. Some manufacturers of whistles used on small vessels may choose to produce sound signal appliances exclusively for vessels less than 12 meters in length rather than become involved with the technical requirements contained in this proposed rule. However, because the great bulk of recreational boats are less than 12 meters in length, the economic impact of this should not be significant.

Some manufacturers of vessels are small businesses but the economic impact of these regulations on vessel manufacturers would be minimal or nonexistent. Their normal obligation would be limited to installing appropriate sound signal appliances in the proper locations. This they already do.

For these reasons, pursuant to section 605(b) of the Regulatory Flexibility Act, it is certified that the proposed regulation would not have a significant impact on a substantial number of small entities.

This proposal would not affect the old Part 86 (Interpretive rulings—inland rules) of Title 33, Code of Federal Regulations, which was recently renumbered to be Part 94 (see 46 FR 28153, May 26, 1981). Parts 80 through 99 of Title 33 have been reorganized in response to the Inland Navigational Rules Act of 1980, which repeals the authority for many of the regulations in these Parts, and which calls for the publication of new regulations.

For the reasons established in the preamble, the Coast Guard proposes to add a new Part 86 of Title 33, Code of Federal Regulations, to read as follows:

PART 86—ANNEX III: TECHNICAL DETAILS OF SOUND SIGNAL APPLIANCES

Subpart A—Whistles

Sec.

86.01 Frequencies and range of audibility.
86.03 Limits of fundamental frequencies.
86.05 Sound signal intensity and range of audibility.
86.07 Directional properties.
86.09 Positioning of whistles.
86.11 Fitting of more than one whistle.
86.13 Combined whistle systems.
86.15 Whistle characteristics for towing vessels.

Subpart B—Bell or Gong

86.21 Intensity of signal.
86.23 Construction.
86.25 Approval. [Reserved]

Authority: Sec. 3, Pub. L. 96-591; 49 CFR 1.46(n)(14).

Subpart A—Whistles

§ 86.01 Frequencies and range of audibility.

The fundamental frequency of the signal shall lie within the range 70–525 Hz. The range of audibility of the signal from a whistle shall be determined by those frequencies, which may include the fundamental and/or one or more higher frequencies, which lie within the range 140–1200 Hz (±1 percent) and

which provide the sound pressure levels specified in § 86.05.

§ 86.03 Limits of fundamental frequencies.

To ensure a wide variety of whistle characteristics, the fundamental frequency of a whistle shall be between the following limits:

(1) 70–200 Hz, for a vessel 200 meters or more in length;

(2) 130–350 Hz, for a vessel 75 meters but less than 200 meters in length;

(3) 250–525 Hz, for a vessel less than 75 meters in length.

§ 86.05 Sound signal intensity and range of audibility.

A Whistle on a vessel shall provide, in the direction of maximum intensity of the whistle and at a distance of 1 meter from it, a sound pressure level in at least one ⅓-octave band within the range of frequencies 140–1200 Hz (±1 percent) of not less than the appropriate figure given in Table 86.05.

Table 86.05

Length of vessel in meters	⅓-octave band level at 1 meter in dB referred to 2×10^{-5} N/m^2	For frequencies Hz	Audibility range in nautical miles
200 or more	145	140–200	2
	143	200–1200	
75 but less than 200	140	140–200	1.5
	138	200–1200	
20 but less than 75	130	250–700	1.0
	125	700–1200	
12 but less than 20	120	250–700	.5
	115	700–1200	

Note.—The range of audibility in the table above is for information and is approximately the range at which a whistle may be heard on its forward axis with 90 percent probability in conditions of still air on board a vessel having average background noise level at the listening posts (taken to be 68 dB in the octave band centered on 250 Hz and 63 dB in the octave band centered on 500 Hz).

In practice the range at which a whistle may be heard is extremely variable and depends critically on weather conditions; the values given can be regarded as typical but under conditions of strong wind or high ambient noise level at the listening post the range may be much reduced.

§ 86.07 Directional properties.

The sound pressure level of a directional whistle shall be not more than 4 dB below the sound pressure level specified in § 86.05 in any direction in the horizontal plane within ±45 degrees of the forward axis. The sound pressure level of the whistle in any other direction in the horizontal plane shall not be more than 10 dB less than the sound pressure level specified for the forward axis, so that the range of audibility in any direction will be at least half the range required on the forward axis. The sound pressure level shall be measured in that one-third octave band which determines the audibility range.

§ 86.09 Positioning of whistles.

(a) When a directional whistle is to be used as the only whistle on the vessel, it shall be installed with the maximum intensity directed straight ahead.

(b) A whistle shall be placed as high as practicable on a vessel, in order to reduce interception of the emitted sound by obstrutions and also to minimize hearing damage risk to personnel. The sound pressure level of the vessel's own signal at listening posts shall not exceed 110 dB(A) and so far as practicable should not exceed 100 dB(A).

§ 86.11 Fitting of more than one whistle.

If whistles are fitted at a distance apart of more than 100 meters, they shall not be sounded simultaneously.

§ 86.13 Combined whistle systems.

(a) A combined whistle system is a number of whistles (sound emitting sources) operated together. For the purposes of the Rules a combined whistle system is to be regarded as a single whistle.

(b) The whistles of a combined system shall—

(1) Be located at a distance apart of not more than 100 meters,

(2) Be sounded simultaneously,

(3) Each have a fundamental frequency different from those of the others by at least 10 Hz, and

(4) Have a tonal characteristic appropriate for the length of vessel which shall be evidenced by at least two-thirds of the whistles in the combined system having fundamental frequencies falling within the limits prescribed in § 86.03, or if there are only two whistles in the combined system, by the higher fundamental frequency falling within the limits prescribed in § 86.03.

Note.—If due to the presence of obstructions the sound field of a single whistle or of one of the whistles referred to in § 86.11 is likely to have a zone of greatly reduced signal level, a combined whistle system should be fitted so as to overcome this reduction.

§ 86.15 Towing vessel whistles.

A power-driven vessel normally engaged in pushing ahead or towing alongside may, at all times, use a whistle whose characteristic falls within the limits prescribed by § 86.03 for the longest customary composite length of the vessel and its tow.

Subpart B—Bell or Gong

§ 86.21 Intensity of signal.

A bell or gong, or other device having similar sound characteristics shall produce a sound pressure level of not less than 110 dB at 1 meter.

§ 86.23 Construction.

Bells and gongs shall be made of corrosion-resistant material and designed to give a clear tone. The diameter of the mouth of the bell shall be not less than 300 mm for vessels of more than 20 meters in length, and shall be not less than 200 mm for vessels of 12 to 20 meters in length. The mass of the striker shall be not less than 3 percent of the mass of the bell. The striker shall be capable of manual operation.

Note.—When practicable, a power-driven bell striker is recommended to ensure constant force.

§ 86.25 Approval. [Reserved]

(Sec. 3, Pub. L. 96–591; 49 CFR 1.46(n)(14))

Dated: June 11, 1981.

K. G. Wiman,

Rear Admiral, U.S. Coast Guard Acting Chief, Office of Marine Environment and Systems.

[FR Doc. 81–20868 Filed 7–15–81; 8:45 am]

BILLING CODE 4910–14–M

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33 CFR Part 87

[CGD 81–007]

Annex IV to Inland Navigation Rules—Distress Signals

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: The Coast Guard is proposing regulations designating signals to be used exclusively for indicating distress and need of assistance. These signals would be used by vessels navigating on United States inland waters, but are almost identical to those designated for use on international waters.

DATE: Comments must be received on or before October 14, 1981.

ADDRESSES: Comments should be submitted to Commandant (G–CMC/44) (CGD 81–007), U.S. Coast Guard, Washington, DC 20593. Comments may be delivered to and will be available for inspection and copying at the Marine Safety Council, Room 4402, U.S. Coast Guard Headquarters, 2100 Second Street S.W., Washington, DC 20593, between the hours of 7 a.m. and 5 p.m. Monday through Thursday.

FOR FURTHER INFORMATION CONTACT: Mr. Chris Llana, Project Manager, Office of Marine Environment and Systems, Room 1606, U.S. Coast Guard

Headquarters, 2100 Second Street S.W., Washington, DC 20593, (202) 426–4958.

SUPPLEMENTARY INFORMATION: The public is invited to participate in this proposed rulemaking by submitting written views, data, or arguments. Each person submitting a comment should include his or her name and address, identify this notice as CGD 81–007, give the specific section of the proposal to which the comment applies, and give the reason for the comment. Persons desiring acknowledgment that their comment has been received should enclose a stamped, self-addressed postcard or envelope.

The proposal may be changed in view of the comments received. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held at a time and place to be set in a subsequent notice if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will be beneficial to this rulemaking.

Drafting Information

The principal persons involved in drafting this rulemaking are Mr. Chris Llana, Project Manager, Office of Marine Environment and Systems, and Lieutenant Michael Tagg, Project Attorney, Office of Chief Counsel.

Discussion of Proposed Regulations

The Inland Navigational Rules Act of 1980 (Pub. L. 96–591) became law on December 24, 1980, and goes into effect one year from that date, except for the Great Lakes. The effective date for the Great Lakes will be set after consultation with the Canadian Coast Guard. The Inland Rules in this new law unify and consolidate the several sets of navigation rules now used on United States inland waters. As required by the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), the new Inland Rules parallel as closely as possible the International Navigation Rules. This latter body of rules uses a format with the technical and special requirements contained in four annexes.

While the main body of the Inland Rules is statutory, the more flexible regulatory route was chosen for the technical annexes. Section 3 of the Inland Navigational Rules Act requires the Secretary of the Department in which the Coast Guard is operating to establish four annexes, including Annex IV, Distress Signals. Section 3 states "These annexes shall be as consistent as possible with the respective annexes to the International Regulations."

Annex IV would provide mariners on inland waters with a variety of standardized signals to be used exclusively for indicating distress and need of assistance. The mariner would be free to choose from the number of different signals listed. The proposed Annex IV to the Inland Rules contains all of the signals listed in Annex IV to the International Rules, and in addition lists what is commonly called the strobe light.

This addition is proposed in response to the widespread use of strobe lights to indicate distress and need of assistance, both on inland and international waters. Strobe lights are also now used for other purposes, such as to attract attention. The proposed rule specifies the characteristic of the strobe signal to indicate distress; other uses of strobe lights would have to adopt different signal characteristics. The proposed characteristic to indicate distress is 50–70 flashes per minute. This characteristic was chosen because the small "personal" strobe lights used most frequently in man-overboard situations have this simply produced characteristic. Other available characteristics include higher and slower flash rates, a number of flashes followed by an off period, etc.

Regulatory Evaluation

These proposed regulations are considered to be nonsignificant under the guidelines set out in the "Policies and Procedures for Simplification, Analysis, and Review of Regulations" (DOT Order 2100.5 of May 22, 1980), and to be non-major under the critieria of Executive Order 12291. Since the impact of this proposal is minimal and involves the least net cost to society, a DOT regulatory evaluation and a Regulatory Impact Analysis have not been prepared. Because the enabling legislation requires these regulations to conform as consistently as possible with the distress signals established by the 72 COLREGS, the Coast Guard was limited in the type of signals it could consider. Since more than twelve alternative signals are listed, users will not be required to purchase special equipment. The same breadth of acceptable signals minimizes any energy, environmental, or economic impacts which may arise from the regulations, while the establishment of a full set of standard signals will enhance the probability of prompt acceptance by users.

The Regulatory Flexibility Act (Pub. L. 96–354, 5 U.S.C. 601) requires an analysis of the impact of proposed regulations on small businesses and other small entities. The proposed regulation would merely make available to the mariner a number of standardized and exclusive signals to indicate distress and need of assistance, and would not impose any costs or burdens on the public. The proposed regulations would not overlap, duplicate, or conflict with any other rules. For these reasons, pursuant to section 605(b) of the Regulatory Flexibility Act, it is certified that the proposed regulation would not have a significant impact on a substantial number of small entities.

This proposal would not affect the existing Part 87 of Title 33, Code of Federal Regulations, which is in the process of being renumbered to be Part 81. Parts 80 through 99 of Title 33 are being reorganized as a result of the Inland Navigational Rules Act of 1980, which repeals the authority for many of the regulations in these Parts, and which calls for the publication of new regulations. The renumbering is being accomplished in other rulemaking and will be completed before this proposal is issued in final form.

For the above reasons, the Coast Guard proposes to add a new Part 87 of Title 33, Code of Federal Regulations, to read as follows:

PART 87—ANNEX IV, DISTRESS SIGNALS

Sec.

87.1 Need of assistance.
87.3 Exclusive use.
87.5 Supplemental signals.

Authority: Sec. 3, Pub. L. 96–591; 49 CFR 1.46(n)(14).

§ 87.1 Need of assistance.

The following signals, used or exhibited either together or separately, indicate distress and need of assistance:

(a) A gun or other explosive signal fired at intervals of about a minute;

(b) A continuous sounding with any fog-signalling apparatus;

(c) Rockets or shells, throwing red stars fired one at a time at short intervals;

(d) A signal made by radiotelegraphy or by any other signaling method consisting of the group ... — — — ... (SOS) in the Morse Code;

(e) A signal sent by radiotelephony cosisting of the spoken word "Mayday";

(f) The International Code Signal of distress indicated by N.C.;

(g) A signal consisting of a square flag having above or below it a ball or anything resembling a ball;

(h) Flames on the vessel (as from a burning tar barrel, oil barrel, etc.);

(i) A rocket parachute flare or a hand flare showing a red light;

(j) A smoke signal giving off orange-colored smoke;

(k) A slowly and repeatedly raising and lowering arms outstretched to each side;

(l) The radiotelegraph alarm signal;

(m) The radiotelephone alarm signal;

(n) Signals transmitted by emergency position-indicating radio beacons;

(o) A high intensity white light flashing at regular intervals from 50 to 70 times per minute.

§ 87.3 Exclusive use.

The use or exhibition of any of the foregoing signals except for the purpose of indicating distress and need of assistance and the use of other signals which may be confused with any of the above signals is prohibited.

§ 87.5 Supplemental signals.

Attention is drawn to the relevant sections of the International Code of Signals, the Merchant Ship Search and Rescue Manual and the following signals:

(a) A piece of orange-colored canvas with either a black square and circle or other appropriate symbol (for identification from the air);

(b) A dye marker.

(Sec. 3, Public Law 96-591; 49 CFR 1.46(n)(14)).

Dated: May 27, 1981.

W. E. Caldwell,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environmental and Systems.

[FR Doc. 81-20869 Filed 7-15-81; 8:45 am]

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33 CFR Part 88

[CGD 80-158]

Annex V to Inland Navigation Rules—Pilot Rules

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: The Coast Guard is proposing regulations to supplement the new statutory Inland Navigation Rules. These supplemental rules primarily concern navigation lights for special applications. The rules are not new, but have been rewritten to make them easier to read and understand, and are being reissued under the new authority of the Inland Navigational Rules Act of 1980.

DATE: Comments must be received on or before September 14, 1981.

ADDRESSES: Comments should be submitted to Commandant (G-CMC/44) (CGD 80-158), U.S. Coast Guard, Washington, DC 20593. Comments may be delivered to and will be available for inspection and copying at the Marine Safety Council, Room 4402, U.S. Coast Guard Headquarters, 2100 Second Street S.W., Washington, DC 20593, between the hours of 7 a.m. and 5 p.m. Monday through Thursday.

FOR FURTHER INFORMATION CONTACT: Mr. Chris Llana, Project Manager, Office of Marine Environment and Systems, Room 1606, U.S. Coast Guard Headquarters, 2100 Second Street, S.W., Washington, DC 20593, (202) 426-4958.

SUPPLEMENTARY INFORMATION: The public is invited to participate in this proposed rulemaking by submitting written views, data, or arguments. Each person submitting a comment should include his or her name and address, identify this notice as CGD 80-158, give the specific section of the proposal to which the comment applies, and give the reason for the comment. Persons desiring acknowledgment that their comment has been received should enclose a stamped, self-addressed postcard or envelope.

The proposal may be changed in view of the comments received. All comments received before the expiration of the comment period will be considered before final action is taken on this proposal. No public hearing is planned, but one may be held at a time and place to be set in a subsequent notice if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will be beneficial to this rulemaking.

Drafting Information

The principal persons involved in drafting this rulemaking are Mr. Chris Llana, Project Manager, Office of Marine Environment and Systems, and Lieutenant Michael Tagg, Project Attorney, Office of Chief Counsel.

Discussion of Proposed Regulations

The Inland Navigational Rules Act of 1980 (Pub. L. 96-591) became law on December 24, 1980, and goes into effect one year from that date, except for the Great Lakes. The effective date for the Great Lakes will be set after consultation with the Canadian Coast Guard. The Inland Rules in this new law unify and consolidate the several sets of navigation rules now used on United States inland waters. As required by the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), the new Inland Rules parallel as closely as possible the International Navigation Rules. This latter body of rules uses a format with the technical and special requirements contained in four annexes.

While the main body of the Inland Rules is statutory, the more flexible regulatory route was chosen for the technical annexes. This allows the Coast Guard to deal with special problems and situations more easily and quickly than if an exclusively statutory approach had been taken. In addition, because the new Inland Rules parallel 72 COLREGS as closely as possible, they do not contain provisions dealing with several special and local situations encountered on United States inland waters.

Following the adoption of the Convention on the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), the Coast Guard assigned the task of developing proposed revisions to the Inland Rules to its Rules of the Road Advisory Committee (RORAC), a body representing a cross-section of maritime interests that used, or were familiar with, the United States' various inland waterway systems. RORAC anticipated the need for supplemental rules to provide the flexibility to deal with special inland waters situations. They recommended supplemental rules that would be regulatory in form, be contained in a fifth annex to the Inland Rules, and be taken largely from the existing regulatory pilot rules. The existing pilot rules have been in 33 CFR Parts 80, 90, and 95, but those Parts were recently renumbered to Parts 93, 97, and 95 respectively. The scope of the proposed pilot rules is severely cut from that of the pilot rules now in use, because most of the provisions are either covered by the new Inland Rules or are simply outdated.

Some of the existing pilot rules that RORAC recommended be retained are not included in this proposal. This is in keeping with the new Administration's policy of eliminating as many regulations as possible. The RORAC endorsed regulations that would not be reissued under new authority are redundant, duplicative, or overlapping, or require behavior of a good seamanship or common sense nature. Some of them are too vague for the mariner to know exactly what is required, and yet there is a civil penalty of up to $5000 for every violation. If a need for any of these regulations is demonstrated in the future, they can be added then. The pilot rules that RORAC recommended be retained that are not in this proposal include the following existing regulations:

1. A provision which forbids the display of any light that would interfere with a vessel's navigation lights and the improper use of searchlights (33 CFR 80.24(c), 80.34, and 80.36). Rule 20(b) of the new Inland Rules requires the prescribed lights to be exhibited from sunset to sunrise, and states that "no

other lights shall be exhibited, except such lights as cannot be mistaken for the lights specified in these Rules or do not impair their visibility or distinctive character, or interfere with the keeping of a proper lookout." This Rule makes retention of the pilot rules in question unnecessary. Directing searchlights in a manner that would interfere with the vision of persons on another vessel is so obviously an act of negligence that it does not need repetition in a rule. If the offending party is licensed, suspension and revocation proceedings can be instituted under 46 CFR 5.01–30.

2. A provision which specified details of the lighting and placement of buoys marking floating plant moorings (33 CFR 80.29). § 62.25–35 of Subchapter C—Aids to Navigation, Title 33, Code of Federal Regulations, deals with special purpose buoys, including floating plant moorings. This section will be revised in a separate rulemaking (CGD 78–159). A regulation on floating plant mooring buoys is not within the scope of navigation rules.

3. A provision stating:

> Vessels shall not run over anchor buoys, or buoys, stakes, or other marks placed for the guidance of floating plant working in channels; and shall not anchor on the ranges of buoys, stakes, or other marks placed for the guidance of such plant. (33 CFR 80.31a)

Vessels are not likely to intentionally run over objects in waterways, and would be liable, notwithstanding this regulation, for any damage caused negligently. In addition, suspension and revocation proceedings may be instituted against a wrongdoer's license or document. Enforcement of the anchorage portion of the rule could subject a mariner or recreational boater of a $5000 civil penalty for unknowingly anchoring between a dredge and a stick in the water one-half mile away.

4. A provision requiring that vessels passing floating plants "reduce their speed sufficiently to insure the safety of both the plant and themselves", and that machinery be stopped while passing over mooring lines (33 CFR 80.27). Rule 6 of the new Inland Rules requires vessels to proceed at a safe speed. In addition, 33 CFR Part 162, Inland Waterways Navigation Regulations, and 33 CFR Part 207, Navigation Regulations, prescribe specific speed limits for waterways. Suspension and revocation proceedings can be instituted against the license or document of an operator piloting his vessel negligently.

5. A provision stating:

> Vessels whose draft permit shall keep outside of the buoys marking the end of mooring line of floating plant working in channels. (33 CFR 80.28)

This provision is a statement of good seamanship. A vessel would ordinarily not risk fouling its propellers in mooring lines, given a less risky alternative. But in this case the alternative may be the risk of running aground. The Coast Guard believes the operator should decide which alternative is best given the circumstances of the specific case.

6. A provision prohibiting the unnecessary obstruction of a channel by a dredge or floating plant (33 CFR 80.30). Rule 9(g) of the new Inland Rules prohibits vessels anchoring in a narrow channel "if the circumstances of the case admit." 33 CFR Part 162, Inland Waterways Navigation Regulations, and 33 CFR Part 207, Navigation Regulations, prescribe specific rules for vessels anchoring or mooring in channels subject to obstruction.

7. A provision requiring floating plants to clear a channel if necessary for the passenger of a vessel, upon "ample notice in advance of the time" the vessel expects to pass. The rules and regulations mentioned in the last paragraph would cover most cases. In the event the channel cannot be kept clear, provision is made with special or temporary regulations.

The following table lists the proposed substantive pilot rules and the corresponding existing regulations in the Inland Rules, Western Rivers Rules, and Great Lakes Rules. These latter regulations will automatically become void when the Inland Navigational Rules Act of 1980 becomes effective.

Title 33, Code of Federal Regulations

Proposal		Inland	Great Lakes	Western River
§ 88.05	Copy of rules	§ 80.13(b)	§ 90.15(b)	§ 95.23.
§ 88.07	Cross signals	§ 80.2	§ 90.3	§ 95.09(a).
§ 88.09	Exemption from light and shape requirements when operating under bridges	§ 80.40		§ 95.75.
§ 88.11	Law enforcement vessels	§ 80.45	§ 90.46	§ 95.80.
§ 88.13	Lights on barges at bank or dock	§ 80.16a(h)		§ 95.36.
§ 88.15	Lights on dredge pipelines	§ 80.23	§ 90.27	§ 95.57.
		§ 80.23a	§ 90.27a	§ 95.57a.

Regulatory Evaluation

These proposed regulations are considered to be nonsignificant in accordance with guidelines set out in the "Policies and Procedures for Simplification, Analysis, and Review of Regulations" (DOT Order 2100.5 of May 22, 1980). A draft regulatory evaluation of the proposal has not been prepared since its impact is expected to be minimal. The proposed regulations are not new, and are being rewritten to make them easier to read and understand. The regulations are being reissued under the new authority of the Inland Navigational Rules Act of 1980. Many other of the existing pilot rules will not be carried over under this new authority.

The proposed regulations are considered to be non-major under the criteria of Executive Order 12291, and therefore a Regulatory Impact Analysis has not been prepared. The costs of maintaining a copy of the navigation rules on board are minimal. No new costs are imposed by the requirements for lighting on certain barges and on floating pipelines, and these lighting requirements are necessary to ensure the free flow of commerce on inland waterways. The other requirements in this proposal impose no costs on the public. For these reasons, the regulatory alternative represented by this proposal involves the least net cost to society.

The Regulatory Flexibility Act (94 Stat. 1164, Public Law 96–354, September 19, 1980) requires an analysis of the economic impact of proposed regulations on small businesses, organizations, and small governmental jurisdictions. The proposed regulations would not overlap, duplicate, or conflict with any other rules. For the reasons noted in the Executive Order discussion, pursuant to § 605(b) of the Regulatory Flexibility Act, it is certified that the proposed regulation would not have a significant impact on a substantial number of small entities.

This proposal would not affect the old Part 88 (72 COLREGS: Interpretative rules) of Title 33, Code of Federal Regulations, which was recently renumbered to be Part 82 (see 46 FR 28153, 26 May 1981). Parts 80 through 99 of Title 33 are bing reorganized in response to the Inland Navigational Rules Act of 1980, which repeals the authority for many of the regulations in these Parts, and which calls for the publication of new regulations.

For the above reasons, the Coast Guard proposes to add a new Part 88 of Title 33, Code of Federal Regulations, to read as follows:

PART 88—ANNEX V, PILOT RULES

Sec.
88.01 Purpose and applicability.
88.03 Definitions.
88.05 Copy of rules.
88.07 Cross signals.
88.09 Temporary exemption from light and shape requirements when operating under bridges.
88.11 Law enforcement vessels.
88.13 Lights on barges at bank or dock.
88.15 Lights on dredge pipelines.

Authority: Sec. 3, Pub. L. 96-591; 49 CFR 1.46(n)(14).

§ 88.01 Purpose and applicability.

This part applies to all vessels operating on United States inland waters and to United States vessels operating on the Canadian waters of the Great Lakes to the extent there is no conflict with Canadian law.

§ 88.03 Definitions.

The terms used in this part have the same meaning as defined in the Inland Navigational Rules Act of 1980.

§ 88.05 Copy of rules.

The operator of each self-propelled vessel 12 meters or more in length shall carry on board and maintain for ready reference a copy of the Inland Navigation Rules.

§ 88.07 Cross signals.

No person may use what is known among mariners as "cross signals", that is, answering one blast with two, or answering two blasts with one.

§ 88.09 Temporary exemption from light and shape requirements when operating under bridges.

A vessel's navigation lights and shapes may be lowered if necessary to pass under a bridge.

§ 88.11 Law enforcement vessels.

(a) Law enforcement vessels may display a flashing blue light when engaged in direct law enforcement activities. This light shall be located so that it does not interfere with the visibility of the vessel's navigation lights.

(b) The blue light described in this section may be displayed by law enforcement vessels of the United States and the States and their political subdivisions.

§ 88.13 Lights on barges at bank or dock.

(a) The following barges shall display at night and, if practicable, in periods of restricted visibility the lights described in paragraph (b) of this section—

(1) Every barge projecting into a buoyed or restricted channel.

(2) Every barge so moored that it reduces the available navigable width of any channel to less than 80 meters.

(3) Barges moored in groups more than two barges wide or to a maximum width of over 25 meters.

(4) Every barge not moored parallel to the bank.

(b) Barges described in paragraph (a) shall carry two unobstructed white lights of an intensity to be visible for at least one mile on a clear dark night, and arranged as follows.

(1) On a single moored barge, lights shall be placed on the two corners farthest from the bank.

(2) On barges moored in group formation, a light shall be placed on each of the upstream and downstream ends of the group, on the corners farthest from the bank.

(3) Any barge in a group, but projecting from it toward the channel, shall be lighted as a single barge.

(c) Barges moored in any slip or slough which is used primarily for mooring purposes are exempt from the lighting requirements of this section.

(d) Barges moored in will-illuminated areas of the Illinois River north of Brandon Lock and Dam at Joliet, Ill., are exempt from the lighting requirements of this section. These areas are as follows:

Chicago Sanitary Ship Canal

(1) Mile 293.2 to 293.9—Material Service Corp.

(3) Mile 295.2 to 296.1—Material Service Corp. and Commonwealth Edison Co.

(5) Mile 297.5 to 297.8—Pure Oil Docks.

(7) Mile 298 to 298.2—Ceco Steel Docks.

(9) Mile 298.6 to 298.8—Lemont Manufacturing Co.

(11) Mile 299.3 to 299.4—Mechmar Development Co.

(13) Mile 299.8 to 300.5 (Stephen Street Bridge)—Tri-Central Oil Co.

(15) Mile 303 to 303.2—North American Car Corp.

(17) Mile 303.7 to 303.9—Hannah Inland Waterways Transportation Co.

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(27) Mile 313.8 to 314.2—Lake River Oil Terminal.

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(91) Mile 332.6 to 332.8—Material Service Corp.

§ 88.15 Lights on dredge pipelines.

Dredge pipelines that are floating or supported on trestles shall display the following lights at night and in periods of restricted visibility.

(a) One row of yellow lights. The lights must be—

(1) Flashing 50 to 70 times per minute,

(2) Visible all around the horizon,

(3) Visible for at least 2 miles on a clear dark night,

(4) Not less than 2 and not more than 3.5 meters above the water,

(5) Approximately equally spaced, and

(6) Not more than 10 meters apart where the pipeline crosses a navigable channel. Where the pipeline does not

cross a navigable channel the lights must be sufficient in number to clearly show the pipeline's length and course.

(b) Two red lights at each end of the pipeline, including the ends in a channel where the pipeline is separated to allow vessels to pass (whether open or closed). The lights must be—

(1) Visible all around the horizon, and

(2) Visible for at least 2 miles on a clear dark night, and

(3) One meter apart in a vertical line with the lower light at the same height above the water as the flashing yellow light.

(Sec. 3, Pub. L. 96-591; 49 CFR 1.46(n)(14))

Dated: June 24, 1981.

W. E. Caldwell,

Rear Admiral, U.S. Coast Guard Chief, Office of Marine Environment and Systems.

[FR Doc. 81-20870 Filed 7-15-81; 8:45 am]

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Thursday, July 16, 1981

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This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

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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.

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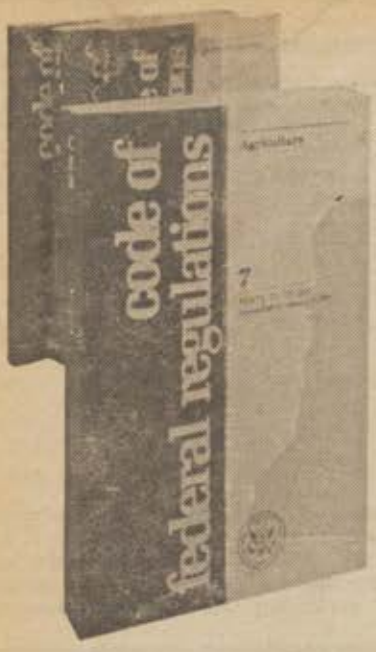

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