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Friday
September 25, 1981

Highlights

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47422, 47424 **Food Assistance Programs** USDA/FNS establishes income eligibility criteria and income poverty guidelines for the special supplemental food program for women, infants and children. (Part IV of this issue) (2 documents)

47236 **Home Insulation** FTC announces intent to reopen rulemaking proceeding on affirmative disclosure requirements for television advertisements.

47426 **Hazardous Waste Management** EPA conditionally exempts samples collected for monitoring or testing from regulation. (Part V of this issue)

47222 **Air Pollution Control** EPA establishes NO_x emission standards for certain 1982-1984 model year light-duty diesel vehicles.

47408 **Prescription Drugs** HHS/FDA revokes temporary exemption for continued marketing of certain products for dermatologic use and proposes to withdraw approval of new applications. (Part III of this issue)

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Highlights

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

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

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Presidential Documents

Title 3—

The President

Executive Order 12323 of September 22, 1981

Presidential Commission on Broadcasting to Cuba

By the authority vested in me as President by the Constitution of the United States of America, in accordance with the Federal Advisory Committee Act, as amended (5 U.S.C. App. I), and in order to create a commission to develop recommendations with respect to broadcasting of information and ideas to Cuba, it is hereby ordered as follows:

Section 1. *Establishment.* (a) There is established the Presidential Commission on Broadcasting to Cuba.

(b) The Commission shall be composed of 11 members appointed by the President from among citizens of the United States.

(c) The President shall designate one of the members to be the Chairman.

(d) There shall be a three member Executive Committee of the Commission which shall be composed of the Chairman and two other members elected by the Commission.

Sec. 2. *Functions.*

(a) The Commission shall develop a recommended plan for radio broadcasting intended for transmission to Cuba. The purpose of the plan shall be to promote open communication of information and ideas to Cuba and in particular broadcasting to the Cuban people of accurate information about Cuba.

(b) The Commission shall examine issues related to effectively carrying out such a plan for radio broadcasting to Cuba. These shall include, but not be limited to, possible program content, information gathering, writing and editing needs, staffing requirements, legal structure for a broadcasting organization, proposed legislation, sample budgets, and the location, structure and function of possible broadcasting stations.

(c) The Commission may conduct studies, inquiries, hearings, and meetings as it deems necessary. It may assemble and disseminate information, and issue reports and other publications. It may also coordinate, sponsor, or oversee projects, studies, events and other activities that it deems necessary or desirable for development of a recommended program of broadcasting to Cuba.

(d) The Executive Committee may coordinate the work of the Commission and may act on behalf of the whole Commission.

(e) The Commission shall submit its recommendations and final report to the President and the Secretary of State no later than October 1, 1982.

Sec. 3. *Administration.*

(a) Members of the Commission who are not otherwise Government employees shall serve without any compensation for their work on the Commission. However, all members shall be entitled to travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5701–5707).

(b) The heads of Executive agencies shall, to the extent permitted by law, provide the Commission such information and advice with respect to radio broadcasting to Cuba as the Commission may require for the purpose of carrying out its functions.

(c) Expenses of the Commission shall be paid from funds available to the Secretary of State.

Sec. 4. *General.*

(a) Notwithstanding any other Executive order, the functions of the President under the Federal Advisory Committee Act, as amended (5 U.S.C. App. I), which are applicable to the Commission, except that of reporting annually to the Congress, shall be performed by the Secretary of State in accordance with guidelines and procedures established by the Administrator of General Services.

(b) The Commission shall terminate on October 1, 1982, or 60 days after submitting its final report, whichever is earlier.

Ronald Reagan

THE WHITE HOUSE,
September 22, 1981.

[FR Doc. 81-28095
Filed 9-24-81; 10:00 am]
Billing code 3195-01-M

Rules and Regulations

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

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 891

Retired Federal Employees Health Benefits; Nomenclature Change

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management is making nomenclature changes to its regulations on the Retired Federal Employees Health Benefits Program to replace references to "he" and "his" with the combined forms "he/she" and "his/her". This is a technical change only and does not affect the substance of the regulations.

EFFECTIVE DATE: September 25, 1981.

FOR FURTHER INFORMATION CONTACT:
Beverly McCain Jones, (202) 254–7086.
Office of Personnel Management.

Beverly McCain Jones,
Issuance System Manager.

Accordingly, the Office of Personnel Management is making the following nomenclature changes to Part 891 of Title 5 of the Code of Federal Regulations:

PART 891—RETIRED FEDERAL EMPLOYEES HEALTH BENEFITS [AMENDED]

In Part 891, all references to "he" are replaced with the combined form "he/she" and all references to "his" are replaced with the combined form "his/her".

(5 U.S.C. 8913)

[FR Doc. 81-27912 Filed 9-24-81; 8:45 am]
BILLING CODE 6325-01-M

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 0

Employee Responsibilities and Conduct

AGENCY: Office of the Secretary, USDA.

ACTION: Final rule.

SUMMARY: This document amends the conduct regulations of the Department of Agriculture to make them conform to the provisions of the Ethics in Government Act of 1978, as amended.

EFFECTIVE DATE: September 25, 1981.

FOR FURTHER INFORMATION CONTACT:
Peter C. Sleight, Employee Relations Specialist, Office of Personnel, U.S. Department of Agriculture, Room 10–W, 14th and Independence Avenue, S.W., Washington, D.C. 20250, (202) 447–7654.

SUPPLEMENTARY INFORMATION: The Ethics in Government Act of 1978, as amended, revised the restrictions on the post-employment activities of Federal employees. The purpose of this document is to conform the conduct regulations of the Department of Agriculture to the provisions of the law. The regulations merely restate the applicable provisions of the law relating to post-employment activity of Federal employees. They do not add any additional burden or responsibility on former employees.

This rule relates to agency personnel management. Therefore, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and other public procedures with respect thereto are impractical and contrary to the public interest, and good cause is found for making this rule effective less than 30 days after publication in the **Federal Register**. Further, since this rule relates to agency personnel management, it is exempt from the provisions of Executive Order 12291. Lastly, this action is not a rule as defined by Pub. L. 96–354, the Regulatory Flexibility Act and thus is exempt from the provisions of that Act.

PART 0—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Accordingly, Part 0, Title 7, Code of Federal Regulations is amended as follows:

Section 0.735–14 is amended by revising paragraphs (a)(5) and (a)(6), by redesignating paragraph (a)(7) as (a)(9), and by adding new paragraphs (a)(7) and (a)(8) to read as follows:

§ 0.735–14 Conflict of interest.

(a) * * *

(5) He or she may not, after his or her Government employment has ended, represent any other person (other than the United States), in any formal or informal appearance before, or with the intent to influence, make any communication on behalf of any other person; (i) to the United States, (ii) in connection with any particular Government matter involving a specific party, in which the United States is a party or has an interest and in which he or she participated personally and substantially as a Government employee (18 U.S.C. 207(a));

(6) He or she may not, within two years after his or her Government employment has ended, represent any other person (other than the United States), in any formal or informal appearance before, or with the intent to influence, make any communication on behalf of any other person; (i) to the United States, (ii) in connection with any particular Government matter involving a specific party, in which the United States is a party or has an interest and which was actually pending under his or her official responsibility within a period of one year prior to the termination of such responsibility (18 U.S.C. 207(b)(i));

(7) He or she may not, having been employed and as specified in 18 U.S.C. 207(d), as a high Government official, for two years after his or her Government employment has ended, aid, counsel, advise, consult, or assist in representing any other person (other than the United States) by personal presence at any formal or informal appearance; (i) before the United States, (ii) in connection with any particular Government matter involving a specific party, (iii) in which he or she participated personally and substantially for the Government (18 U.S.C. 207(b)(ii));

(8) He or she may not, having been employed and as specified in 18 U.S.C. 207(d), as a high Government official (other than a special Government employee who serves for fewer than sixty days in a calendar year) for one year after his or her Government employment has ended, represent anyone (other than the United States) in

any formal or informal appearance before, or with the intent to influence, make any communication on behalf of anyone to the department or agency in which he or she was employed, in connection with any particular Government matter, whether or not involving a specific party, which is pending before that department or agency or in which such department or agency has a direct and substantial interest (18 U.S.C 207(c)). The above prohibition shall not apply to communications or representations made by a former employee—

(i) Who is an elected official of a State or local government; or

(ii) Whose principal occupation is with—

(A) An agency or instrumentality of a State or local government,

(B) An accredited institution of higher education, or

(C) A hospital or medical research organization when the representation or communication is made on behalf of such government, institution, hospital, or organization (18 U.S.C. 207(d)(2)).

(Executive Order 11222 of May 8, 1965, 30 FR 6469; 5 CFR 735.104)

Dated: September 22, 1981.

John R. Block,

Secretary of Agriculture.

[FR Doc. 81-27869 Filed 9-24-81; 8:45 am]

BILLING CODE 3410-01-M

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7 CFR Part 0

Employee Responsibilities and Conduct

AGENCY: Office of the Secretary, USDA.

ACTION: Final rule.

SUMMARY: This document amends the conduct regulations of the Department of Agriculture to authorize the Director of Personnel to allow delegation of review and determination authority for financial interest statements beyond national office personnel.

EFFECTIVE DATE: September 25, 1981.

FOR FURTHER INFORMATION CONTACT: Peter C. Sleight, Employee Relations Specialist, Office of Personnel, U.S. Department of Agriculture, Room 10–W, 14th and Independence Avenue, S.W., Washington, D.C. 20250, (202) 447–7654.

SUPPLEMENTARY INFORMATION: This rule relates to agency personnel management. Therefore, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and other public procedures with respect thereto are impractical and contrary to the public interest, and good cause is found for making this rule effective less than 30 days after publication in the **Federal Register.** Further, since this rule relates to agency personnel management, it is exempt from the provisions of Executive Order 12291. Lastly, this action is not a rule as defined by Pub. L. 96–354, the Regulatory Flexibility Act and thus is exempt from the provisions of that Act.

PART 0—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Accordingly, Part 0, Title 7, Code of Federal Regulations is amended as follows:

Section 0.735–42 is amended by adding a new paragraph (j) to read as follows:

§ 0.735–42 Review of statements and determination of conflicting interests.

* * * * *

(j) Where special circumstances exist, the Director of Personnel may grant, in writing, an exception to the requirements of paragraph (c)(1) of this section to allow delegation of review and determination authority to others than national office officials.

(Executive Order 11222 of May 8, 1965, 30 FR 6469; 5 CFR 735.104)

Dated: September 22, 1981.

John R. Block,

Secretary of Agriculture.

[FR Doc. 81-27868 Filed 9-24-81; 8:45 am]

BILLING CODE 3410-01-M

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7 CFR Part 0

Employee Responsibilities and Conduct

AGENCY: Department of Agriculture.

ACTION: Final rule.

SUMMARY: The Department of Agriculture is amending its conduct regulations to provide procedures concerning the administrative enforcement of restrictions on the post-employment activities of former USDA employees. The regulations establish the procedures that will be used in the Department to investigate possible violations of the post-employment restrictions contained in 18 U.S.C. 207 and to take appropriate disciplinary action against individuals found guilty of such violations.

EFFECTIVE DATE: October 26, 1981.

FOR FURTHER INFORMATION CONTACT: Peter C. Sleight (Office of Personnel), United States Department of Agriculture, Room 14–W, 14th and Independence Avenue, S.W., Washington, D.C. 20250, (202) 447–7654.

SUPPLEMENTARY INFORMATION: On April 8, 1981, the Department of Agriculture published a proposed rule to establish administrative proceedings for post-employment violations. Title V of the Ethics in Government Act of 1978, as amended (Pub. L. 95–521, Pub. L. 96–28), imposed new restrictions on the post-employment activities of former federal employees (18 U.S.C. 207). Agencies are responsible for enforcing these restrictions and for bringing administrative proceedings against individuals suspected of violating them. (18 U.S.C. 207(j), 5 CFR 737.27). The proposed regulations set forth the procedures that will be used in the Department to initiate and administer such proceedings in post-employment situations. The regulations spell out the steps involved in investigating possible violations of 18 U.S.C. 207, specify the defense and appeal rights of accused individuals, and establish the sanctions that will be taken against former employees who are found guilty of improper post-employment activities.

No comments were received concerning this proposed rule. However, the words "or respondent," which were inadvertently omitted in the proposed rule, are added to § 0.735–63 concerning ex-parte communications, thus making both parties subject to the restrictions of that section.

In consideration of the foregoing, 7 CFR Part 0 is amended by adding a new Subpart D to read as follows:

PART 0—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Subpart D—Administrative Enforcement of Restriction on Post-Employment Activities

Sec.

0.735–51 Purpose.
0.735–52 Notice of violation.
0.735–53 Initiation of administrative action.
0.735–54 Hearing officer.
0.735–55 Department representative.
0.735–56 Time, date and place of hearing.
0.735–57 Representation.
0.735–58 Rights of parties at hearing.
0.735–59 Oaths and rules of evidence.
0.735–60 Transcript.
0.735–61 Briefs and discovery.
0.735–62 Open hearings.
0.735–63 Ex-parte communications.
0.735–64 Administrative record.
0.735–65 Burden of proof.
0.735–66 Initial decision.
0.735–67 Appeal.
0.735–68 Final decision.
0.735–69 Sanctions.
0.735–70 Finality.

Authority: 18 U.S.C. 207(j).

Subpart D—Administrative Enforcement of Restriction on Post-Employment Activities

§ 0.735–51 Purpose.

The purpose of this subpart is to set forth regulations governing administrative enforcement of the prohibitions on post-employment activities contained in 18 U.S.G. 207.

§ 0.735–52 Notice of violation.

Whenever there is reasonable cause to believe that a former employee has violated the provisions of 18 U.S.C. 207, an investigation and referral of the matter to the Department of Justice for possible prosecution shall be made in accordance with applicable regulations and Department procedures. A copy of such referral shall be provided to the Office of Government Ethics. Thereafter any action to be taken by the Department shall be coordinated with the Department of Justice unless the Department of Justice declines to prosecute.

§ 0.735–53 Initiation of administrative action.

Whenever the Director of Personnel has reasonable cause to believe that a former employee of the Department has committed acts which violate 18 U.S.C. 207 (a), (b), or (c) he or she shall initiate administrative action pursuant to this subpart by notifying such employee (hereinafter respondent), in writing that:

(a) Action is being instituted against him or her pursuant to this subpart as a result of allegations of a violation or violations of 18 U.S.C. 207. The respondent shall be informed of the allegations and the basis for them in sufficient detail to prepare an adequate defense;

(b) He or she may request a hearing in writing within 15 working days by addressing the request to the Director of Personnel of the Department;

(c) In the absence of such a request, the Director of Personnel shall decide the matter on its merits based upon the evidence gathered to date; and

(d) The respondent may elect to supply a written rebuttal to the allegations in lieu of requesting a hearing. Such material shall be incorporated in the record and reviewed by the Director of Personnel prior to reaching a determination on the matter.

§ 0.735–54 Hearing officer.

If the respondent, after receiving notice of action under this subpart, requests a hearing, the Secretary shall appoint a hearing officer for the matter. The hearing officer shall be an individual who has not been involved in any of the events specified in the allegations and who did not participate in the investigation of the allegations, or the decision to institute the proceeding, or the referral of the matter, if any, to the Department of Justice. The hearing officer shall be an individual with suitable experience and training to conduct the hearing, reach a determination and render an initial decision in an equitable manner.

§ 0.735–55 Department representative.

The Director of Personnel shall appoint a Department representative, (hereinafter petitioner) to present evidence and otherwise participate in the hearing.

§ 0.735–56 Time, date and place of hearing.

The hearing shall be held at a time and place specified by the hearing officer. The hearing officer shall give due regard in setting a hearing date to:

(a) Allowing the respondent adequate time to prepare a defense properly; and

(b) Providing the respondent an expeditious resolution of allegations that may be damaging to his or her reputation.

§ 0.735–57 Representation.

Respondent shall be entitled to appear personally, or to appear through or be accompanied by a representative, at the hearing.

§ 0.735–58 Rights of parties at hearing.

Petitioner and respondent shall be entitled to introduce, examine and cross examine witnesses, submit evidence, and present oral arguments.

§ 0.735–59 Oaths and rules of evidence.

All testimony shall be taken under oath. The hearing officer shall conduct the hearing so as to bring out pertinent facts, including the production of pertinent documents. Rules of evidence shall not be applied strictly, but the hearing officer shall exclude irrelevant or unduly repetitious evidence.

§ 0.735–60 Transcript.

The hearing officer shall cause a transcript to be made of the hearing and a copy of it shall be made available to petitioner and to respondent.

§ 0.735–61 Briefs and discovery.

There shall be no discovery prior to the hearing, nor shall any briefs be submitted, absent specific request of the hearing officer.

§ 0.735–62 Open hearing.

All hearings shall be open to the public unless closed for good cause by the hearing officer. Such a finding shall be made a part of the record by the hearing officer.

§ 0.735–63 Ex-parte communications.

Neither petitioner or respondent, nor any representative thereof, shall make any ex-parte communications to the hearing officer concerning merits of the allegations against respondent prior to the issuance of his or her initial decision.

§ 0.735–64 Administrative record.

The record of any proceeding shall consist of the statement of allegations conveyed to respondent, the transcript of the testimony at the hearing, the documents and other evidence produced and made a part of the record at the hearing, all pleadings and the initial decision of the hearing officer.

§ 0.735–65 Burden of proof.

The petitioner shall have the burden of proof in this proceeding and must establish a violation by substantial evidence.

§ 0.735–66 Initial decision.

Within 30 days of the termination of the hearing, the hearing officer shall issue an initial decision on the matter. In his or her initial decision, he or she shall set forth all findings of fact and conclusions of law relevant to the matters at issue.

§ 0.735–67 Appeal.

Within 15 days of the date of receipt of the initial decision either party may appeal the initial decision or any portion thereof to the Assistant Secretary for Administration, in writing, pointing to errors in the findings of fact or conclusions of law contained in the initial decision. The opposing party shall have ten days after receipt of a copy of the appeal to reply.

§ 0.735–68 Final decision.

The Assistant Secretary for Administration shall accept or reject the findings and conclusions of the hearing officer. This decison shall be based solely upon the record of the proceeding and the letters of the parties commenting on the initial decision. Neither party shall make any ex-parte communication to the Assistant Secretary for Administration concerning the merits of the appeal prior to issuance of his or her final decision.

§ 0.735–69 Sanctions.

In event of a finding, not overturned on appeal, of a violation of 18 U.S.C. 207, the Assistant Secretary for Administration may: (a) Prohibit the respondent from making, on behalf of

any other person (except the United States) any formal or informal appearance before, or, with the intent to influence, any oral or written communication to the Department on any matter of business for a period not to exceed five years, which may be accomplished by directing Department employees to refuse to participate in any such appearances or to accept any such communications; and

(b) Take other appropriate disciplinary action.

§ 0.735–70 Finality.

There shall be no appeal within the Department from the decisions of the Assistant Secretary for Administration made pursuant to this subpart.

Dated: September 22, 1981.

John R. Block,

Secretary of Agriculture.

[FR Doc. 81–27887 Filed 9–24–81; 8:45 am]

BILLING CODE 3410–01–M

Agricultural Marketing Service

7 CFR Part 29

U.S. Type 32 Maryland Broadleaf Tobacco Sales of Maryland Tobacco in Untied Form

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: The Official Standard Grades for Maryland Tobacco, U.S. Type 32 (grown and marketed primarily in that State with small quantities grown in Virginia and North Carolina but not customarily marketed in Maryland) are hereby amended to permit Maryland tobacco, heretofore eligible for all official grades only when marketed tied-in-hands, to be also eligible for all official grades when marked untied in unlimited quantities on sheets, baskets, or 1x2x3 feet bales.

EFFECTIVE DATE: September 25, 1981.

FOR FURTHER INFORMATION CONTACT: Paul T. Donovan, Acting Director, Tobacco Division, Agricultural Marketing Service, United States Department of Agriculture, Washington, D.C. 20250 (202) 447–2567.

SUPPLEMENTARY INFORMATION: Notice was given (46 FR 22002, April 15, 1981) that the Department was considering a modification of the Official Standard Grades for Maryland Broadleaf Tobacco, U.S. Type 32, pursuant to the authority contained in the Tobacco Inspection Act of 1935 (49 Stat. 731; U.S.C. 511 *et. seq.*).

Customarily, Maryland tobacco has been marketed in hand-tied bundles and there is a relatively higher percentage of the labor used for market preparation than is used in harvesting the crop. Mechanical harvesting has not progressed as rapidly in air-cured types as it has in flue-cured types because of a stalk-cured rather than leaf-cured product.

Loose leaf sales of Maryland tobacco offer potential cost savings to farmers. Without innovations in the market preparation process, less efficient producers could be forced out of tobacco production based strictly on the nonvailability of low-cost labor supply. An experimental program, allowing producers to market their tobacco in 1x2x3 feet bales, conducted in the burley producting region during the last 3 years has a far-reaching effect on sentiments of producers in Maryland. Burley and Maryland tobaccos are companion types because of the similarities in the curing and marketing processes.

Based on requests from the Maryland tobacco industry, the Department proposed that Federal graders apply official grades to unlimited quantities of untied Maryland tobacco packed straight on sheets or baskets or in 1x2x3 feet bales and offered for sale at auction centers throughout the entire Maryland production area.

Section 29.3280 of the regulations requires graders to apply a grade of No-G to any lot of tobacco which is nested, needs rework, off type, semi-cured; tobacco that is damaged 20 percent or more, abnormally dirty, or extremely wet or watered; or tobacco that contains foreign matter or has an odor foreign to the type. This definition would remain unchanged.

Section 29.3287 of the regulations currently defines "rework" as "Any lot of tobacco which needs to be resorted or otherwise reworked to prepare it properly for market in the manner which is customary in the type area, including: (a) Tobacco which is so mixed that it cannot be classified properly in any grade of the type, because the lot contains a substantial quantity of two or more distinctly different grades which should be separated by sorting; (b) tobacco which contains an abnormally large quantity of foreign matter or an unusual number of muddy or extremely dirty leaves which should be removed; and (c) tobacco not tied in hands, not packed straight, not properly tied, or otherwise not properly prepared for market."

During the period allowed for public comment, three comments were received, all in favor of the Department's proposal to market Maryland, Type 32, in the traditional hand-tied bundles or untied on sheets, baskets, or approximately 1x2x3 feet bales. Two Farm Bureau organizations, representing producers, stated strong support for the proposed rule change. One buyer organization also stated support for the proposal and, further, recommended the use of bales as the untied package for marketing Maryland tobacco.

Based on experience gained in the grading of Maryland tobacco in various marketing forms during the 1981 marketing season, the enthusiasm and participation of producers for the first season, and the strong support registered by commentors, the Department is hereby amending the regulations to redefine the term "rework" in § 29.3287 to read as follows: "Any lot of tobacco which is (a) so mixed that it cannot be classified properly in any grade of the type because the lot contains a substantial quantity of two or more distinctly different grades; and (b) not packed straight or otherwise not properly prepared for market."

This revised definition no longer requires Maryland tobacco to be marketed "in the manner which is customary for the area type", nor that the tobacco be tied in hands. Tobacco which "contains an abnormally large quantity of foreign matter or an unusual number of muddy or extremely dirty leaves" will continue to be graded as No-G under the definition contained in § 29.3280.

Under this new definition, in order for a lot of tobacco to have an official standard grade applied it must be properly sorted so the lot does not contain a substantial quantity of two or more distinctly different grades, must be packed straight in a circle approximately 45 inches in diameter on a basket, or in a burlap sheet, with the stems pointed outward, or in approximately 1x2x3 feet bales.

This final rule has been reviewed under USDA procedures established to implement Executive Order 12291 and has been classified a non-major rule. Initial review of the regulations contained in 7 CFR Part 29, for need, currency, clarity , and effectiveness will be made within the next five years.

Additionally, consideration has been given to the potential economic impact upon small businesses. Tobacco warehousemen and producers fall within the confines of "small businesses", as defined in the Regulatory Flexibility Act. It has been determined that there will be no economic impact upon these small

entities by the revision of the regulations for Maryland tobacco.

PART 29—TOBACCO INSPECTION

Section 29.3287 of the regulations is revised as follows:

§ 29.3287 Rework

Any lot of tobacco which is (a) so mixed that it cannot be classified properly in any grade of the type because the lot contains a substantial quantity of two or more distinctly different grades; and (b) not packed straight or otherwise not properly prepared for market.

Dated: September 22, 1981.

C. W. McMillan,

Assistant Secretary, Marketing and Inspection Services.

[FR Doc. 81-27950 Filed 9-24-81; 8:45 am]

BILLING CODE 3410-02-M

Agricultural Stabilization and Conservation Service

7 CFR Part 718

[Amdt. 6]

Determination of Acreage and Compliance

AGENCY: Agricultural Stabilization and Conservation Service, USDA.

ACTION: Interim rule.

SUMMARY: The purpose of this interim rule is to amend the regulations set forth at 7 CFR Part 718 which govern the determinations of acreage and compliance under the production adjustment and marketing quota programs administered by the Agricultural Stabilization and Conservation Service (ASCS). These changes in the regulations are necessary since certain program requirements are not applicable to the 1981 crops and thus reference to these requirements must be deleted. In addition, other changes in the regulations governing determination of acreage and compliance are necessary to improve the administration of the programs.

EFFECTIVE DATE: September 24, 1981. Comments must be received by November 24, 1981.

ADDRESS: Mail comments to Mr. Grant Buntrock, Director, Production Adjustment Division, USDA–ASCS, Room 3630 South Building, P.O. Box 2415, Washington, D.C. 20013.

FOR FURTHER INFORMATION CONTACT: H. Woodrow Jones, Production Adjustment Division, Agricultural Stabilization and Conservation Service, U.S.D.A., P.O. Box 2415, Washington, D.C. 20013. (202) 447–3472. The draft Impact Analysis describing the options considered in developing this interim rule and the impact of implementing each option is available on request from the above-named individual.

SUPPLEMENTARY INFORMATION: This interim rule has been reviewed in accordance with Executive Order 12291, and has been classified as not being a "major rule." It has been determined that these program provisions will not result in (1) an annual effect on the economy of $100 million or more; (2) major increases 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 U.S.-based enterprises to compete with foreign-based enterprises in domestic or export markets.

This action will not have a significant impact specifically on area and community development. Therefore, review as established by Office of Management and Budget (OMB) circular A–95 was not used to assure that units of local government are informed of this action.

Section 374 of the Agricultural Act of 1938, as amended (7 U.S.C. 1374) authorizes the Secretary of Agriculture to ascertain, by measurement or otherwise, the acreage of any agricultural commodity or land use on farms for which the ascertainment of such acreage or land use is necessary to determine compliance under any program administered by the Secretary. Accordingly, regulations have been issued by the Secretary at 7 CFR Part 718 setting forth provisions relating to determinations of acreage and compliance with respect to various commodity programs.

Sections 718.2 (b)(19), 718.2 (b)(21), 718.4 (b)(1)(v), § 718.6 (c), and § 718.11 (e) of the current regulations make reference to certain requirements for crops which comprise the Normal Crop Acreage. Since Normal Crop Acreage requirements are no longer applicable to the 1981 crops, all applicable references to the Normal Crop Acreage in these sections are deleted.

Section 718.2 (b)(15) of the current regulations provides for a farm visit by representatives of ASCS in order to check compliance of any set-aside acreage on the farm in order to determine whether producers are continuing to maintain any designated set-aside acreage in accordance with program regulations. This interim rule deletes this provision since the Secretary has announced there will be no set-aside requirement for 1981 crops and, therefore, a required compliance check with respect to a set-aside of cropland is no longer necessary.

The current regulations do not define "program crops." This interim rule defines "program crops" for 1981 and subsequent years as field corn, grain sorghum, wheat, rice, upland cotton, and if designated, oats and barley. [See § 718.2 (b)(11)]

Section 718.2 (b)(19) of the current regulations provides for a "tolerance" for crops which comprise the Normal Crop Acreage. However, the current regulations do not provide a "tolerance" for program crops and marketing quota crops. "Tolerance" is an amount of acreage by which the reported acreage can differ from the determined acreage and still be considered correctly reported. This interim rule makes "tolerance" applicable to program crops and marketing quota crops.

Section 718.2 (b)(21) of the current regulations contains a definition of "variance." The interim rule changes the definition of "variance" to reference "administrative variance" as it applies to marketing quota crops and "tolerance" as it applies to both program crops and marketing quota crops in general compliance determinations.

Heretofore, § 718.4(b)(1)(v) of the current regulations provided that compliance was to be determined by ground measurement or aerial compliance methods with respect to all farms in a county. This interim rule provides that compliance will be determined by ASCS by checking selected farms using aerial compliance methods unless determining compliance by ground measurement proves to be less expensive in a given county.

Section 718.6(c) of the current regulations allows a "variance" to be applicable in certain situations where an acreage of a marketing quota crop was reported in excess of the farm acreage allotment. This interim rule amends the current regulations to provide that "variance" will not apply when the total acreage of a program crop or marketing quota crop is determined using producer services prior to planting or when a farm operator reports to ASCS that an acreage of a marketing quota crop is in excess of the effective farm acreage allotment. "Variance" will apply, however, in certain instances to an acreage of marketing quota crops if such acreage is less than the effective farm allotment and the operator utilized producer services after planting but before such acreage was reported to ASCS.

Section 718.6(c)(2) of the current regulations prescribes a "tolerance" for crops involving requirements which are no longer a part of the compliance program. The interim rule revises § 718.6(c)(2) to delete references to these requirements and establishes a "tolerance" for program crops and marketing quota crops, except flue-cured and burley tobacco.

Section 718.11(d) of the current regulations allows producers to adjust acreage for extra long staple (ELS) cotton in counties measuring all farms. Since this interim rule provides for measurement of farms on a selected basis, this provision is deleted.

Section 718.11(a) of the current regulations permits producers to adjust acreages of a crop or land use affecting eligibility for program benefits by paying the cost of an ASCS field visit within 15 days after a producer has received a notification of measured acreage from the county committee. The interim rule provides that only producers reporting excess peanut acreage or having excess tobacco acreage (other than flue-cured and burley) will be permitted to adjust an acreage for compliance purposes. This interim rule also provides that a producer must notify the county committee of this election within 15 days after notification of measured acreage and pay the cost of any farm visit by no later than the day of the visit.

Section 718.11(c) of the current regulations provides that an operator may adjust acreage for burley tobacco. The regulation is being revised to clarify that burley tobacco is a kind of tobacco for which acreage adjustments will not be permitted by a farm operator. Such adjustments are not necessary since acreage reports have not been required by ASCS for burley tobacco in recent years. Also under the interim rule, acreage adjustments for compliance purposes in this section are permitted only for those kinds of tobacco other than flue-cured and burley.

Since producers are engaged in farming operations for the 1981 crop and are affected by the changes provided by this interim rule, it has been determined that it is not practical and it is contrary to the public interest to follow the rulemaking procedures of Executive Orders 12291 and 5 U.S.C. 553 with respect to this rule. Therefore, these regulations shall become effective upon date of filing with the Director, Office of the Federal Register. However, comments are solicited for 60 days after publication of this document, and a final rule will be published in the Federal Register as soon as possible discussing any comments received as well as setting forth any applicable amendments to the regulations.

Interim Rule

PART 718—DETERMINATION OF ACREAGE AND COMPLIANCE

Accordingly, the regulations at 7 CFR Part 718 are amended as follows:

1. Section 718.1 is revised to read as follows:

§ 718.1 Applicability

The provisions of this part apply to compliance determinations for 1981 and subsequent years as authorized by the Agricultural Adjustment Act of 1938, as amended, and the Agricultural Act of 1949, as amended, with respect to the programs administered by the Agricultural Stabilization and Conservation Service (ASCS) through State and county committees.

2. Section 718.2 is amended by: removing paragraph (b)(15); redesignating paragraphs (b)(11) through (b)(14) as paragraphs (b)(12) through (b)(15); adding a new paragraph (b)(11); and revising paragraphs (b)(19) and (b)(21) to read as follows:

§ 718.2 Definitions.

* * * * *

(b) * * *

(11) *Program Crops.* Field corn, grain sorghum, wheat and, if designated, oats and barley, which are planted for other than cover or green manure or a volunteer acreage of these crops which is harvested for grain. Also included as program crops are rice and upland cotton.

* * * * *

(19) *Tolerance.* For program crops and marketing quota crops, a prescribed amount within which the reported acreage can differ from the determined acreage, and the reported acreage can still be considered as correctly reported.

* * * * *

(21) *Variance.* Administrative variance as it applies to marketing quota crops and tolerance as it applies to both program crops and marketing quota crops.

* * * * *

3. Section 718.4 is amended by revising paragraph (b)(1)(v) to read as follows:

§ 718.4 Committee responsibilities.

* * * * *

(b) * * *

(1) * * *

(v) Require all counties to determine compliance by checking selected farms. In addition, the State committee shall determine the counties in which aerial compliance methods will prove more expensive than ground measurement and require all other counties to use aerial compliance methods.

* * * * *

4. Section 718.6 is amended by revising the preamble to paragraph (c); and subparagraph (c)(2) to read as follows:

§ 718.6 Determining farm operator adherence to program requirements.

* * * * *

(c) *Variance rules applicability.* There are no variances when the total acreage of a program crop or marketing quota crop is determined using producer service prior to planting or when a farm operator reports a marketing quota crop acreage in excess of the effective farm allotment. However, variances will be applicable to an acreage of marketing quota crop on a farm for which producer service is used and such acreage is less than the effective farm allotment if producer services are furnished after planting but before the operator reports the acreage which meets the specifications as provided in paragraphs (c) (1) and (2) of this section.

* * * * *

(c)(2) *Tolerance.* The irrigated and nonirrigated acreage of a crop reported on the same farm shall be considered separately in applying the tolerance when separate yields have been established. Tolerance is applicable to individual crop acreages and program requirements shall be considered to have been met provided the determined acreage for: (i) *A program crop* does not differ from the reported acreage by more than the larger of 2.0 acres or 10 percent of the reported acreage, not to exceed 50 acres; (ii) *ELS cotton and peanuts* does not differ from the reported acreage by more than the larger of 0.5 acre or 5 percent of the reported acreage; (iii) *Tobacco other than flue-cured or burley* does not exceed the allotment by more than the larger of 0.1 acre or 5 percent of the allotment: provided, however, that if the administrative variance is exceeded, such acreage of tobacco must be adjusted to the farm acreage allotment in order to avoid marketing quota penalties.

* * * * *

5. Section 718.11 is amended by removing paragraphs (d) and (e) and by revising paragraphs (a) and (c) to read as follows:

§ 718.11 Adjustment of acreages.

(a) *General.* The farm operator or other interested producer on a farm reporting excess peanut acreage on the initial report of acreage, provided such initial report is filed by no later than the

final reporting date set by the State committee as provided herein, or having excess tobacco acreage (other than flue-cured or burley) and who elects to adjust an acreage of the crop in order to become eligible for program benefits must:

(1) Notify the county committee of such election within 15 days of notification of measured acreage by the county committee as provided in § 718.9, and

(2) Pay the cost of a farm visit to determine the adjusted acreage by no later than the date such farm visit is made.

The adjusted acreage shall be used for program purposes except that if the requirements of this section are not met, the acreage initially determined shall be considered as the appropriate crop acreage for the farm.

* * * * *

(c) *Tobacco other than flue-cured and burley.* The farm operator may adjust an acreage of tobacco (except flue-cured and burley) by disposing of such excess tobacco prior to the marketing of any of the same kind of tobacco from the farm. The disposition shall be witnessed by a representative of the Agricultural Stabilization and Conservation Service and may take place before, during, or after the harvesting of the same kind of tobacco grown on the farm. However, no credit will be allowed toward the disposition of excess acreage after the tobacco is harvested, but prior to marketing unless the county committee determines that such tobacco is representative of the entire crop from the farm of the kind of tobacco involved.

(Secs. 314, 373, 374, 375, 52 Stat. 48, as amended, 52 Stat. 65, as amended, 52 Stat. 66 as amended; (7 U.S.C. 1314, 1373, 1374, 1375))

Signed at Washington, D.C. on September 11, 1981.

Everett Rank,

Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc. 81-27619 Filed 9-24-81; 8:45 am]

BILLING CODE 3410-05-M

Agricultural Marketing Service

7 CFR Part 910

[Lemon Regulation 325]

Lemons Grown in California and Arizona; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation establishes the quantity of fresh California-Arizona lemons that may be shipped to market during the period September 27–October 3, 1981. Such action is needed to provide for orderly marketing of fresh lemons for this period due to the marketing situation confronting the lemon industry.

EFFECTIVE DATE: September 27, 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 is issued under the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The action is based upon the recommendations and information submitted by the Lemon Administrative Committee and upon other available information. It is hereby found that this action will tend to effectuate the declared policy of the act.

This action is consistent with the marketing policy for 1981–82. The marketing policy was recommended by the committee following discussion at a public meeting on July 7, 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 202–447–5975.

The committee met again publicly on September 22, 1981, at Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of lemons deemed advisable to be handled during the specified week. The committee reports the demand for lemons is easier.

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

Information collection requirements (reporting or record keeping) under this part are subject to clearance by the Office of Management and Budget and are in the process of review. These information requirements shall not become effective until such time as clearance by the OMB has been obtained.

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Section 910.625 is added as follows:

§ 910.625 Lemon regulation 325.

The quantity of lemons grown in California and Arizona which may be handled during the period September 27, 1981, through October 3, 1981, is established at 208,019 cartons.

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

Dated: September 23, 1981

D. S. Kuryloski,

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

[FR Doc. 81-28149 Filed 9-24-81; 1:44 pm]

BILLING CODE 3410-02-M

Rural Electrification Administration

7 CFR Part 1701

Public Information; Appendix A—REA Bulletins, "Construction Methods and Purchase of Materials and Equipment"

AGENCY: Rural Electrification Administration, USDA.

ACTION: Final rule.

SUMMARY: The Rural Electrification Administration (REA) hereby amends Appendix A—REA Bulletins to provide for the issuance of a supplement to REA Bulletin 40–6, "Construction Methods and Purchase of Materials and Equipment." The supplement provides modifications and alternate bid provisions for inclusion in contracts for construction of facilities by REA electric borrowers.

EFFECTIVE DATE: September 18, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. Edwin N. Limberger, telephone (202) 447–7040. A Final Impact Statement has been prepared and is available from the Director, Engineering Standards Division, Rural Electrification Administration, Room 1270–S, U.S. Department of Agriculture, Washington, D.C. 20250.

SUPPLEMENTARY INFORMATION: Pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), REA

hereby amends Appendix A—REA Bulletins to provide for the issuance of a supplement to REA Bulletin 40–6, "Construction Methods and Purchase of Materials and Equipment." This final action has been issued in conformance with Executive Order 12291, Federal Regulation. Since no significant effect on the economy will occur; since no significant increase in costs for consumers, industries or Government will result; and since no significant impact on economic conditions will be caused, this action has been determined to be "not major."

Since the Regulatory Flexibility Act (Public Law 96–354) does not apply to this action, a Regulatory Flexibility Analysis has not been prepared.

A Notice of Proposed Rulemaking was published in the **Federal Register** at 46 FR 11287, February 6, 1981. As a result of this notice in the **Federal Register** the following significant comments were received:

(a) It was recommended that interest on overdue accounts should be mandatory under the contract. The contract language provided makes it mandatory to pay interest on overdue accounts.

(b) It was also recommended that "payments to contractors for bulk purchases of material" of 90 percent of material invoice price be mandatory rather than optional. This feature is being left as an option rather than a mandatory condition because REA believes that while some borrowers will not solicit alternate bids, if the initial contention is true that early payment for material will result in reduced construction costs, it will be borne out in the bid prices of those contracts which do solicit alternate proposals. Also, a contractor that bids strictly according to the specification is free to present an unsolicited alternate bid which, even if not accepted, will demonstrate the potential savings. Therefore, it is not necessary to make this feature mandatory.

This action renders REA Bulletin 81–4:381–6, "Payment to Contractors for Materials Delivered," unnecessary and that bulletin is herewith rescinded. This action also renders REA Bulletin 81–8:381–13, "Bidders' Qualifications," unnecessary as an electric bulletin and Bulletin 81–8 is herewith rescinded. REA Bulletin 381–13 (telephone), "Bidders' Qualifications", however, will be retained.

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

Dated: September 18, 1981.

Harold V. Hunter,

Administrator.

[FR Doc. 81–27931 Filed 9–24–81; 8:45 am]

BILLING CODE 3410–15–M

Office of the Secretary

7 CFR Part 2900

Certification of Essential Agricultural Uses and Requirements; Natural Gas Policy Act of 1978

AGENCY: Office of the Secretary, USDA.

ACTION: Editorial revision of rule.

SUMMARY: The Department of Agriculture hereby deletes a definintion from its regulations certifying essential agricultural uses and requirements under the Natural Gas Policy Act of 1978 (NGPA) 7 CFR 2900.

This action deletes the definition of the term "process fuel," 7 CFR 2900.2(e), as it relates to the uses and amounts of interstate natural gas needed for the production of fertilizer, agricultural chemicals, animal feed, and food necessary for full food and fiber production as certified by the Secretary of Agriculture pursuant to Section 40(f)(1) of the NGPA.

EFFECTIVE DATE: September 25, 1981.

FOR FURTHER INFORMATION CONTACT: Earle E. Gavett, Office of Budget and Program Analysis, USDA, Washington, D.C. 20250, (202) 447–2634.

SUPPLEMENTARY INFORMATION: This action is an editorial change to bring the rule as published into conformity with a judicial decision. As such, the action is not a rule itself and is, therefore, exempt from Executive Order 12291 and Secretary's Memorandum No. 1512–1.

On April 24, 1980, the Department of Agriculture amended Chapter XXIX of the Title 7, § 2900.2 of the Code of Federal Regulations by adding:

(e) "Process fuel" means natural gas used to produce steam which in turn is directly applied in processing of products and for compression of products so that processing may take place, in addition to direct flame and precise heating applications of natural gas in processing of products. This does not include natural gas used for space heating, generation of hot water for plant cleaning and generation of electric power. 45 FR 27741, 27745.

This provision was the subject of a suit against the Department in the United States Court of Appeals for the District of Columbia Circuit. *Process Gas Consumers Group,* et al, v. *United States Department of Agriculture,* (Nos. 80–1558 and 80–1603).

On June 30, 1981 the Court of Appeals vacated and set aside the rule, holding that the rule was not in accord with the NGPA because natural gas used as a boiler fuel to produce steam, which steam is directly applied in the manufacturing process of products, is not a process use.

PART 2900—ESSENTIAL AGRICULTURAL USES AND VOLUMETRIC REQUIREMENTS—NATURAL GAS POLICY ACT

§ 2900.2 [Amended]

Accordingly, § 2900.2(e), Chapter XXIX of Title 7, Code of Federal Regulations, is hereby removed

(15 U.S.C. 3391)

Dated: September 22, 1981.

John R. Block,

Secretary of Agriculture.

[FR Doc. 27885 Filed 9–24–81; 8:45 am]

BILLING CODE 3410–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 74

[Docket No. 79C–0450]

Listing of Color Additives Exempt From Certification; D&C Violet No. 2; Confirmation of Effective Date

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is confirming the effective date of October 24, 1980, of a color additive regulation that provides for the use of D&C Violet No. 2 for coloring in or on polydioxanone synthetic absorbable surgical sutures.

DATE: Effective date confirmed: October 24, 1980.

FOR FURTHER INFORMATION CONTACT: Rudolph Harris, Bureau of Foods (HFF–334), Food and Drug Administration, 200 C St., SW., Washington, DC 20204, 202–472–5690.

SUPPLEMENTARY INFORMATION: In a regulation published in the **Federal Register** of September 23, 1980 (45 FR 62978), § 74.1602 *D&C Violet No. 2* (21 CFR 74.1602) was amended to provide for the safe use of D&C Violet No. 2 in or on polydioxanone synthetic absorbable surgical sutures.

Under the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c), and (d), 74 Stat. 399–403 as amended (21 U.S.C. 376 (b), (c), and (d))) and under authority

delegated to the Commissioner of Food and Drugs (21 CFR 5.10 (formerly 5.1; see 46 FR 26052; May 11, 1981)), notice is given that no objections or requests for hearing were filed in response to the regulation of September 23, 1980. Accordingly, the amendments promulgated thereby became effective on October 24, 1980.

Dated: September 18, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-27729 Filed 9-24-81; 8:45 am]

BILLING CODE 4110-03-M

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21 CFR Part 178

[Docket No. 81F-0189]

Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) amends the food additive regulations to provide for the safe use of octadecyl 3,5-di-*tert*-butyl-4-hydroxy-hydrocinnamate as an antioxidant and/or stabilizer at levels not exceeding 0.1 percent by weight of ethylene-vinyl acetate copolymers intended for food-contact use. This action is based on a food additive petition filed by Ciba-Geigy Corp.

DATES: Effective September 25, 1981; objections by October 26, 1981.

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

FOR FURTHER INFORMATION CONTACT: Michael E. Kashtock, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of July 7, 1981 (46 FR 35188), FDA announced that a petition (FAP-0B3493) had been filed by Ciba-Geigy Corp., Ardsley, NY 10502, proposing that the food additive regulations be amended to provide for the safe use of octadecyl 3,5-di-*tert*-butyl-4-hydroxy-hydrocinnamate as an antioxidant and/or thermal stabilizer for ethylene-vinyl acetate copolymers as defined in § 177.1350 (21 CFR 177.1350).

Having evaluated data in the petition and other relevant material, FDA concludes that the proposed use of the additive is safe and that § 178.2010(b) of the food additive regulations should be amended as set forth below.

PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 72 Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10 (formerly 21 CFR 5.1; see 46 FR 26052; May 11, 1981)), Part 178 is amended in § 178.2010(b) by adding a new limitation to "Octadecyl 3,5-di-*tert*-butyl-4-hydroxy-hydrocinnamate" to read as follows:

§ 178.2010 Antioxidants and/or stabilizers for polymers.

* * * * *

(b) * * *

Substances	Limitations
* * * * *	
Octadecyl 3,5-di-*tert*-butyl-4-hydroxy-hydrocinnamate.	For use only: * * * 9. At levels not exceeding 0.1 percent by weight of ethylene-vinyl acetate copolymers complying with § 177.1350 of this chapter.
* * * * *	

Any person who will be adversely affected by the foregoing regulation may at any time on or before October 26, 1981, submit to the Dockets Management Branch (address above), written objections thereto and may make a written request for a public hearing on the stated objections. Each objection shall be separately numbered and each numbered objection shall specify with particularity the provision of the regulation to which objection is made. Each numbered objection on which a hearing is requested shall specifically so state; failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held; failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this regulation. Received objections may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Effective date. This regulation shall become effective September 25, 1981.

(Secs. 201(s), 409, 72 Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348))

Dated: September 18, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-27750 Filed 9-24-81; 8:45 am]

BILLING CODE 4110-03-M

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21 CFR Part 178

[Docket No. 80F-0265]

Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers; Antioxidants and/or Stabilizers for Polymers

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) amends the food additive regulations to provide for the safe use of octadecyl 3,5-di-*tert*-butyl-4-hydroxy-hydrocinnamate as an antioxidant and/or stabilizer for nitrile rubber-modified acrylonitrile-methyl acrylate copolymers intended to contact food. This action is in response to a petition filed by Ciba-Geigy Corp.

DATES: Effective September 25, 1981; objections by October 26, 1981.

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

FOR FURTHER INFORMATION CONTACT: Vir D. Anand, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, D.C. 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of August 29, 1980 (45 FR 57776), FDA announced that a petition (FAP 0B3522) had been filed by Ciba-Geigy Corp., Ardsley, NY 10502, proposing that § 178.2010 *Antioxidants and/or stablizers for polymers* (21 CFR 178.2010 be amended to provide for the safe use of octadecyl 3,5-di-*tert*-butyl-4-hydroxy-hydrocinnamate as an antioxidant and/or stablizer in nitrile rubber-modified acrylonitrile-methyl acrylate copolymers intended to contact food.

FDA has evaluated the data in the petition and other relevant material and concludes that the proposed food additive use is safe and that the regulations should be amended as set forth below.

PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 72 Stat. 1784–1788 as amended (21 U.S.C. 321(s), 348)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10 (formerly 5.1; see 46 FR 26052; May 11, 1981)), Part 178 is amended in § 178.2010(b) by adding a new limitation for "octadecyl 3,5-di-*tert*-butyl-4-hydroxy-hydrocinnamate" to read as follows:

§ 178.2010 Antioxidants and/or stabilizers for polymers.

* * * * *

(b) * * *

Substances	Limitations
* * *	* *
Octadecyl 3,5-di-*tert*-butyl-4-hydroxy-hydrocinnamate (CAS Reg. No. 2082-79-3).	For use only: * * * 10. At levels not to exceed 0.2 percent by weight of nitrile rubber-modified acrylonitrile-methyl acrylate copolymers that comply with § 177.1480 of this chapter when used in articles that contact food only under conditions of use D, E, F, and G described in table 2, § 176.170(c) of this chapter.
* * *	* *

Any person who will be adversely affected by the foregoing regulation may at any time on or before October 26, 1981, submit to the Dockets Management Branch (HFA–305), address above, written objections thereto and may make a written request for a public hearing on the stated objections. Each objection shall be separately numbered and each numbered objection shall specify with particularity the provision of the regulation to which objection is made. Each numbered objection on which a hearing is requested shall specifically so state; failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held; failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this regulation. Received objections may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Effective date. This regulation shall become effective September 25, 1981.

(Secs. 201(s), 409, 72 Stat. 1784–1788 as amended (21 U.S.C. 321(s), 348))

Dated: September 18, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-27751 Filed 9-24-81; 8:45 am]

BILLING CODE 4110-03-M

21 CFR Part 520

Oral Dosage Form New Animal Drugs Not Subject to Certification; Mebendazole Paste

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) amends the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by Pitman-Moore, Inc., providing for revised labeling for use of mebendazole oral paste as a broad spectrum anthelmintic in horses.

EFFECTIVE DATE: September 25, 1981.

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

SUPPLEMENTARY INFORMATION: Pitman-Moore, Inc., Washington Crossing, NJ 08560, filed a supplemental NADA (97–221) providing for several changes, including revision of the product's labeling.

The labeling changes amend 21 CFR 520.1320 by revising the claim for small strongyles and the claim for immature pinworms. Because this drug is effective against all small strongyle genera, it is not necessary to specify each genus as the section did prior to this approval. The firm has revised their claim to read "small strongyles." The firm has revised the pinworm claim to be more specific regarding the stage of development against which the drug is effective.

The supplement is approved and 21 CFR 520.1320 is amended to reflect the approval.

Approval of this supplement does not change the currently approved use of the drug nor does it affect the drug's safety and effectiveness. Under the Bureau of Veterinary Medicine's supplemental approval policy (42 FR 64367; December 23, 1977), this is a Category II change, approval of which does not require reevaluation of the safety and effectiveness data in the parent application.

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

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

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

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10 (formerly 5.1; see 46 FR 26052; May 11, 1981)) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Part 520 is amended in § 520.1320 by revising paragraph (d)(1)(ii) to read as follows:

§ 520.1320 Mebendazole oral.

* * * * *

(d) * * *

(1) * * *

(ii) *Indications for use.* It is used in horses for treatment of infections caused by large roundworms (*Parascaris equorum*); large strongyles (*Strongylus edentatus, S. equinus, S. vulgaris*); small strongyles; and mature and immature (4th larval stage pinworms (*Oxyuris equi*)).

* * * * *

Effective date. September 25, 1981.

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

Dated: September 17, 1981.

Robert A. Baldwin,

Associate Director for Scientific Evaluation.

[FR Doc. 81-27775 Filed 9-24-81; 8:45 am]

BILLING CODE 4110-03-M

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 706

Certifications and Exemptions Under International Regulations for Preventing Collisions at Sea, 1972; Certification for USS Scott

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications under the International Regulations for Preventing Collisions at Sea, 1972, (72 COLREGS) to reflect that the Secretary of the Navy has determined that USS Scott (DDG 995) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special function as a guided missile destroyer. The intended effect of this rule is to warn mariners in waters where the 72 COLREGS apply.

EFFECTIVE DATE: September 3, 1981.

FOR FURTHER INFORMATION CONTACT: Captain Richard J. McCarthy, JAGC, USN, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, Virginia 22332, Telephone Number (202) 325-9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in Executive Order 11964 and 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Secretary of the Navy has certified that USS SCOTT (DDG 995) is a vessel of the Navy which, due to its special construction and purpose cannot comply fully with 72 COLREGS, Annex I, Section 2(f) pertaining to the placement of masthead lights over all other lights and obstructions; 72 COLREGS, Annex I, Section 3(a) pertaining to the placement of the forward masthead lights in the forward quarter of the ship; 72 COLREGS, Annex I, Section 3(a) pertaining to the placement of the after masthead light; and 72 COLREGS, Rule 23(a)(ii) regarding the arc of visibility of the after masthead light, without interfering with its special function as a naval ship. The Secretary of the Navy has also certified that the aforementioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements. Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary and contrary to the public interest since it is based on technical findings that the placement of lights on this ship in a manner different from that prescribed herein will adversely affect the ship's ability to perform its military function. Accordingly, 32 CFR Part 706 is amended as follows:

PART 706—CERTIFICATIONS AND EXEMPTIONS UNDER THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

§ 706.2 [Amended]

1. Table Five of § 706.2 is amended by adding the following naval ship to the list of vessels therein to indicate the certifications issued by the Secretary of the Navy:

Table 5

Vessel	Number	Forward masthead light not required; height above hull. Annex I section 2(a) (ii) (c), (d)	Aft masthead light less than 4.5 meters above forward masthead light. Annex I, section 2(a) (ii)	Masthead lights not over all other lights and obstructions. Annex I, section 2(f)	Vertical separation of masthead lights used when towing less than required by Annex I, section 2(a) (i)	Aft Masthead lights not visible over forward light 1,000 meters ahead of ship in all normal degrees of trim. Annex I, section 2(b)	Forward masthead light not in forward quarter of ship. Annex I, section 3(a)	After masthead light not less than ½ ship's length aft of forward masthead light. Annex I, section 3(a)	Percent age horizonal separation attained
•	•	•	•	•	•	•	•	•	•
USS *Callaghan*	994	• • •	• • •	• • •	• • •	• • •	• • •	• • •	• • •
USS *Scott*	995	—	—	X	—	—	X	X	44.6
•	•	•	•	•	•	•	•	•	•

2. Table Four paragraph 7. of § 706.2 is amended by adding to the list of vessels therein certifications issued by the Secretary of the Navy:

7. The arc of visibility of the after masthead light required by Rule 23(a)(ii) and Annex I, section 2(f) may be obstructed from right ahead on certain naval ships as follows:

* * * * *

USS *Scott* (DDG 995).....0°28.8'

* * * * *

3. Table Four of § 706.2 is amended by adding the following new entry "USS Scott" to paragraph 17 to indicate the certifications issued by the Secretary of the Navy:

* * * * *

17. On the following ships the arc of visibility of the after masthead light required by Rule 23(a)(ii) may be obstructed through 0°48.6' arc of visibility at the point 349° relative to the ship's head:

* * * * *

USS *Scott* (DDG 995)

* * * * *

(Executive Order No. 11964; 33 U.S.C. 1605)

Dated: September 3, 1981.

Robert J. Murray,

Acting Secretary of the Navy.

[FR Doc. 81-27815 Filed 9-24-81; 8:45 am]

BILLING CODE 3810-AE-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-4-FRL 1925-7]

Florida: Opacity Limits for Monsanto Textile Co., Pensacola, Florida; Plan Revision

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: On December 19, 1979, the State of Florida submitted to EPA, as a plan revision, an amendment to Section 17-2.05(6) Table II, E, Florida

Administration Code. The amendment allows increasing the opacity emission limit for two boilers owned by Monsanto Textile Company, Pensacola, Florida from 20% to 30% during times when the boilers are burning organic waste materials. EPA proposed to approve the amendment on May 20, 1981 (46 FR 27502). No comments were received during the comment period. EPA is today announcing its approval of this revision.

DATE: This action is effective October 26, 1981.

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

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

Library, Office of the Federal Register, Room 8401, 1100 L Street, NW., Washington, D.C. 20005

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

Florida Bureau of Air Quality Management, Department of Envifonmental Regulations, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32301

FOR FURTHER INFORMATION CONTACT: Denise W. Pack of EPA Region IV's Air Programs Branch at the above address, 404/881-3286 or FTS 257-3286.

SUPPLEMENTARY INFORMATION: For the past several years, Monsanto has been disposing of organic wastes by injection wells. The Company has been conducting an extensive research and development program over the past several years to find an alternative to such disposal. Of the alternatives investigated by the Company, most appear to be either less environmentally sound or less practical than combustion as proposed. Monsanto has conducted test burns of the waste in existing oil-fired boilers at the plant. These tests indicate that existing mass emission rates will not be violated when the waste materials are burned in the boilers; in fact the amounts of total suspended particulates (TSP) and nitrogen dioxide (NO_2) discharged are expected to be at the same levels as those resulting when oil alone is burned. However, the existing opacity standard of 20% cannot be met. Therefore, Monsanto petitioned the Florida Department of Environmental Regulation for an amendment of the limitation for visible emissions to allow disposal as boiler fuel. The amendment does not relax any mass emission limits but allows the higher visible emission limit of 30% opacity during the time that boilers are burning organic waste material previously disposed of in injection wells (a density of 40% opacity is permitted for not more than two minutes in any one hour).

This amendment was adopted by the Florida Environmental Regulation Commission on October 17, 1979.

Since the burning of this material will not cause a violation of the mass emissions limits or adversely impact maintenance of the ambient air quality around the Monsanto Textile Company's Pensacola facility, EPA is today announcing its approval of these revised limits. This action is effective October 26, 1981.

Pursuant to the provisions of 5 U.S.C. 605(b) I hereby certify that the attached rule will not have a significant economic impact on a substantial number of small entities. This action only approves state actions. It imposes no new requirements.

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

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

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

Incorporation by reference of the State Implementation Plan for the State of Florida was approved by the Director of the Federal Register on July 1, 1981.

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

Dated: September 19, 1981.

Anne M. Gorsuch,

Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Subpart K—Florida

1. In § 52.520, is amended by adding paragraph (c)(29) as follows:

§ 52.520 Identification of plan.

* * * * *

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

(29) Revised Opacity Limits for Monsanto Textile Co., Pensacola, Florida, submitted on December 19, 1979, by the Florida Department of Environmental Regulation.

[FR Doc. 81-27922 Filed 9-24-81; 8:45 am]

BILLING CODE 6560-38-M

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40 CFR Part 81

[A-5-FRL 1922-6]

Designation of Areas for Air Quality Planning Purposes; Attainment Status Designations; Ohio, Indiana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) takes final action to approve revisions to the air quality attainment status designations as requested by the Ohio EPA for Henry and Lucas Counties, Ohio and as requested by the State of Indiana Air Pollution Control Board (APCB) for LaPorte County, Indiana. The redesignations change the existing nonattainment status designations as follows: (1) To attainment for total suspended particulates (TSP) for Henry County; (2) to attainment/unclassifiable for carbon monoxide (CO) for Lucas County; and, (3) to attainment for TSP for LaPorte County. This action is taken at the States' requests, after reviewing ambient air monitoring data supporting the revisions, and after publication of notices of proposed rulemaking soliciting public comment on the revisions.

EFFECTIVE DATE: September 25, 1981.

FOR FURTHER INFORMATION CONTACT: Sharon Kraft, Regulatory Analysis Section, U.S. Environmental Protection Agency, Region 5, Air Programs Branch, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 886-6034.

SUPPLEMENTARY INFORMATION:

I. Henry County, Ohio

On November 26, 1980 the State of Ohio submitted to EPA a request to redesignate the existing TSP nonattainment designation for Henry County to attainment. Its request was based on ambient air monitoring data collected during the period January 1978 through June 1980 which showed no violation of TSP National Ambient Air

Quality Standards (NAAQS). EPA reviewed the redesignation request and on May 13, 1981 published a notice of proposed rulemaking at 46 FR 26506. A thirty day public comment period was provided until June 12, 1981. No comments were received; therefore, EPA is redesignating Henry County from nonattainment to attainment.

II. Lucas County, Ohio

On March 21, 1980 the State of Ohio requested EPA to change the designation of Lucas County from nonattainment for CO to attainment. To support its request the State submitted ambient air monitoring data from the years 1977–1979 which showed that there were no violations of the CO NAAQS in Lucas County during this period. EPA reviewed the data submitted in support of the request and on October 17, 1980 proposed to revise the status of Lucas County from nonattainment to unclassifiable (45 FR 68978). A thirty day public comment period was provided until November 17, 1980 and subsequently extended to December 23, 1980.

A. *Public Comments.* EPA received comments from the Toledo Trucking Association, the Toledo Area Committee for Improved Transportation, the Toledo area Chamber of Commerce, the Environmental Services Agency, the Ohio EPA, and Northwestern Ohio Lung Association. Each comment letter is available in the rulemaking docket which is on display during normal business hours for public review at the EPA Region V office. EPA has reviewed each comment and given consideration to all of the comments throughout the development of today's action. Furthermore, EPA has prepared a Technical Support Document which contains a discussion of and Agency response to each comment. This Document is available to the public at the EPA Region V office. Therefore, in a continuing effort to expedite the SIP revision process and reduce **Federal Register** publication costs, only the Agency's final determination is published in this notice.

B. *EPA Final Determination.* EPA has determined that the data submitted by the State of Ohio in support of the redesignation request are sufficient to warrant a redesignation of Lucas County relative to carbon monoxide. Based on its review of the comments, EPA has further determined that its proposed action should remain unchanged. This redesignation will be codified as unclassifiable/attainment in 40 CFR Part 81. Furthermore, as stated in the October 17, 1980 **Federal Register** (68978), there is no longer any need for a CO nonattainment State Implementation Plan revision for Lucas County and the restrictions on industrial growth contained in section 110 (a)(2)(I) of the Clean Air Act (CAA) will now be lifted for carbon monoxide from existing major CO stationary sources.

III. La Porte County, Indiana

On May 21, 1980, the Indiana APCB submitted a request to EPA to revise the existing TSP nonattainment designation of Center, Kankakee, New Durham, Pleasant, and Scipio Townships and the area north and west of I–94 in La Porte County to attainment. APCB supported its request with adequate quality assured ambient air monitoring data which showed no violation of the TSP NAAQS over the most recent eight quarters of time. EPA published a notice of proposed rulemaking revising the designation on June 12, 1981 (46 FR 31027) and solicited public comment through July 13, 1981. One comment was received supporting EPA's action. Since no new issues were raised during the comment period, EPA is revising the nonattainment designations of those areas listed above to attainment. This revision results in an attainment designation for the entire County.

EPA finds that good cause exists for making these three actions immediately effective. The redesignation of an area from nonattainment to attainment relieves a state of the necessity to develop, submit and obtain EPA approval of an implementation plan designed to demonstrate attainment of the applicable NAAQS. By making this final rulemaking immediately effective, some of the restrictions on industrial growth contained in section 110(a)(2)(I) of the CAA will be lifted from the States of Ohio and Indiana if all other requirements are met.

Under Executive Order 12291, EPA must judge whether a regulation is a "major rule" and, therefore, subject to the requirement of a regulatory impact analysis. This action does not constitute a major rule because EPA is revising air quality designations at the request of the States and not imposing new requirements. This action was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

Pursuant to the provisions of 5 U.S.C. 605(b), I certify that the attainment status redesignations under section 107(d) of the CAA will not have a significant economic impact on a substantial number of small entities. This action constitutes attainment status redesignations under section 107(d) of the Clean Air Act.

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

This notice of final rulemaking is issued under the authority of section 107 of the Clean Air Act, as amended (42 U.S.C. 7407).

Dated: September 19, 1981.

Anne M. Gorsuch,

Administrator.

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

Subpart C of Part 81 of Chapter 1, Title 40, Code of Federal Regulations is amended as follows:

1. Within the "Ohio—TSP" portions of § 81.336, Henry County should be revised as follows:

§ 81.336 Ohio.

* * * * * * *

Ohio—*TSP*

Designated areas	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than national standards
* * *	*	*	*	*
Henry				X
* * *	*	*	*	*

2. Within the "Ohio—Carbon Monoxide" portion of § 81.336, Lucas County should be revised as follows:

§ 81.336 Ohio.

* * * * * * *

Ohio—*Carbon Monoxide*

Designated areas	Primary standard exceeded section (d)(1)(A)	Unclassifiable and/or attainment section (d)(1)(E)
* * * * * * *		
Lucas	X	
* * * * * * *		

3. Within the "Indiana—TSP" portion of § 81.315, La Porte County, should be revised as follows:

§ 81.315 Indiana.

* * * * * * *

Indiana—*TSP*

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than national standards
* * * * * * *				
La Porte			X	
* * * * * * *				

[FR Doc. 81-27917 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-38-M

40 CFR Part 86

[EN-FRL 1915-2]

Revised Motor Vehicle Exhaust Emission Standards for Oxides of Nitrogen (NO_x) for 1982 through 1984 Model Year Light-Duty Diesel Vehicles; Summary of Decision and Final Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes NO_x emission standards for 1982, 1983 and 1984 model year light-duty vehicles belonging to 12 diesel engine families for which I have granted waivers from the standard otherwise applicable under section 202(b)(6)(B) of the Clean Air Act, 42 U.S.C. 7521(b)(6)(B). I have determined that these engine families qualify under the statutory criteria for waiver of the NO_x standard in model years 1982, 1983 and 1984 as listed below. This action has the effect of setting interim NO_x standards at the most stringent level that will permit the manufacturers to market these 12 diesel engine families in the model years for which I have granted waivers.

EFFECTIVE DATE: October 26, 1981.

ADDRESS: Information relevant to this rule, including the document embodying my decision on the waiver applications in question, is contained in Public Docket EN-81-7 at the Central Docket Section of the Environmental Protection Agency (EPA), Gallery I, 401 M Street, S.W., Washington, D.C. 20460, and is available for review between the hours of 8:00 a.m. and 4:00 p.m. As provided in 40 CFR Part 2 EPA may charge a reasonable fee for copying services. Interested parties may also obtain the decision document from the Manufacturers Operations Division by contacting Deborah Schloss or Jerry Schwartz, as noted below.

FOR FURTHER INFORMATION CONTACT: Deborah Schloss or Jerry Schwartz, Attorneys/Advisors, Manufacturers Operations Division (EN-340), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, (202) 382-2495.

SUPPLEMENTARY INFORMATION: Section 202(b)(1)(B) of the Clean Air Act (Act), 42 U.S.C. 7521(b)(1)(B), requires that regulations applicable to NO_x emissions from light-duty vehicles or engines manufactured during or after the 1981 model year shall contain standards which provide that such emissions from vehicles or engines shall not exceed 1.0 gram per vehicle mile (g/mi).

Section 202(b)(6)(B) of the Act authorizes the Administrator, upon application by any manufacturer, to waive the statutory NO_x standard for the 1981 through 1984 model years for any class or category of light-duty diesel vehicles or engines for which the Administrator can make the required statutory findings. I must promulgate interim NO_x standards applicable to the subject light-duty diesel engine families for those model years for which I have granted waivers. Applications for these waivers were submitted by BMW of North America, Inc. (BMW); Daimler-Benz, AG (D-B); General Motors Corporation (GM); Isuzu Motors Limited (Isuzu); Jaguar Rover Triumph, Inc. (Jaguar), a subsidiary of BL Cars, Limited; Nissan Motor Co., Ltd. (Nissan); and Regie Nationale des Usines Renault (Renault). At BMW's request, EPA will postpone decision on BMW's waiver application for one diesel engine family to allow BMW to submit further information. The statutory criteria, my determinations with respect to the vehicle models covered by the waiver applications, and my decision to grant the waiver applications appear in a consolidated decision document, which may be obtained as noted above. In that decision, I have granted waivers covering 12 engine families for the 1982, 1983 and 1984 model years.

Waivers Granted

Manufacturer	Model years	Engine family
D-B	1983, 1984	2.4 liter (L)-naturally aspirated (NA).
	1983, 1984	3.0L-turbocharged (TC).
	1984	2.0L-NA.
GM	1983, 1984	1.8L.
	1983, 1984	5.7L.
	1983, 1984	4.3L.
	1983, 1984	EF-C*.
Isuzu	1983, 1984	1.8L.
Nissan	1983, 1984	2.8L.
Renault	1982, 1983, 1984	2.0L.
BL Cars Limited	1983, 1984	2.4L-TC, 3.6L-TC.

*GM requested confidential treatment of the description of engine family "C". Letter accompanying GM Consolidated Application, dated April 27, 1981. This claim of confidentiality is of limited duration and will expire when GM publicly announces its specifications. Letter from T. M. Fisher, GM, to Charles N. Freed, EPA, dated July 22, 1981.

For reasons specified in the decision document, I decided to grant waivers for the 12 engine families listed because I concluded, based on the information contained in the record, that waivers are necessary to permit the use of these diesel engines. Specifically, I have determined that seven diesel engine families, which have already received NO_x waivers for previous model years, need waivers to avoid a significant risk that they will not be able to meet applicable emission standards during the waiver period using technology expected to be available. I have also concluded that there is a substantial risk

that five new engine families will not be able to meet emission standards during the waiver period.

Granting waivers for these engine families will not endanger public health, because there will not be a significant increase in ambient NO_x levels; moreover, denying these waivers could result in the production of diesel vehicles emitting more potentially carcinogenic particulate matter. Finally, the manufacturers have demonstrated that these engine families meet the fuel economy and long-term air quality benefit criteria for waivers.

Having decided to grant waiver applications for 12 diesel engine families, I am simultaneously promulgating regulations adopting emission standards not permitting NO_x emissions of the D–B 2.4L engine family to exceed 1.25 g/mi and the other engine families to exceed 1.5 g/mi in the model years as noted above.

The public has received an opportunity to comment on the waiver applications at issue, and I have considered these comments in making the decision which requires the promulgation of this rule. For this reason, I find that providing notice and an opportunity to comment on this rulemaking before final promulgation would be impracticable and unnecessary.

Because this rulemaking is based on a detailed analysis indicating this rulemaking will have a negligible effect on air quality, EPA has not prepared an Environmental Impact Statement.

Section 3(b) of Executive Order 12291, 46 FR 13193 (February 19, 1981) requires EPA to determine whether a "rule" it intends to issue is a major rule and to prepare Regulatory Impact Analyses (RIA) for all major rules. Section 1(b) of the Order defines "major rule" as any "regulation" (as defined in the Executive Order) 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 has determined that this action is not a "major rule" requiring preparation of an RIA. This decision will not have an annual effect on the economy of $100 million. The manufacturers indicated that cost savings for consumers and manufacturers could result from these waiver grants. Thus, these waiver grants should not have an adverse effect on the economy. Since this action has the effect of relaxing the regulatory requirements for manufacturers, it is unlikely to have an adverse effect on employment, investment or productivity. Because these waiver grants reduce costs for the manufacturers affected, this action will not result in a major increase in costs or prices. This action will not have significant adverse effects on competition or on the ability of United States-based enterprises to compete with foreign-based enterprises, because this action requires all diesel vehicle manufacturers receiving waivers, both foreign and domestic, to produce their vehicles under the same NO_x standard. All domestic and foreign light-duty diesel manufacturers are eligible to apply for a waiver of the NO_x standard for any diesel engine families they produce.

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

Under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, EPA is required to determine whether a regulation will have a significant economic impact on a substantial number of small entities so as to require a regulatory analysis. The interim NO_x standards established by this rulemaking apply to six automobile manufacturers, which do not include a substantial number of "small entities" under the Regulatory Flexibility Act. Therefore, pursuant to 5 U.S.C. 605(b), I hereby certify that this rule will not have a significant economic impact on a substantial number of small entities.

Dated: September 19, 1981.

Anne M. Gorsuch,

Administrator.

PART 86—CONTROL OF AIR POLLUTION FROM NEW MOTOR VEHICLES AND NEW MOTOR VEHICLE ENGINES: CERTIFICATION AND TEST PROCEDURES

Subpart A—General Provisions for Emission Regulations for 1977 and Later Model Year New Light-Duty Vehicles, 1977 and Later Model Year New Light-Duty Trucks, and 1977 and Later Model Year New Heavy-Duty Engines

For the reasons set forth above, 40 CFR 86.082–8(a)(iii) is revised to read as follows:

§ 86.082–8 Emissions standards for 1982 and later model year light-duty vehicles.

(a)(1) * * *

(iii) Oxides of nitrogen—1.0 grams per vehicle mile, except that: (A) oxides of nitrogen emissions from 1982 model year light-duty vehicles manufactured by American Motors Corporation shall not exceed 2.0 grams per vehicle mile; (B) oxides of nitrogen emissions from light-duty diesel vehicles of the following 1982 and later model year engine families shall not exceed the prescribed levels:

Manufacturer and engine family	Model years	Standard (g/mi)
General Motors Corp:		
1.8 liter (L)	1982, 1983, 1984	1.5
4.3L	1982, 1983, 1984	1.5
5.7L	1982, 1983, 1984	1.5
EF–C	1983, 1984	1.5
Daimler-Benz AG:		
2.0L	1984	1.5
2.4L-naturally aspirated (NA)	1981, 1982, 1983, 1984	1.5 1.25
2.4L-turbocharged (TC)	1983, 1984	1.5
3.0L-NA	1982	1.5
3.0L-TC	1982, 1983, 1984	1.5
AB Volvo: 2.4L-NA	1982	1.5
Peugeot:		
2.3L-TC-XD2S	1982	1.5
2.3L-NA-X2DC	1982	1.2
Volkswagen AG:		
1.6L-NA-2250 pound inertia weight class (I.W.)	1982	1.3
1.6L-TC-2250 I.W.	1982	1.3
1.6L-NA-2500 I.W.	1982	1.4
1.6L-TC-2500 I.W.	1982	1.4
1.6L-NA-2750 I.W.	1982	1.4
1.6L-TC-2750 I.W.	1982	1.4
2.0L-NA-3000 I.W.	1982	1.5
2.0L-TC-3000 I.W.	1982	1.5
Nissan Motor Company: 2.8L	1982, 1983, 1984	1.5
Isuzu Motors Ltd.: 1.8L	1982, 1983, 1984	1.5
Reanult: 2.0L	1982, 1983, 1984	1.5
BL Cars, Ltd:		
2.4L-TC	1983, 1984	1.5
3.6L-TC	1983, 1984	1.5

* * * * *

(Secs. 202 and 301(a) of the Clean Air Act, as amended, 42 U.S.C. 7521, 7601 (a)(Supp. I 1977))

[FR Doc. 81–27790 Filed 9–24–81; 8:45 am]

BILLING CODE 6560–33–M

40 CFR Part 180

[PH–FRL–1940–3; PP 1E2443/PP 1E2444/R345]

Glyphosate; Establishment of Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes tolerances for the combined residues of the herbicide glyphosate and its metabolite aminomethylphosphonic acid. This regulation was requested by the Interregional Research Project No. 4 (IR–4). This regulation establishes the

maximum permissible level for the combined residues of the herbicide and its metabolite in or on guavas and papayas at 0.2 part per million (ppm).

EFFECTIVE DATE: Effective on September 25, 1981.

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

FOR FURTHER INFORMATION CONTACT: Donald Stubbs, Registration Division (TS–767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 502B, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202 (703–557–7123).

SUPPLEMENTARY INFORMATION: EPA issued a notice that was published in the **Federal Register** of July 20, 1981 (46 FR 37290) that the Interregional Research Project No. 4 (IR–4), New Jersey Agricultural Experiment Station, PO Box 231, Rutgers University, New Brunswick, NJ 08903, had submitted pesticide petition numbers 1E2443 and 1E2444 to EPA on behalf of the IR–4 Technical Committee and the Agricultural Experiment Station of Hawaii.

These petitions requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act, establish tolerances for the combind residues of the herbicide glyphosate [*N*-(phosphonomethyl)glycine] and its metabolite aminomethylphosphonic acid in or on the raw agricultural commodities guavas and papayas at 0.2 ppm.

The data submitted in the petition and all other relevant material have been evaluated. The pesticide is considered useful for the purpose for which the tolerances are sought. It is concluded that the tolerances will protect the public health. Therefore, 40 CFR Part 180 is amended as set forth below.

Any person adversely affected by this regulation may, on or before October 26, 1981, file written objections with the Hearing Clerk, Environmental Protection Agency, Rm. M–3708, (A–110), 401 M St., SW, Washington, DC 20460. Such objections must be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

As required by Executive Order 12291, EPA has determined that this rule is not a "Major" rule and therefore does not require a Regulatory Impact Analysis. In addition, the Office of Management and Budget (OMB) has exempted this regulation from the OMB review requirement of Executive Order 12291, pursuant to section 8(b) of that Order.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96–534, 94 Stat. 1164, 5 U.S.C. 601–612), the Administrator has determined that the regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

Effective on: September 25, 1981.

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

Dated: September 15, 1981.

Edwin L. Johnson,

Deputy Assistant Administrator for Pesticide Programs.

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

Therefore, 40 CFR 180.364 is amended by alphabetically inserting "guavas" and "papayas" to read as follows:

§ 180.364 Glyphosate; tolerances for residues.

* * * * *

Commodity	Parts per million
* * * * *	
Guavas	0.2
* * * * *	
Papayas	0.2
* * * * *	

[FR Doc. 81–27921 Filed 9–24–81; 8:45 am]

BILLING CODE 6560–32–M

40 CFR Part 180

[PH–FRL–1939–8; PP 1F2456/R349]

O,O-Diethyl-O-Phenylphosphorothioate; Establishment of Exemption From Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes an exemption from the requirement of a tolerance for the inert ingredient O,O-diethyl-O-phenylphosphorothioate when used in formulations with the herbicide S-ethyldipropylthiocarbamate applied to corn fields before the corn plants emerge. This regulation was requested by Stauffer Chemical Co.

EFFECTIVE DATE: Effective on September 25, 1981.

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

FOR FURTHER INFORMATION CONTACT: Robert J. Taylor, Product Manager (PM) 25, Registration Division (TS–767C), Office of Pesticide Programs, Environmental Protection Agency, Rm 412E, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202 (703–557–7066).

SUPPLEMENTARY INFORMATION: EPA issued a notice that published in the **Federal Register** of May 7, 1981 (46 FR 25542) that Stauffer Chemical Co., 1200 S. 47th St., Richmond, CA 94804, had filed a pesticide petition (PP 1F2456) with the EPA. This petition proposed the establishment of an exemption from the requirement of a tolerance for O,O-diethyl-O-phenylphosphorothioate when used in formulations with the herbicide S-ethyldipropylthiocarbamate applied to corn fields before the corn plants emerge from the soil and according to the following restrictions: O,O-diethyl-O-phenylphosphorothioate (R–33865) as an inert ingredient in herbicide formulations with a maximum of 1 pound R–33865 per acre.

No comments or requests for referral to an advsiory committee were received in response to this notice of filing.

The data submitted in the petition and other relevant material have been evaluated. The toxicology data evaluated included acute oral LD_{50} studies in rats with LD_{50}'s of 740 milligrams (mg)/kilogram (kg) for males and 580 mg/kg for females; an acute dermal LD_{50} study in rabbits with an LD_{50} greater than 5 grams (g)/kg; a primary dermal irritation study in rabbits with minimal edema and erythema; acute inhalation studies in rats with LC_{50}'s of 3.5 mg/liter (1) for males and 2.7 mg/1 for females; mutagencity—Ames test (negative); mutagenic (mouse lymphoma)—negative; mutagenic (transformation of BALB/3TC)—negative; mutagenic (sister chromatid exchange)—negative; mutagenicity (Ames) (weak positive with TA–1535, negative with other strains); primary eye irritation study in rabbits with Draize equaling zero; 90-day rat studies with no-observed-effect levels (NOEL's) of 100 ppm (systemic and cholinesterase (ChE)); a 6-month dog feeding study with a NOEL of 1.0 mg/kg/day (systemic and ChE); and a

neurotoxicity with hens with a NOEL of 2,500 mg/kg.

There are no desirable data lacking, therefore, there are no actions being taken to obtain additional data. No previous exemptions have been established for this inert.

A theoretical allowable daily intake (ADI) can be calculated based on the subchronic dog feeding study with a NOEL of 1.0 mg/kg/day and a 1000 fold safety factor. Based on a worst case residue estimate of 0.05 ppm on corn, approximately 3 percent of the theoretical ADI would be utilized by this action.

There are no regulatory actions pending against the inert and no Rebuttable Presumption Against Registration (RPAR) criteria have been exceeded. The metabolism of O,O-diethyl-O-phenylphosphorothioate is adequately delineated. An analytical method (gas chromatography using a nitrogen-phosphorous flame ionization detector) is available for determining residues of R-33865. However, regulatory action is not anticipated in the case of the proposed exemption. Since no detectable residues are expected in corn from the proposed use, residues are not expected in meat, milk, poultry, or eggs.

It is concluded that the exemption from the requirement of a tolerance will protect the public health.

Any person adversely affected by this regulation may, on or before October 26, 1981, file written objections with the Hearing Clerk, EPA, Rm. M-3708 (A-110), 401 M St., SW., Washington, DC 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

As required by Executive Order 12291, EPA has determined that this rule is not a "Major" rule and therefore does not require a Regulatory Impact Analysis. In addition, the Office of Management and Budget (OMB) has exempted this regulation from the OMB review requirements of Executive Order 12291, pursuant to section 8(b) of that Order.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-534, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

Effective on: September 25, 1981.

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

Dated: September 14, 1981.

Edwin L. Johnson,

Deputy Assistant Administrator for Pesticide Programs.

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

Therefore, 40 CFR Part 180 is amended by adding § 180.1066 to read as follows:

§ 180.1066 O,O-diethyl-O-phenylphosphorothioate; exemption from the requirement of tolerance.

O,O-diethyl-O-phenylphosphorothioate, applied at a maximum of 1 pound per acre, is exempted from the requirement of a tolerance when used as a inert ingredient in formulations with the herbicide S-ethyldipropylthiocarbamate applied to corn fields before the corn plants emerge from the soil.

[FR Doc. 81-27919 Filed 9-24-81; 8:45 am]

BILLING CODE 6560-32-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6139]

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

AGENCY: Federal Emergency Management.

ACTION: Final rule.

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

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

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

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, National Flood Insurance Program, (202) 287-0270 or EDS Toll Free Line 800-638-6620 for Continental U.S. (except Maryland); 800-638-6831 for Alaska, Hawaii, Puerto Rico, and the Virgin Islands; and 800-492-6605 for Maryland; 500 C Street Southwest, Donohoe Building—Room 505, Washington, DC 20472.

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

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

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

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

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice

stating the community's status in the NFIP and imposes no new requirements or regulations on participating communities.

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

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

§ 64.6 List of eligible communities.

State and county	Location	Community number	Effective date of authorization of sale of flood insurance for area	Hazard area identified
California: Sonoma	Santa Rosa, city of	060381	Jan. 16, 1975 emergency, Aug. 3, 1981 regular	July 26, 1974.
Georgia: Ware	Waycross, city of	130186	Jan. 10, 1974 emergency, Aug. 3, 1981 regular	May 24, 1974.
Iowa:				
Story	Nevada, city of	190256	Nov. 25, 1974 emergency, Aug. 3, 1981 regular	June 28, 1974.
Pottawattamie	Oakland, city of	190237	May 30, 1975 emergency, Aug. 3, 1981 regular	Jan. 9, 1974.
Montgomery	Red Oak, city of	190210	Aug. 22, 1974 emergency, Aug. 3, 1981 regular	June 28, 1974.
Illinois:				
Kane	Geneva, city of	170325	Sept. 26, 1974 emergency, Aug. 3, 1981 regular	Aug. 9, 1974.
Cook	Lynwood, village of	170119	Jan. 30, 1975 emergency, Aug. 3, 1981 regular	Apr. 12, 1974.
Indiana:				
Adams	Adams County [1]	180424	Aug. 25, 1975 emergency, Aug. 3, 1981 regular	Aug. 26, 1977.
Cass	Cass County [1]	180022	June 12, 1975 emergency, Aug. 3, 1981 regular	Jan. 10, 1975.
Clark	Clarksville, town of	180026	Oct. 15, 1971 emergency, Aug. 3, 1981 regular	June 14, 1974.
Howard	Kokomo, city of	180093	Feb. 19, 1975 emergency, Aug. 3, 1981 regular	Dec. 17, 1973.
Kentucky: Greenup	South Shore, city of	210091	Sept. 8, 1975 emergency, Aug. 3, 1981 regular	Feb. 1, 1974.
Louisiana:				
Vermilion parish	Abbeville, city of	220264	July 1, 1974 emergency, Aug. 3, 1981 regular	Mar. 15, 1974.
St. Landry parish	Opelousas, city of	220173	Dec. 12, 1974 emergency, Aug. 3, 1981 regular	June 14, 1974.
Michigan:				
Lapeer	Almont, village of	260311	Aug. 14, 1975 emergency, Aug. 3, 1981 regular	May 10, 1974.
Bay	Pinconning, city of	260607	Mar. 17, 1975 emergency, Aug. 3, 1981 regular	Mar. 18, 1977.
Macomb	Sterling Heights, city of	260128	Jan. 12, 1973 emergency, Aug. 3, 1981 regular	June 29, 1973.
Missouri:				
New Madrid	Matthews, city of	290254	Apr. 14, 1975 emergency, Aug. 3, 1981 regular	May 17, 1974.
Do	North Lilbourn, village of	290257	Apr. 21, 1975 emergency, Aug. 3, 1981 regular	Feb. 6, 1976.
Do	Risco, city of	290260	Sept. 3, 1975 emergency, Aug. 3, 1981 regular	Apr. 18, 1975.
North Carolina:				
Edgecombe	Edgecombe County [1]	370087	Aug. 6, 1975 emergency, Aug. 3, 1981 regular	Nov. 29, 1974.
Catawba	Hickory, city of	370054	Sept. 23, 1975 emergency, Aug. 3, 1981 regular	Sept. 13, 1974.
Nebraska: Madison	Madison, city of	310240	Sept. 6, 1974 emergency, Aug. 3, 1981 regular	Sept. 6, 1974.
New Jersey:				
Monmouth	Atlantic Highlands, borough of	340286	June 19, 1975 emergency, Aug. 3, 1981 regular	Feb. 20, 1976.
Hunterdon	Califon, borough of	340232	Sept. 18, 1974 emergency, Aug. 3, 1981 regular	Sept. 13, 1974.
New York:				
Onondaga	Camillus, village of	360571	July 17, 1974 emergency, Aug. 3, 1981 regular	July 30, 1976.
Monroe	Churchville, village of	360999	Aug. 1, 1975 emergency, Aug. 3, 1981 regular	June 28, 1974.
Steuben	Corning, town of	360773	Mar. 23, 1973 emergency, Aug. 3, 1981 regular	Sept. 14, 1973.
Erie	Depew, village of	360236	Dec. 24, 1974 emergency, Aug. 3, 1981 regular	Feb. 22, 1974.
Onondaga	East Syracuse, village of	360574	July 23, 1975 emergency, Aug. 3, 1981 regular	Apr. 12, 1974.
Broome	Fenton, town of	360046	June 12, 1975 emergency, Aug. 3, 1981 regular	May 3, 1974.
Chenango	Greene, town of	361087	Jan. 12, 1976 emergency, Aug. 3, 1981 regular	Dec. 27, 1974.
Do	Greene, village of	360159	Mar. 4, 1977 emergency, Aug. 3, 1981 regular	Feb. 20, 1976.
Monroe	Hilton, village of	360420	Nov. 15, 1974 emergency, Aug. 3, 1981 regular	Mar. 8, 1974.
Genesee	Le Roy, village of	360281	Oct. 9, 1974 emergency, Aug. 3, 1981 regular	Do.
Rockland	Piermont, village of	360687	Nov. 8, 1974 emergency, Aug. 3, 1981 regular	Mar. 15, 1974.
Seneca	Seneca Falls, town of	360756	June 20, 1975 emergency, Aug. 3, 1981 regular	June 28, 1974.
Rensselaer	Stephentown, town of	361170	May 13, 1977 emergency, Aug. 3, 1981 regular	Dec. 20, 1974.
Cayuga	Sterling, town of	360126	Nov. 26, 1976 emergency, Aug. 3, 1981 regular	July 26, 1974.
Seneca	Waterloo, village of	360760	July 24, 1975 emergency, Aug. 3, 1981 regular	May 31, 1974.
Wyoming	Wyoming, village of	360952	July 21, 1976 emergency, Aug. 3, 1981 regular	May 17, 1974.
South Carolina: Cherokee	Gaffney, city of	450046	Feb. 11, 1974 emergency, Aug. 3, 1981 regular	June 28, 1974.
Tennessee: Sumner	Gallatin, city of	470185	May 27, 1975 emergency, Aug. 3, 1981 regular	Aug. 16, 1974.
Texas:				
De Witt	Cuero, city of	480196	Oct. 16, 1974 emergency, Aug. 3, 1981 regular	May 3, 1974.
Bell	Harker Heights, city of	480029	Nov. 27, 1974 emergency, Aug. 3, 1981 regular	May 24, 1974.
Do	Holland, city of	480030	May 27, 1975 emergency, Aug. 3, 1981 regular	June 14, 1974.
Do	Killeen, city of	480031	Dec. 10, 1974 emergency, Aug. 3, 1981 regular	Nov. 1, 1974.
Dallas	Lancaster, city of	480182	May 28, 1974 emergency, Aug. 3, 1981 regular	June 7, 1974.
Washington: King	Tukwila, city of	530091	Apr. 2, 1975 emergency, Aug. 3, 1981 regular	May 24, 1974.
Wisconsin:				
Oconto	Oconto, city of	550297	Sept. 17, 1973 emergency, Aug. 3, 1981 regular	Dec. 28, 1973.
Brown	Pulaski, village of	550024	Feb. 27, 1976 emergency, Aug. 3, 1981 regular	May 24, 1974.
Monroe	Sparta, city of	550290	Apr. 15, 1975 emergency, Aug. 3, 1981 regular	Jan. 9, 1974.
Arizona:				
Pinal	Florence, town of	040084	Aug. 8, 1975 emergency, Aug. 17, 1981 regular	May 3, 1974.
Do	Kearny, town of	040085	Aug. 15, 1975 emergency, Aug. 17, 1981 regular	Nov. 30, 1973.
Florida:				
Lee	Cape Coral, city of	125095	July 2, 1971 emergency, Aug. 17, 1981 regular	Mar. 27, 1975.
Pasco	Dade City, city of	120231	May 2, 1975 emergency, Aug. 17, 1981 regular	Jan. 16, 1974.
Do	New Port Richey, city of	120232	Dec. 12, 1974 emergency, Aug. 17, 1981 regular	Do.
Do	Port Richey, city of	120234	Aug. 30, 1974 emergency, Aug. 17, 1981 regular	Do.
Bay	Springfield, city of	120014	May 1, 1975 emergency, Aug. 17, 1981 regular	July 19, 1974.
St. Lucie	St. Lucie County [1]	120285	May 31, 1974 emergency, Aug. 17, 1981 regular	Jan. 24, 1975.
Illinois: Kane	Carpentersville, village of	170322	Sept. 25, 1974 emergency, Aug. 17, 1981 regular	Mar. 22, 1974.
Indiana:				
La Porte	Michigan City, city of	180147	Mar. 20, 1975 emergency, Aug. 17, 1981 regular	July 19, 1974.
St. Joseph	Mishawaka, city of	180227	Feb. 24, 1975 emergency, Aug. 17, 1981 regular	Dec. 28, 1974.
Kansas: Sedgwick	Haysville, city of	200324	Jan. 17, 1975 emergency, Aug. 17, 1981 regular	June 28, 1974.
Massachusetts: Hampshire	Ware, town of	250172	Jan. 27, 1975 emergency, Aug. 17, 1981 regular	Do.
Maine:				
Cumberland	South Portland, city of	230053	Oct. 15, 1974 emergency, Aug. 17, 1981 regular	Feb. 22, 1974.

State and county	Location	Community number	Effective date of authorization of sale of flood insurance for area	Hazard area identified
Sagadahoc	West Bath, town of	230211	June 14, 1976 emergency, Aug. 17, 1981 regular	Jan. 3, 1975.
Michigan: Wayne	Trenton, city of	260244	Mar. 30, 1973 emergency, Aug. 17, 1981 regular	May 10, 1974.
Missouri:				
New Madrid	Lilbourn, city of	290252	June 25, 1975 emergency, Aug. 17, 1981 regular	May 17, 1974.
Do	Marston, city of	290253	Aug. 8, 1975 emergency, Aug. 17, 1981 regular	May 24, 1974.
Do	Parma, city of	290256	July 24, 1975 emergency, Aug. 17, 1981 regular	Mar. 29, 1974.
Mississippi: Hinds	Clinton, city of	280071	Jan. 15, 1974 emergency, Aug. 17, 1981 regular	June 14, 1974.
Nebraska:				
Dodge	Dodge county [1]	310066	Apr. 18, 1975 emergency, Aug. 17, 1981 regular	Aug. 16, 1977.
Adams	Hastings, city of	310001	July 24, 1974 emergency, Aug. 17, 1981 regular	May 10, 1974.
New Jersey: Passaic	Little Falls, township of	340401	July 6, 1973 emergency, Aug. 17, 1981 regular	Dec. 28, 1973.
New York:				
Broome	Chenango, town of	360040	July 15, 1975 emergency, Aug. 17, 1981 regular	Mar. 8, 1974.
Westchester	North Tarrytown, village of	361515	Sept. 12, 1975 emergency, Aug. 17, 1981 regular	Dec. 13, 1974.
Erie	Tonawanda, town of	360260	July 28, 1975 emergency, Aug. 17, 1981 regular	June 7, 1974.
Ohio:				
Cuyahoga	Euclid, city of	390107	July 3, 1975 emergency, Aug. 17, 1981 regular	Apr. 5, 1974.
Do	Middleburg Heights, city of	390117	Jan. 20, 1975 emergency, Aug. 17, 1981 regular	Jan. 16, 1974.
Do	Parma Heights, city of	390124	Jan. 24, 1975 emergency, Aug. 17, 1981 regular	Mar. 22, 1974.
Do	Parma, city of	390123	Apr. 10, 1975 emergency, Aug. 17, 1981 regular	May 17, 1974.
Do	South Euclid, city of	390131	Aug. 5, 1974 emergency, Aug. 17, 1981 regular	May 22, 1974.
Do	Warrensville Heights, city of	390135	July 7, 1975 emergency, Aug. 17, 1981 regular	Mar. 15, 1974.
Oklahoma: Tulsa	Broken Arrow, city of	400236	Nov. 27, 1974 emergency, Aug. 17, 1981 regular	Oct. 18, 1977.
Oregon: Linn	Brownsville, city of	410138	Aug. 19, 1974 emergency, Aug. 17, 1981 regular	Dec. 7, 1973.
Pennsylvania:				
Bradford	Towanda, township of	421113	Apr. 4, 1977 emergency, Aug. 17, 1981 regular	July 26, 1974.
Montgomery	Upper Frederick, township of	421916	Nov. 15, 1974 emergency, Aug. 17, 1981 regular	Dec. 20, 1974.
Rhode Island: Newport	Little Compton, town of	440035	May 9, 1975 emergency, Aug. 17, 1981 regular	July 19, 1974.
Texas:				
Washington	Brenham, city of	480648	Dec. 31, 1974 emergency, Aug. 17, 1981 regular	May 24, 1974.
Navarro	Corsicana, city of	480498	Dec. 19, 1974 emergency, Aug. 17, 1981 regular	Dec. 27, 1974.
Brooks	Falfurrias, city of	480086	June 2, 1977 emergency, Aug. 17, 1981 regular	Jan. 23, 1974.
Utah:				
Box Elder	Brigham City, city of	490006	Nov. 1, 1974 emergency, Aug. 17, 1981 regular	June 7, 1974.
Davis	Farmington, city of	490044	May 13, 1975 emergency, Aug. 17, 1981 regular	June 28, 1974.
Do	Fruit Heights, city of	490045	May 11, 1977 emergency, Aug. 17, 1981 regular	Mar. 18, 1977.
Virginia: Wise	Wise County [1]	510174	Oct. 30, 1974 emergency, Aug. 17, 1981 regular	July 11, 1975.
Washington: Klickitat	Goldendale, city of	530101	Aug. 5, 1974 emergency, Aug. 17, 1981 regular	May 24, 1974.
Wisconsin:				
Washington	Jackson, village of	550530	Apr. 2, 1975 emergency, Aug. 17, 1981 regular	Dec. 28, 1973.
Monroe	Tomah, city of	550291	May 27, 1975 emergency, Aug. 17, 1981 regular	May 31, 1974.
West Virginia: Cabell	Huntington, city of	540018	Sept. 27, 1973 emergency, Aug. 17, 1981 regular	May 6, 1977.
Vermont: Orleans	Newport, city of	500086	Aug. 19, 1981 emergency, Aug. 17, 1981 regular	Dec. 13, 1977.

[1] Unincorporated areas.
Total is 101.

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

Issued: September 18, 1981.

John E. Dickey,

Acting Associate Director, State and Local Programs and Support.

[FR Doc. 81-27730 Filed 9-24-81; 8:45 am]

BILLING CODE 6718-03-M

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44 CFR Part 64

[Docket No. FEMA 6140]

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

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

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

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

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

FOR FURTHER INFORMATION CONTACT: Mr. Richard W. Krimm, National Flood Insurance Program, (202) 287-0184 or EDS Toll Free Line 800-638-6620 for Continental U.S. (except Maryland); 800-638-6831 for Alaska, Hawaii, Puerto Rico, and the Virgin Islands; and 800-492-6605 for Maryland. 500 C Street Southwest, Donohoe Building—Room 506, Washington, DC 20472.

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

In addition, the Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the sixth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, requires the purchase of flood

insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard area shown on the map.

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

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

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule, if promulgated will not have a significant economic impact on a substantial number of small entities.

This rule provides routine legal notice stating the community's status in the NFIP and imposes no new requirements or regulations on participating communities.

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

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

§ 64.6 List of eligible communities.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
Connecticut: New Haven	Ansonia, city of	090071B	Sept. 2, 1981, suspension withdrawn	May 3, 1974 and Mar. 11, 1977.
Florida:				
Sarasota	North Port, city of	120279B	do	June 10, 1977.
Manatee	Palmetto, city of	120159B	do	July 19, 1974 and Feb. 20, 1976.
Illinois:				
Sangamon	Chatham, village of	170601C	do	Nov. 16, 1973, June 11, 1976, and June 8, 1979.
Winnebago	Durand, village of	170789B	do	Apr. 5, 1974 and Jan. 2, 1976.
Lake	Lake Villa, village of	170375B	do	May 3, 1974 and Sept. 19, 1975.
Sangamon	Pleasant Plains, village of	170798B	do	Mar. 22, 1974 and May 14, 1976.
Kane and Du Page	St. Charles, city of	170330C	do	Mar. 15, 1974, June 4, 1976, and Dec. 17, 1976.
Indiana: Lake	Unincorporated areas	180126B	do	Dec. 6, 1974 and June 24, 1977.
Louisiana: Ascension Parish	Unincorporated areas	220013B	do	Dec. 12, 1978.
Maine: Cumberland	Windham, town of	230189B	do	Jan. 10, 1975 and Oct. 22, 1976.
Minnesota:				
Crow Wing	Crosby, city of	270094B	do	June 28, 1974 and Aug. 6, 1976.
Fillmore	Lanesboro, city of	270126B	do	May 24, 1974 and June 4, 1976.
Steele	Medford, city of	270462B	do	Apr. 12, 1974 and May 28, 1976.
Rice	Northfield, city of	270406B	do	Mar. 29, 1974 and Feb. 6, 1976.
Norman	Shelly, city of	270327B	do	Aug. 16, 1974 and Mar. 19, 1976.
Fillmore	Spring Valley, city of	270132B	do	May 17, 1974 and Aug. 13, 1976.
Montana: Big Horn	Unincorporated areas	300143B	do	Feb. 2, 1978.
New Jersey:				
Bergen	Ramsey, borough of	340064B	do	Jan. 9, 1974 and Dec. 31, 1976.
Essex	Roseland, borough of	340193B	do	June 21, 1973 and Mar. 19, 1976.
New York:				
Rockland	Haverstraw, village of	360662C	do	Apr. 12, 1974, June 11, 1976, and June 3, 1977.
Wayne	Huron, town of	360892B	do	Sept. 6, 1974 and Jan. 16, 1976.
Pennsylvania:				
Adams	Abbottstown, borough of	421157A	do	Nov. 8, 1974.
Beaver	Fallston, borough of	420110B	do	Feb. 8, 1974 and May 28, 1976.
Blair	Frankstown, township of	421387A	do	June 15, 1981.
Montgomery	Marlborough, township of	421913B	do	Nov. 1, 1974, July 2, 1976, and Jan. 3, 1975.
Lebanon	North Lebanon, township of	421131B	do	July 19, 1974 and July 2, 1976.
York	Paradise, township of	420934B	do	Sept. 14, 1973 and July 15, 1977.
Lancaster	Penn, township of	421778B	do	May 31, 1974 and Aug. 13, 1976.
Columbia	Scott, township of	421004B	do	Apr. 12, 1974 and Jan. 7, 1977.
South Carolina: Richland	Columbia, city of	450172B	do	June 28, 1974 and Oct. 22, 1976.
South Dakota: Lawrence	Spearfish, city of	460046B	do	Mar. 27, 1974 and June 4, 1976.
Texas:				
Travis	Austin, city of	480624B	do	Sept. 13, 1974 and May 31, 1977.
Waller	Brookshire, city of	481097B	do	May 12, 1977.
Virginia:				
	Colonial Heights, city of	510039B	do	June 14, 1974 and Sept. 17, 1976.
Hanover	Unincorporated areas	510237A	do	Dec. 13, 1974.
Page	Luray, town of	510110B	do	Apr. 5, 1974 and Jan. 16, 1976.
	Salem, city of	510141C	do	Apr. 12, 1974, June 18, 1976, and July 22, 1977.
Washington:				
Thurston	Bucoda, town of	530189B	do	Nov. 15, 1974 and Oct. 24, 1975.
Pierce	Gig Harbor, town of	530142B	do	June 28, 1974 and Dec. 26, 1975.
Pennsylvania: Juniata	Thompsontown, borough of	420521B	July 7, 1975, emergency, May 19, 1981, regular, May 19, 1981, suspended, Sept. 1, 1981, reinstated.	Apr. 12, 1974 and Mar. 5, 1976.
Michigan: Huron	Elkton, village of	260569	Sept. 3, 1981, emergency	Oct. 3, 1975.
Minnesota: Hennepin	Hassan, township of	270678B	Apr. 14, 1975, emergency, Mar. 16, 1981, regular, Mar. 16, 1981, suspended, Sept. 3, 1981, reinstated.	Feb. 10, 1978.
New York: Seneca	Seneca Falls, village of	360757B	May 30, 1975, emergency, Aug. 3, 1981, regular, Aug. 3, 1981, suspended, Sept. 4, 1981, reinstated.	Apr. 12, 1974 and Jan. 9, 1976.
North Carolina: Randolph	Archdale, city of	370273B	May 27, 1975, emergency, July 16, 1981, regular, July 16, 1981, suspended, Sept. 8, 1981, reinstated.	June 10, 1977.
New Jersey: Salem	Pittsgrove, township of	340421A	Sept. 8, 1981, emergency	Dec. 3, 1976.
Pennsylvania: Perry	Toboyne, township of	421959A	do	June 30, 1976.
California: Siskiyou	Weed, city of	060649B	Sept. 10, 1981, emergency	Jan. 20, 1981.
Michigan: Shiawassee	Shiawassee, township of	260523	do	Oct. 10, 1975.
Montana: Golden Valley	Lavina, town of	300031	do	Jan. 24, 1975.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
Tennessee: Shelby	Arlington, town of	470262A	Sept. 10, 1981, emergency, Sept. 10, 1981, regular.	July 25, 1975 and June 15, 1981.
Texas:				
Ector	Unincorporated areas	480796A	Sept. 11, 1981, emergency	Nov. 29, 1977.
Fort Bend	Richmond, City of	480231A	Sept. 21, 1981, emergency, Sept. 11, 1981, withdrawn.	June 28, 1974.

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

Issued: September 15, 1981.

John E. Dickey,

Acting Associate Director, State and Local Programs and Support.

[FR Doc. 81-27731 Filed 9-24-81; 8:45 am]

BILLING CODE 6718-03-M

FEDERAL MARITIME COMMISSION

46 CFR Part 527

OMB Clearance Information; Correction

AGENCY: Federal Maritime Commission.

ACTION: Final rule; correction.

SUMMARY: This document corrects a paragraph designation contained in final rules reflecting OMB clearance requirements which were published August 25, 1981 (46 FR 42869 and 42870).

FOR FURTHER INFORMATION CONTACT: Francis C. Hurney, Secretary, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, (202) 523–5725.

SUPPLEMENTARY INFORMATION: Accordingly, the following corrections are made in FR Doc. 81–24669 appearing on 42869 in the issue of August 25, 1981:

On Page 42869, Col. 3, Part 527, the amendatory language for § 527.1 is corrected to read:

"(b) Add a new paragraph (c) to § 527.1 to read as follows:"

Francis C. Hurney,

Secretary.

[FR Doc. 81-27952 Filed 9-24-81; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 13, 73, 74

[Docket No. 20817]

Radio Operator Licensing Program; Correction

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: This document corrects several inadvertent omissions and errors in the texts of the amended rules relating to the F.C.C. radio operator licensing program which were published July 8, 1981 (46 FR 35450).

FOR FURTHER INFORMATION CONTACT: John W. Reiser, Broadcast Bureau, (202) 632–9660.

SUPPLEMENTARY INFORMATION:

Erratum

Released: September 21, 1981.

In the matter of an inquiry relating to the Commission's radio operator Licensing Program, Docket No. 20817.

In the above captioned Fourth Report and Order, FCC 81–266, adopted June 16, 1981, and published in the **Federal Register** July 8, 1981, at 46 FR 35450, several errors and omissions appear in the text of the Appendix setting forth the amended rules. The following corrections are required:

1. The final rules are corrected at 46 FR 35461, center column, by inserting between text paragraphs 8 and 9 the following two paragraphs designated as 8a and 8b:

PART 13—COMMERCIAL RADIO OPERATIONS

8a. Section 13.26 is revised in its entirety to read as follows:

§13.26 Cancellation of previous licenses.

When an applicant is issued a commercial radio operator license, other commercial radio operator licenses held by that applicant will be cancelled in accordance with the following:

Licensed issued	License(s) cancelled
Radiotelegraph First Class Operator License.	Radiotelegraph Second Class Operator License; Radiotelegraph Third Class Operator Permit; Radiotelephone Third Class Operator Permit; Marine Radio Operator Permit, Restricted; Radiotelephone Operator Permit.
Radiotelegraph Second Class Operator License.	Radiotelegraph Third Class Operator Permit; Radiotelephone Third Class Operator Permit; Marine Radio Operator Permit, Restricted; Radiotelephone Operator Permit.
Radiotelegraph Third Class Operator Permit.	Radiotelegraph Third Class Operator Permit; Marine Radio Operator Permit, Restricted; Radiotelephone Operator Permit.
General Radiotelephone Operator License.	Radiotelephone First Class Operator License; Radiotelephone Second Class Operator License; Radiotelephone Third Class Operator Permit; Marine Radio Operator Permit, Restricted; Radiotelephone Operator Permit.
Marine Radio Operator Permit.	Radiotelephone Third Class Operator Permit.

8b. Section 13.28 is amended by adding a new paragraph (d), and a Note following that paragraph, as follows:

§ 13.28 License renewals.

* * * * *

(d) The Radiotelephone First and Second Class Operator Licenses will not be renewed as such. Persons holding either of these two licenses may be issued a General Radiotelephone Operator License upon renewal.

Note.—Until further notice implementing the full provisions of the Fourth Report and Order in Docket Number 20817, adopted on June 16, 1981, the Commission will continue to issue renewal Radiotelephone First and Second Class Operator Licenses, notwithstanding the provisions of paragraph (d) above.

PART 73—RADIO BROADCAST SERVICES

§ 73.144 [Corrected]

2. The final rules are corrected at 46 FR 35462, first column, by changing the words "system" to "systems" in the headnote of § 73.144.

§ 73.1580 [Corrected]

3. The final rules are corrected at 46 FR 35463, center column, by changing the section reference "§ 73.1830(a)(i)(ix)" to "§ 73.1830(a)(1)(ix)".

§ 73.1870 [Corrected]

4. The final rules are corrected at 46 FR 35464, first column, by changing the phrase "make any necessary repairs" to "initiate any necessary repairs" in the text of paragraph (c)(1) in § 73.1870.

PART 74—EXPERIMENTAL, AUXILIARY, AND SPECIAL BROADCAST AND OTHER PROGRAM DISTRIBUTIONAL SERVICES

§ 74.533 [Corrected]

5. The final rules are corrected at 46 FR 35464, third column, by changing the number "3" to the number "30" in paragraph (b)(4) of § 74.533.

§ 74.634 [Corrected]

6. The final rules are corrected at 46 FR 35464, third column, by changing the phrase "§§ 74.18 or 74.655" to read "§§ 74.18 or 74.665" in paragraph (a)(1) of § 74.634.

7. The final rules are corrected at 46 FR 35465, middle column, by inserting paragraph (b) between paragraphs (a) and (c) of § 74.766 to read as follows:

§ 74.766 TV broadcast translator operator requirements.

* * * * *

(b) Simple maintenance such as the replacement of tubes, fuses, or other plug-in components and adjustments which will not result in the improper operation of the apparatus may be made by any person designated by the station licensee.

* * * * *

§ 74.1250 [Corrected]

8. The final rules are corrected at 46 FR 35465, third column, by inserting the notation that paragraphs (f) and (g) are marked "[Reserved]" in the text of rule § 74.1250.

§ 74.1266 [Corrected]

9. The final rules are corrected at 46 FR 35465, third column, by changing the rule section "§ 74.734" to read "§ 74.1234" in paragraph (d) of § 74.1266.

Federal Communications Commission.
William J. Tricarico,
Secretary.

[FR Doc. 81-27955 Filed 9-24-81; 8:45 am]
BILLING CODE 6712-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 27

Correction of Regulations Regarding Disturbing Violations; With Weapons

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Correction; reinstatement of final rule.

SUMMARY: This document corrects an error resulting from the publication of special regulations, concerning public access, use and recreation for the Charles M. Russell National Wildlife Refuge and UL Bend National Wildlife Refuge, Montana, which erroneously amended Title 50, Code of Federal Regulations. Section 27.42, Firearms, and § 27.43, Weapons other than Firearms, are corrected to read as they did prior to the publication of special regulations which resulted in the erroneous amendment.

EFFECTIVE DATE: September 25, 1981.

FOR FURTHER INFORMATION CONTACT: William C. Reffalt, Chief, Division of Refuge Management, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (phone 202–343–4791).

SUPPLEMENTARY INFORMATION: The author of this document is Ronald L. Fowler, Division of Refuge Management, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (phone 202–343–4305). Special regulations under the provisions of § 26.34 concerning public access use, and recreation for individual national wildlife refuges; § 27.42, firearms; and § 27.43, weapons other than firearms, were published in the **Federal Register** [45 FR 55743, Aug. 21, 1980]. These rules were intended to apply only to the Charles M. Russell National Wildlife Refuge and the UL Bend National Wildlife Refuge in Montana. Because of erroneous amendatory language, 50 CFR 27.42 and 27.43, applicable to national wildlife refuges in general, were amended.

Special regulations such as those cited above are issued annually under the provisions of § 26.33(a) where there is a need to amend, modify, relax, or make more stringent regulations concerning public access and use within national wildlife refuges. The purpose of the regulations was to relax the restrictions concerning firearms and other weapons on the Charles M. Russell National Wildlife Refuge and the UL Bend National Wildlife Refuge. However, through an error §§ 27.42 and 27.43 were erroneously modified.

Because of the administrative nature of these corrections, the U.S. Department of the Interior has concluded that "good cause" exists within the meaning of 5 U.S.C. 553(d)(3) of the Administrative Procedure Act to expedite the implementation of this rule. Therefore, the effective date is September 25, 1981.

PART 27—PROHIBITED ACTS

This document reinstates the text of §§ 27.42 and 27.43 to that in effect prior to the error. Accordingly, the Department of the Interior is correcting the two sections as shown below:

§ 27.42 Firearms.

Only the following persons may possess, use, or transport firearms on national wildlife refuges in accordance with this section and applicable Federal and State law:

(a) Persons using firearms for public hunting under the provisions of 50 CFR 32.

(b) Persons carrying unloaded firearms, that are dismantled or cased, in vehicles and boats over routes of travel designated under the provision of Subchapter C.

(c) Persons authorized to use firearms for the taking of specimens of wildlife for scientific purposes.

(d) Persons authorized by special regulations or permits to possess or use firearms for the protection of property, for field trials, and other special purposes.

§ 27.43 Weapons other than firearms.

The use or possession of cross bows, bows and arrows, air guns, spears, gigs, or other weapons on national wildlife refuges is prohibited except as may be authorized under the provision of this Subchapter C.

(16 U.S.C. 460k, 668dd)

Dated: September 18, 1981.

J. Craig Potter,
Acting Deputy Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 81-27890 Filed 9-24-81; 8:45 am]
BILLING CODE 4310-55-M

Proposed Rules

Federal Register
Vol. 46, No. 186
Friday, September 25, 1981

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

DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

7 CFR Ch. IV

Crop Insurance Regulations—Various (General Amendment—Application for Insurance)

AGENCY: Federal Crop Insurance Corporation, USDA.

ACTION: Proposed rule.

SUMMARY: The Federal Crop Insurance Corporation proposes to amend certain regulations for insuring crops, effective with the 1982 crop year, by replacing the current application form which applies only to the named crop, with a new multiple-crop application form. This will eliminate the need for filing a separate application form for each crop to be insured. The intended effect of this proposed rule is to eliminate unnecessary duplication of effort, paper, and preparation, which will benefit the policyholder and make the crop insurance program more effective administratively. This proposed rule is promulgated under the authority contained in the Federal Crop Insurance Act, as amended.

DATE: Written comments, data, and opinions on this proposed rule must be submitted not later than November 24, 1981, to be sure of consideration.

ADDRESS: Written comments on this proposed rule should be sent to Wayne A. Fletcher, President, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, D.C. 20250.

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.

The Draft Impact Statement describing the options considered in developing this proposed rule and the impact of implementing each option is available upon request from the above-named individual.

SUPPLEMENTARY INFORMATION: Under the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*),the Federal Crop Insurance Corporation (FCIC) offers crop insurance on a variety of crops. The regulations for each individual crop insurance program are contained in separate CFR Parts and each contains an application for crop insurance which names the crop to be insured.

If a producer grows more than one crop and wishes to insure each one, a separate application is filed for each crop. These separate applications are then processed by FCIC. This has been determined to be unnecessary and duplicative for both the applicant and FCIC. By using the multiple-crop application as outlined below, the applicant will complete only a single application, entering all the crops to be insured. Upon acceptance, the applicant will be furnished the policies and appendices for each crop listed on the application and a worksheet to provide an example of how the insurance will apply to a particular crop.

In order to make this change in the application in the most effective manner possible, FCIC proposes to issue this General Amendment to all the regulations listed below in order to make the change applicable to as many regulations as possible in the shortest time. Whenever any one of the regulations listed below is next amended, or revised and reissued, the matter of the new multiple-crop application form will again be addressed in the document.

This proposed rule will have no effect whatsoever on present policyholders but will be used only by future applicants for crop insurance.

All written submissions made pursuant to this notice will be available for public inspection in the Office of the President during regular business hours, Monday through Friday.

Wayne A. Fletcher, President, FCIC, has determined that (1) this action is not a major rule as defined by Executive Order No. 12291 (February 17, 1981), (2) this action does not increase the Federal paperwork burden for individuals, small businesses, and other persons in accordance with the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), and (3) this action conforms with the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*), and other applicable law.

The title and number of the Federal Assistance Program to which this General Amendment to the crop insurance regulations listed below applies is: Title—Crop Insurance; Number 10.450.

This action will not have a significant impact specifically on area and community development; therefore, review as established by the Office of Management and Budget (OMB) Circular A–95 was not used to assure units of local government are informed of this action.

The information requirements, both recordkeeping and reporting, contained in this regulation must be cleared by the Office of Management and Budget under the Paperwork Reduction Act. These requirements will not become effective until that clearance has been granted.

It has been determined that this action does not constitute a review as to need, currency, clarity, and effectiveness of the regulations listed below under the provisions of Secretary's Memorandum No. 1512–1 (June 11, 1981). The sunset review date for each of the regulations is provided herein as an adjunct to the list of regulations affected by this proposed rule.

Proposed Rule

Accordingly, under the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*), FCIC proposes to amend

	Sunset review date
7 CFR 439.7(d) Almond Crop Insurance Regulations.	Sept. 2, 1985.
7 CFR 408.7(d) Eastern United States Apple Crop Insurance Regulations.	May 30, 1985.
7 CFR 404.7(d) Western United States Apple Crop Insurance Regulations.	July 14, 1985.
7 CFR 419.7(d) Barley Crop Insurance Regulations.	July 19, 1984.
7 CFR 409.7(d) Arizona-California Citrus Crop Insurance Regulations.	June 1, 1986.
7 CFR 410.7(d) Florida Citrus Crop Insurance Regulations.	Jan. 30, 1986.
7 CFR 413.7(d) Texas Citrus Crop Insurance Regulations.	May 30, 1985.
7 CFR 432.7(d) Corn Crop Insurance Regulations.	Nov. 26, 1984.
7 CFR 421.7(d) Cotton Crop Insurance Regulations.	Sept. 28, 1984.
7 CFR 433.7(d) Dry Bean Crop Insurance Regulations.	Nov. 29, 1984.
7 CFR 423.7(d) Flax Crop Insurance Regulation.	Nov. 26, 1984.
7 CFR 415.7(d) Forage Production Crop Insurance Regulations.	June 1, 1985.
7 CFR 414.7(d) Forage Seeding Crop Insurance Regulations.	June 1, 1985.
7 CFR 420.7(d) Grain Sorghum Crop Insurance Regulations.	Sept. 20, 1984.

	Sunset review date
7 CFR 411.7(d) Grape Crop Insurance Regulations.	May 30, 1985.
7 CFR 427.7(d) Oat Crop Insurance Regulations.	Oct. 22, 1984.
7 CFR 425.7(d) Peanut Crop Insurance Regulations.	Nov. 28, 1984.
7 CFR 416.7(d) Pea Crop Insurance Regulations.	Jan. 28, 1986.
7 CFR 403.7(d) Peach Crop Insurance Regulations.	May 30, 1985.
7 CFR 422.7(d) Potato Crop Insurance Regulations.	July 25, 1985.
7 CFR 402.7(d) Raisin Crop Insurance Regulations.	June 25, 1984.
7 CFR 424.7(d) Rice Crop Insurance Regulations.	Nov. 26, 1984.
7 CFR 429.7(d) Rye Crop Insurance Regulations.	Oct. 22, 1984.
7 CFR 431.7(d) Soybean Crop Insurance Regulations.	Nov. 8, 1984.
7 CFR 430.7(d) Sugar Beet Crop Insurance Regulations.	June 19, 1984.
7 CFR 417.7(d) Sugarcane Crop Insurance Regulations.	June 21, 1984.
7 CFR 426.7(d) Sunflower Crop Insurance Regulations.	Nov. 26,1984.
7 CFR 437.7(d) Sweet Corn Crop Insurance Regulations.	Aug. 16, 1985.
7 CFR 434.7(d) Tobacco (Dollar Plan) Crop Insurance Regulations.	Dec. 20, 1984.
7 CFR 436.7(d) Tobacco (Guarantee Plan) Crop Insurance Regulations.	Dec. 20, 1984.
7 CFR 435.7(d) Tobacco (Quota Plan) Crop Insurance Regulations.	Dec. 19, 1984.
7 CFR 438.7(d) Tomato Crop Insurance Regulations.	Oct. 14, 1984.
7 CFR 416.7(d) Wheat Crop Insurance Regulations.	June 1, 1984.

as follows:

1. The authority citation for the above 7 CFR Part numbers reads as follows:

Authority: Secs. 501 *et seq.*, Pub. L. 75–430, 52 Stat. 72, as amended (7 U.S.C. 1501 *et seq.*)

§§ 402.7, 403.7, 404.7, 408.7, 409.7, 410.7, 411.7, 413.7, 414.7, 415.7, 416.7, 417.7, 418.7, 419.7, 420.7, 421.7, 422.7, 423.7, 424.7, 425.7, 427.7, 428.7, 429.7, 430.7, 431.7, 432.7, 433.7, 434.7, 435.7, 436.7, 437.7, 438.7, 439.7 [Amended]

2. The Application and Policy sections of the above regulations are amended by removing the application as found in paragraph (d) of the above-cited regulations and substituting the following therefor:

BILLING CODE 3410-08-M

CI-12
Rev. (9-81)

UNITED STATES DEPARTMENT OF AGRICULTURE
FEDERAL CROP INSURANCE CORPORATION

CROP INSURANCE APPLICATION

CONTINUOUS CONTRACT

1 Name of Applicant

6 State - County - 7 Contract Number

2 Agent, Administrator, Executor, Etc.

8 County

9 State

3 Street or Mailing Address

10 Identification Number

11 SSN - TAX

4 City and State

5 ZIP Code

12 Type of Entity

13 Applicant is Over 18: Yes____ No____

If No, Date of Birth

A. The applicant, subject to the provisions of the regulations of the Federal Crop Insurance Corporation (herein called "Corporation"), hereby applies to the Corporation for insurance on the applicant's share in the crop(s) shown below planted on insurable acreage as shown on the county actuarial table for the above-stated county. The applicant elects from the actuarial table the coverage level and, where applicable, a price election or plan of insurance. **THE PREMIUM RATE AND APPLICABLE PRODUCTION GUARANTEE OR AMOUNT OF INSURANCE PER ACRE SHALL BE THOSE SHOWN ON THE APPLICABLE COUNTY ACTUARIAL TABLE FILED IN THE OFFICE FOR THE COUNTY FOR EACH CROP YEAR.**

14 Effective Crop Year	15 Crop	16 Type, Class Plan of Ins.	17 Price Election	18 Level Election	19	20 For Agency Use Only (A)	21 For Agency Use Only (P)
					☐		
					☐		
					☐		
					☐		
					☐		
					☐		
					☐		
					☐		

22 Crop(s) **NOT** insured the first year:

B. This application is accepted by the Corporation unless the applicant is notified of rejection within 30 days of the date hereof. Rejection shall be accomplished by depositing notification thereof in the United States Mail, postage paid, to the above address. Rejection may be for any reason which would also serve as a basis for termination under the policy, the Federal Crop Insurance Act, or the regulations issued thereunder. Outstanding and delinquent indebtedness to any United States Government Agency may be grounds for rejection. The contract shall be in effect for the crop year specified above, unless the time for submitting applications has passed at the time this application is filed, **AND SHALL CONTINUE FOR EACH SUCCEEDING CROP YEAR UNTIL CANCELED OR TERMINATED** as provided in the contract. This accepted application, the insurance policy(ies), the attached appendix(es), and the provisions of the county actuarial table showing the insurable and uninsurable acreage, coverage levels, premium rates, and where applicable, the production guarantees, amounts of insurance, or plan of insurance shall constitute the contract. No term or condition of the contract shall be waived or changed except in writing by the Corporation. A material failure to include complete and accurate information on this application may invalidate the automatic acceptance provision hereof.

23 ☐ Applicant has received the policy(ies) and appendix(es) for the crop(s) shown above.

24 ☐ Previous Carrier _____ 25 Policy Number _____

26 Applicant's Signature

27 Date 19__

28 Code No.

29 Witness to Signature

30 Location of Farm Headquarters	31 Address of Your Service Office
Phone	Phone

SEE REVERSE SIDE OF FORM FOR STATEMENT REQUIRED BY PRIVACY ACT OF 1974

32 N S I O T - F U R

33 Page____ of____ pages

BILLING CODE 3410-08-C

Done in Washington, D.C., on September 17, 1981.

Dated: September 17, 1981.

Peter F. Cole,

Secretary, Federal Crop Insurance Corporation.

Approved by: **Melvin E. Sims,**

Chairman.

[FR Doc. 81-27918 Filed 9-24-81; 8:45 am]

BILLING CODE 3410-08-M

Rural Electrification Administration

7 CFR Part 1701

Public Information; Appendix A—REA Bulletins Specification for Electronic Equipment Housings, PE-69

AGENCY: Rural Electrification Administration, USDA.

ACTION: Proposed rule.

SUMMARY: REA proposes to amend Appendix A by issuing a File With (a written addendum) to REA Bulletin 345-79, Specification for Electronic Equipment Housings, PE-69, to further identify the sizes of housing covered by this specification. PE-69 was intended to address only the larger "universal" housings, however, there has been some confusion and attempts to apply this document to housing ranging from single channel carrier to modular buildings. This File With will clarify the intended range of housing sizes to be covered by the specification.

DATE: Public comments must be received by REA no later than November 24, 1981.

ADDRESS: Submit written comments to Joseph M. Flanigan, Director, Telecommunications Engineering and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250. Copies of the written addendum may be obtained from Joseph M. Flanigan at this same address.

FOR FURTHER INFORMATION CONTACT: Harry M. Hutson, Chief, Outside Plant Branch, Telecommunications Engineering and Standards Division, Rural Electrification Administration, Room 1342, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, telephone (202) 447-3827. The draft Regulatory Impact Analysis describing the options considered in developing this proposed rule and the impact of implementing each option is available on request from the above office.

SUPPLEMENTARY INFORMATION: Pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), REA proposes to amend Appendix A by issuing a File With for Bulletin 345-79, Specification for Electronic Equipment Housings, PE-69. This proposed action has been reviewed under USDA procedures established to implement Executive Order 12291 and has been classified as not major. A Regulatory Flexibility Analysis is not required and an OMB Circular A-95 review is not applicable to this action.

Some confusion exists as to the applicability of PE-69. In an effort to reduce confusion, and to minimize unnecessary and costly testing, it is proposed to issue a clarifying addendum. A total revision was considered undesirable as only this one section required attention. Retaining the bulletin in its present form would have continued the confusion and resulted in unnecessary testing on the part of the private sector.

(Catalog of Federal Domestic Assistance as 10.851—Rural Telephone Loans and Loan Guarantees)

All written submissions made pursuant to this action will be made available for public inspection during regular business hours, above address.

Dated: September 15, 1981.

Harold V. Hunter,

Administrator.

[FR Doc. 81-27783 Filed 9-24-81; 8:45 am]

BILLING CODE 3410-15-M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[File No. 801-0117]

Onkyo U.S.A. Corp.; Proposed Consent Agreement With Analysis To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order, accepted subject to final Commission approval, would require, among other things, a Long Island City, New York, manufacturer and seller of audio components to cease attempting to fix the resale prices at which its products are advertised or sold, through coercion or otherwise. The firm would also be barred from restricting the lawful use of its trademarks and brand names; seeking the identity of dealers who deviate from suggested resale prices; and disseminating suggested resale prices for a period of two years, unless such prices are accompanied by a specified disclosure statement. The order would further require the firm to send a copy of the order to all sales and advertising personnel and, for a 3-year period, to mail to all present and future accounts a letter describing the order.

DATE: Comments must be received on or before November 24, 1981.

ADDRESS: Comments should be directed to: Office of the Secretary, Federal Trade Commission, 6th St. and Pennsylvania Ave., N.W., Washington, D.C. 20580.

FOR FURTHER INFORMATION CONTACT: Judith D. Ford, Director, 9R, San Francisco Regional Office, Federal Trade Commission, 450 Golden Gate Ave., San Francisco, Calif. 94102, (415) 556-1270, or FTC/CR, Robert B. Greenbaum, Washington, D.C. 20580, (202) 523-3522.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46 and § 2.34 of the Commission's Rules of Practice (16 CFR 2.34), notice is hereby given that the following consent agreement containing a consent order to cease and desist and an explanation thereof, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with § 4.9(b)(14) of the Commission's Rules of Practice (16 CFR 4.9(b)(14)).

United States of America Before Federal Trade Commission

In the Matter of Onkyo U.S.A. Corporation, a corporation; File No. , Agreement containing consent order to cease and desist.

The Federal Trade Commission having initiated an investigation of certain acts and practices of Onkyo U.S.A. Corporation, a corporation, and it now appearing that Onkyo U.S.A. Corporation, a corporation, hereinafter sometimes referred to as proposed respondent, is willing to enter into an agreement containing an order to cease and desist from the use of the acts and practices being investigated,

It is hereby agreed by and between Onkyo U.S.A. Corporation, by its duly authorized officer and its attorney, and counsel for the Federal Trade Commission that:

1. Proposed respondent Onkyo U.S.A. Corporation is a corporation organized, existing and doing business under and by virtue of the laws of the State of New York with its office and principal place of business located at 42—07 20th Avenue, in the City of Long Island City, State of New York.

2. Proposed respondent admits all the jurisdictional facts set forth in the draft of complaint here attached.

3. Proposed respondent waives:

(a) Any further procedural steps;

(b) The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law; and

(c) All rights to seek judicial review or otherwise to challenge or contest the validity of the order entered pursuant to this agreement.

4. This agreement shall not become a part of the public record of the proceeding unless and until it is accepted by the Commission. If this agreement is accepted by the Commission it, together with the draft of the complaint contemplated thereby, will be placed on the public record for a period of sixty (60) days and information in respect thereto publicly released. The Commission thereafter may either withdraw its acceptance of this agreement and so notify the proposed respondent, in which event it will take such action as it may consider appropriate, or issue and serve its complaint (in such form as the circumstances may require) and decision, in disposition of the proceeding.

5. This agreement is for settlement purposes only and does not constitute an admission by proposed respondent that the law has been violated as alleged in the draft of complaint here attached.

6. This agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of § 2.34 of the Commission's Rules, the Commission may, without further notice to proposed respondent, (1) issue its complaint corresponding in form and substance with the draft of complaint here attached and its decision containing the following order to cease and desist in disposition of the proceeding and (2) make information public in respect thereto. When so entered, the order to cease and desist shall have the same force and effect and may be altered, modified or set aside in the same manner and within the same time provided by statute for other orders. The order shall become final upon service. Delivery by the U.S. Postal Service of the complaint and decision containing the agreed-to order to proposed respondent's address as stated in this agreement shall constitute service. Proposed respondent waives any right it may have to any other manner of service. The complaint may be used in construing the terms of the order, and no agreement, understanding, representation, or interpretation not contained in the order or the agreement may be used to vary or contradict the terms of the order.

7. Proposed respondent has read the proposed complaint and order contemplated hereby. It understands that once the order has been issued, it will be required to file one or more compliance reports showing that it has fully complied with the order, and that it may be liable for civil penalties in the amount provided by law for each violation of the order after it becomes final.

Order

For the purposes of this Order, the following definitions shall apply:

"Product" is defined as any audio component, including but not limited to any tuner, amplifier, tape deck, receiver, speaker, changer, turntable or headphone, or any related product, which is manufactured, offered for sale or sold by respondent Onkyo U.S.A. Corporation.

"Dealer" is defined as any person, partnership, corporation or firm which sells any product in the course of its business.

"Resale Price" is defined as any price, price floor, price ceiling, price range, or any mark-up, formula or margin of profit used by any dealer for pricing any product. Such term includes, but is not limited to, any retail price suggested or established by respondent, any customary resale price or the retail price in effect at any dealer.

It is ordered, That respondent Onkyo U.S.A. Corporation, a corporation, its successors and assigns, and respondent's officers, agents, representatives and employees, directly or indirectly, or through any corporation, subsidiary, division or other device, in connection with the manufacture, advertising, offering for sale, sale or distribution of any product in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

I

1. Fixing, establishing, controlling or maintaining, directly or indirectly, the resale price at which any dealer may advertise, promote, offer for sale or sell any product.

2. Requesting, requiring or coercing, directly or indirectly, any dealer to maintain, adopt or adhere to any resale price.

3. Requesting or requiring, directly or indirectly, any dealer to report the identity of any other dealer who deviates from any resale price; or acting on any reports or information so obtained by threatening, intimidating, coercing or terminating said dealer.

4. Requesting or requiring that any dealer refrain from or discontinue selling or advertising any product at any resale price.

5. Conducting any surveillance program to determine whether any dealer is advertising, offering for sale or selling any product at any resale price, where such surveillance program is conducted to fix, maintain, control or enforce the resale price at which any product is sold or advertised.

6. Terminating, coercing or taking any other action to restrict, prevent or limit the sale of any product by any dealer because of the resale price at which said dealer has sold or advertised, is selling or advertising, or is suspected of selling or advertising any product.

7. Taking any action to hinder or preclude the lawful use by any dealer, or other person or firm of any of respondent's trademarks in conjunction with the sale or advertising of any product.

II

1. For a period of two (2) years from the date of service of this Order, orally suggesting or recommending any resale price to any dealer.

2. For a period of two (2) years from the date of service of this Order, communicating in writing any resale price to any dealer; provided, however, that after said two (2) year period, respondent shall not suggest any resale price on any list, or in any advertising, book, catalogue or promotional material, unless it is clearly and conspicuously stated on each page where any suggested resale price appears, the following:

"THE RESALE PRICES QUOTED HEREIN ARE SUGGESTED ONLY. YOU ARE FREE TO DETERMINE YOUR OWN RESALE PRICES."

III

It is further ordered, That respondent shall:

1. Within thirty (30) days after service of this Order, mail under separate cover a copy of the enclosure set forth in the attached Exhibit A to each of its present accounts. An affidavit shall be sworn to by an official of respondent verifying that the attached Exhibit A was so mailed.

2. Mail under separate cover a copy of the enclosure set forth in the attached Exhibit A to any person, partnership, corporation or firm that becomes a new account within three (3) years after service of this Order.

IV

It is further ordered, That respondent shall forthwith distribute a copy of this Order to all operating divisions of said corporation, and to present or future personnel, agents or representatives having sales, advertising or policy responsibilities with respect to the subject matter of this Order, and that respondent secure from each such person a signed statement acknowledging receipt of said Order.

V

It is further ordered, That respondent notify the Commission at least thirty (30) days prior to any proposed change in respondent, such as dissolution, assignment or sale resulting in the emergency of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the Order.

VI

It is further ordered, That respondent shall within sixty (60) days after service upon it of this Order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with this Order.

Exhibit A

Dear Dealer: Onkyo U.S.A Corporation has agreed with the Federal Trade Commission to the entry of an order concerning certain distribution practices. Our agreement was solely for the purpose of settling a dispute with the Commission, and does not constitute any admission on our part that we have violated any law. The agreed-to order provides, among other things, as follows:

With respect to resale prices:

1. You are free to charge whatever retail prices you deem appropriate for any Onkyo audio component or related product, and you may advertise those prices as you see fit.

2. You can be assured that Onkyo will not take any action against you for any prices which you may charge or advertise.

3. Onkyo will not suggest retail prices for any audio component or related product until [2 years from the date of service of the Order].

If you wish a copy of the full text of the agreed-to order, or if you have any questions concerning it, please call [name of Onkyo official].

For Onkyo U.S.A Corporation

Analysis of Proposed Consent Order to Aid Public Comment

The Federal Trade Commission has accepted an agreement to a proposed consent order from Onkyo U.S.A. Corporation, the American distributor of audio components manufactured by Onkyo Corp., its Japanese parent.

The proposed consent order has been placed on the public record for sixty (60) days for reception of comments by interested persons. Comments received during this period will become part of the public record. After sixty (60) days, the Commission will again review the agreement and the comments received and will decide whether it should withdraw from the agreement or make final the agreement's proposed order.

The complaint in this matter alleges that Onkyo U.S.A. Corporation has restrained trade by fixing the resale prices at which its dealers advertise, offer for sale and sell Onkyo products.

The consent agreement provides as follows:

1. Onkyo U.S.A Corporation cannot fix or otherwise control the resale prices at which its products are sold or advertised.

2. Onkyo U.S.A. Corporation cannot take any action against any dealer, including termination, because of the resale prices at which the dealer sells or advertises any Onkyo product.

3. As to products which bear any of its trademarks or other identifications, Onkyo U.S.A. Corporation cannot restrict any dealer from using any such trademark or other identification in the sale or advertising of such products.

4. Onkyo U.S.A Corporation cannot suggest retail prices for any product for two years from the date the order is issued.

The purpose of this analysis is to facilitate public comment on the proposed order, and it is not intended to constitute an official interpretation of the agreement and proposed order or to modify in any way their terms.

Carol M. Thomas,

Secretary.

[FR Doc. 81-27836 Filed 9-24-81; 8:45 am]

BILLING CODE 6750-01-M

16 CFR Part 460

Trade Regulation Rule; Labeling and Advertising of Home Insulation

AGENCY: Federal Trade Commission.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Federal Trade Commission announces its intention to reopen its rulemaking proceeding concerning the labeling and advertising of home insulation [16 CFR Part 460]. The reopening will be limited to consideration of affirmative disclosure requirements for television advertisements. The Commission invites written public comments concerning the reopening.

DATES: Written comments will be accepted until October 26, 1981.

ADDRESS: Written comments should be addressed to the Secretary, Federal Trade Commission, 6th and Pennsylvania Avenue, N.W., Washington, D.C. 20580. All comments should be captioned: "Comment on Advance Notice of Proposed Rulemaking—Home Insulation Rule—Disclosures in TV Ads, FTC File No. 215–59."

FOR FURTHER INFORMATION CONTACT: Kent C. Howerton, 202–724–1514, Attorney, Division of Energy and Product Information, Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C. 20580.

SUPPLEMENTARY INFORMATION:

I. Background

On August 31, 1979, the Commission promulgated a trade regulation rule on the labeling and advertising of home insulation.[1] Following a series of postponements, the rule became effective on September 29, 1980.[2] Statutory authority for the rule and the proposed limited reopening is provided under Section 18 of the Federal Trade Commission Act, 15 U.S.C. 57a, as amended.

In summary, the major provisions of the rule: (1) prescribe standardized test methods for determining the R-values, or effectiveness, of home insulation materials; (2) mandate prepurchase point-of-sale disclosures of R-values and related information to consumers; (3) require disclosure of R-values or related information in advertisements which make specific claims about home insulation products; and (4) require substantiation and qualifying disclosures in advertisements which make energy savings claims about home insulation products. The rule is designed to enable consumers to evaluate and compare the thermal performance characteristics of these materials, and to ensure that promotional claims for home insulation products will be fair and nondeceptive.

On August 31, 1979, four manufacturers of mineral wool insulation filed a petition for review of the rule in the United States Court of Appeals for the Tenth Circuit.[3] On September 28, 1979, these manufacturers also filed a petition with the Commission for a stay of one technical testing requirement and of the advertising dislcosure requirements of the rule, insofar as they applied to television advertisements, pending appeal.[4]

The Commission and the mineral wool manufacturers agreed to ask the Tenth Circuit to remand the rule to the Commission. On January 4, 1980, the Court approved the joint stipulation of the mineral wool petitioners and the Commission, and remanded the rule to the Commission for further proceedings.[5]

Under the Court's order remanding the rule, the Commission was required to reconsider issues relating to the one technical testing requirement at issue in the appeal and to the advertising disclosure requirements of the rule insofar as they apply to television advertisements.

To comply with the Court's order, on June 3, 1980, the Commission proposed to stay the technical testing requirement which was at issue in the appeal, until such time as the National Bureau of Standards resolved certain problems

[1] 44 FR 50218 [1979].

[2] 45 FR 54702 [1980]. The Commission originally announced that the rule would become effective on November 30, 1979. *Supra* note 1. However, on November 7, 1979, the Commission announced its determination to delay the effective date until December 31, 1979. 44 FR 64402 [1979]. Thereafter, on December 17, 1979, the Commission announced that the rule would not become effective before at least March 16, 1980. 44 F.R. 73017 [1979]. That announcement was occasioned by Congressional action on November 16, 1979, which barred any trade regulation rules promulgated by the Commission after August 30, 1979, from becoming effective until March 16, 1980, unless authorizing legislation for the Commission was enacted before that date. *Id.* Through a series of additional continuing resolutions passed by the Congress after November 16, 1979, the restrictions on implementation of Commission trade regulation rules were extended through May 31, 1980. At that time, the restriction on implementation of the home insulation rule lapsed.

[3] *Johns-Manville Corp.* v. *FTC*, No. 79–1955 [10th Cir., filed Aug. 31, 1979].

[4] Petition To Federal Trade Commission For Stay Of The Effective Date Of "Representative Thickness" Testing Provision Of Home Insulation Rule And The Mandatory Television Advertising Disclosure Portions Of The Rule [September 28, 1979]. F.T.C. File No. 215–59.

[5] *Supra* note 3, Order of January 4, 1980, filed in FTC File 215–59, as Document W–12.

concerning such testing. It also proposed to stay the affirmative disclosure requirements of the rule insofar as they apply to television advertising, pending the initiation and completion of further rulemaking proceedings concerning the affirmative disclosure requirements for television advertisements. The Commission announced that if it decided to issue the proposed temporary stays, it would make all other requirements of the rule effective.[6] The Commission accepted written comments on its proposed course of action during a thirty day period.[7] Based on submissions and written comments received and placed on the public record concerning the proposal, the Commission issued both proposed temporary stays and made all other requirements of the rule effective. The Commission announced its decision on August 15, 1980.[8] All provisions of the rule other than those stayed became effective on September 29, 1980.

II. Reopening Proposed

Provisions of the rule which became effective on September 29, 1980 require home insulation manufacturers to determine the R-values of their insulation products according to standardized test procedures and to disclose R-values and related information on labels and fact sheets which are available to consumers at the point-of-sale.

As originally promulgated on August 31, 1979, the rule also would have required advertisers to disclose specific information relating to the advertised home insulation product's R-value, *i.e.*, its thermal effectiveness, in all advertisements which make representations concerning the product's R-value, price or thickness, or which compare one type of insulation to another.[9] It would have required advertisers to disclose that savings vary among consumers in all advertisements which represent that the advertised home insulation product can cut fuel bills or fuel use.[10] The disclosure requirements would have applied to all advertisements, regardless of the media in which they appear. As originally promulgated, the rule would have required that all required disclosures be made clearly and conspicuously,[11] with specific requirements as to the manner of making the disclosures in television advertisements.[12]

After promulgation, however, and in compliance with the order of the Tenth Circuit, the Commission stayed the disclosure requirements with respect to television advertisements, pending the completion of this reopened proceeding.[13] At the same time, the Commission announced that the disclosure requirements for all other types of advertisements would become effective on September 29, 1980, along with all other requirements of the rule, except for the one technical testing requirement involved in the Tenth Circuit's order.[14]

The Commission, as required by the Court's order, now proposes to reopen the rulemaking proceeding concerning the rule's requirements for affirmative disclosures in television advertising. In the reopened proceeding, the Commission will reconsider only the disclosure requirements insofar as they would require disclosures in television advertisements. During the reopened proceeding, all requirements of the rule which became effective on September 29, 1980 will remain in effect.

The Commission promulgated the home insulation rule to correct the failure of the home insulation marketplace to eliminate deceptive exaggerations of R-value [15] and to provide accurate and essential pre-purchase information to the consumer.[16] Consumers need accurate and comparable information relating to R-values to have an opportunity to compare relative insulating efficiencies, to select the product with the greatest efficiency and potential for energy savings, to make a cost-effective purchase, and to consider the main variables limiting insulation effectiveness and realization of claimed energy savings.[17] The Commission included requirements in the rule that specific R-value information must be disclosed in advertising which contains certain claims to prevent consumers from being misled by claims, such as product thickness, which may have only a limited bearing on insulating value.[18] It included a requirement in the rule that advertisements which make an R-value claim must explain the meaning of R-value to ensure that consumers will benefit from the prescribed R-value information.[19] The Commission included the requirement in the rule that an explanatory disclosure be made in connection with energy savings representations to ensure that consumers understand that any savings they realize will depend on each consumer's particular circumstances.[20]

Although the Commission believes that information of the kind discussed

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[6] 45 FR 37674. [1980].

[7] *Id.*

[8] 45 FR 54702. [1980].

[9] 16 CFR 460.18. Specifically, the disclosure provisions of § 460.18 of the rule, as promulgated on August 31, 1979, would require the following disclosures:

"(a) If your ad gives an R-value, you must give the type of insulation and the thickness needed to get that R-value. Also, add this statement explaining R-values: 'The higher the R-value, the greater the insulating power. Ask your seller for the fact sheet on R-values.'

"(b) If your ad gives a price, you must give the type of insulation, the R-value at a specific thickness, the statement explaining R-values in subsection (a), and the coverage area for that thickness. If you give the price per square foot, you do not have to give the coverage area.

"(c) If your ad gives the thickness of your insulation, you must give its R-value at that thickness and the statement explaining R-values in subsection (a).

"(d) If your ad compares one type of insulation to another, the comparison must be based on the same coverage areas. You must give the R-value at a specific thickness for each insulation, and the statement explaining R-values in subsection (a). If you give the price of each insulation, you must also give the coverage area for the price and thickness shown. However, if you give the price per square foot, you do not have to give the coverage area.

"(e) If your ad gives the R-value of urea-based foam insulation, you must add this statement: 'Foam insulation shrinks after it is installed. This shrinkage may significantly reduce the R-value you get.' However, you can lower your product's R-value to account for shrinkage. To do this, you must have reliable scientific proof of the extent of shrinkage for your product and of its effect on R-value. If you lower your product's R-value, you need not make the above statement."

[10] 16 CFR 460.19. Specifically, § 460.19 of the rule, as promulgated on August 31, 1979, would require the following disclosures:

"(b) If you say or imply in your ads, labels or other promotional materials that insulation can cut fuel bills or fuel use, you must make this statement about savings: 'Savings vary. Find out why in the seller's fact sheet on R-values. Higher R-values mean greater insulating power.'

"(c) If you say or imply that a combination of products can cut fuel bills or use . . . [y]ou must make the statement about savings in subsection (b). Also, you must list the combination of products used. They may be two or more types of insulation; one or more types of insulation and one or more other insulating products, like storm windows or siding; or insulation for two or more parts of the house, like the attic and walls. You must say how much of the savings came from each product or location. If you cannot give exact or approximate figures, you must give a ranking. For instance, if your ad says that insulation and storm doors combined to cut fuel use by 50%, you must say which one saved more.

"(d) If your ad or other promotional material is covered by § 460.18 (a), (b), (c), or (d), and also makes a savings claim, you must follow the rules in §§ 460.18 and 460.19. However, you need not make the statement explaining R-value in § 460.18(a)."

[11] 16 CFR Part 460.10 and Appendices A and B to Part 460.

[12] 16 CFR Part 460.10 and Appendix B to Part 460.

[13] *Supra* note 8.

[14] *Id.* The Commission's stay of the technical testing requirement, § 460.6 of the rule, also remains in effect at this time. The Commission will consider when to make § 460.6 of the rule effective separate from the reopening concerning the television advertising disclosure requirements.

[15] *Supra* note 1, at 50218, 50221–25.

[16] *Id.* at 50218.

[17] *Id.*

[18] *Id.* at 50218, 50233.

[19] *Id.*

[20] *Id.*

above is necessary to prevent deception, the Commission will consider, in the reopened proceeding, the significant issue of whether the technical limitation of television advertising require that this essential information reach the consumer in a different manner. For example, it has been asserted that the disclosures required by the rule,[21] coupled with the rule's requirements as to how the disclosures must be made,[22] may be unnecessarily burdensome for television advertising in light of the extremely limited time of television advertisements—many of which are thirty (30) seconds in length.

In the reopened proceeding, the Commission will invite submission of evidence and the views of interested parties concerning whether or not the Commission should amend the disclosure requirements insofar as they apply to television advertisements. Possible alternatives to the disclosure requirements of the rule as promulgated on August 31, 1979, include: amended disclosures or disclosure language; shortened disclosures; no disclosures; and different requirements as to the manner in which required disclosures must be made.[23]

To assist in developing possible alternative to those disclosure requirements which would meet the objectives of the requirements at a reduced cost or burden, the Commission invites interested parties to address these issues in written comments filed in response to this advance notice of proposed rulemaking.

III. Economic Impact

When it promulgated the rule, the Commission found that the advertising disclosure provisions would benefit consumers by eliminating deception in the marketplace. It found that, generally, the advertising disclosure requirements would ensure that consumers have an opportunity to understand and evaluate claims that would otherwise lead to misguided purchasing decisions.[24] It stated that, in many cases, R-value competition should redound to the benefit of smaller manufacturers whose products often compare well on an R-value basis with those manufactured by the dominant members of the industry.[25] Based on the previous rulemaking record, the Commission concluded that the disclosure requirements, including those for television advertisements, should allow the smaller industry members to compete more effectively with the largest members of the industry.[26]

The Commission's objective in fashioning the home insulation rule was, wherever possible, to select the least restrictive alternative for providing essential information and protection to the consumer purchasing insulation.[27] Based on the evidence in the rulemaking record, the Commission found that the advertising disclosure provisions would not impose substantial costs on industry members.[28] The Commission pared down recommended advertising disclosures, particularly in the area of savings claims, in an attempt to minimize intrusion on advertising space and time. It also designed the R-value explanatory disclosure in advertisements in summary fashion, referring the consumer to fact sheets at the point of sale for more detailed information, in an attempt to minimize the economic burden on advertisers.[29]

Notwithstanding the Commission's findings based on the previous rulemaking record, the Commission now is interested in examining further the impact of the rule's disclosure requirements for television advertising, and the impact of possible alternatives to those requirements. Therefore, the Commission invites written public comment on these issues, with emphasis on the specific issues raised by Section 22 of the Federal Trade Commission Act, 15 U.S.C. 57b–3, and by Section 3(a) of the Regulatory Flexibility Act, 5 U.S.C. 603.

Under Section 22 of the Federal Trade Commission Act, when the Commission publishes a notice of a proposed rulemaking, it must issue a preliminary regulatory analysis relating to the proposed rule or amendment. The Commission need not issue a regulatory analysis in connection with an amendment proceeding unless the Commission: (1) estimates that the amendment will have an annual effect on the national economy of $100,000,000 or more; (2) estimates that the amendment will cause a substantial change in the cost or price of goods or services which are used extensively by particular industries, which are supplied extensively in particular geographic regions, or which are acquired in significant quantities by the Federal Government, or by State or local governments; or (3) otherwise determines that such amendment will have a significant impact upon persons subject to regulation under such amendment and upon consumers.

Under Section 3(a) of the Regulatory Flexibility Act, when the Commission publishes a notice of proposed rulemaking, it also must prepare and make available for public comment an initial regulatory flexibility analysis. This analysis must describe the impact of the proposed rule or amendment on small entities. Among other things, the initial regulatory analysis also must contain a description of the small entities to which the proposed rule or amendment will apply and, where feasible, an estimate of the number of such small entities; an estimate of the classes of small entities which will be subject to any reporting, recordkeeping or other compliance requirements of the rule or amendment; and an identification, to the extent practicable, of all relevant Federal rules which may duplicate, overlap or conflict with the proposed rule or amendment.

IV. Questions for Comment

The Commission invites written public comment from interested parties with respect to the proposed reopening of the rulemaking proceeding, including any suggestions or alternative methods for achieving the objectives discussed in part II, "Reopening Proposed," *supra*.

The Commission also invites written public comment with respect to all issues raised in part III, "Economic Impact," *supra*. Specifically, concerning issues regarding economic impact, the Commission is interested in receiving written public comment concerning the impact of the rule's disclosure requirements for television advertising, and of possible alternatives to those requirements, including, but not limited to, amended disclosures or disclosure language, shortened disclosures, no disclosures, and possible changes in the manner in which required disclosures must be made. It invites written public comment concerning what "small businesses" would be affected for purposes of the regulatory flexibility analysis. The Commission is particularly interested in receiving comments concerning what impact, if any, the television advertising disclosure requirements originally promulgated in the rule, and of any alternatives to those requirements, would have on small businesses and on consumers.

In addition, the Commission solicits written public comment concerning what issues, if any, should be

[21] 16 CFR 460.18 and 460.19

[22] 16 CFR 460.18 and Appendix B to Part 460.

[23] Section 460.10 of the rule concerns the manner in which required disclosures must be given. Appendix B to the rule gives specific requirements for the manner of making disclosures in television advertisements. The Commission also stayed the effect of these requirements insofar as they apply to television advertisements. *supra* note 8.

[24] *Supra* note 1, at 50235.

[25] *Id.*

[26] *Id.*

[27] *Id.*

[28] *Id.*

[29] *Id.*

designated in the reopened proceeding as disputed issues of material fact.

The Commission will accept written public comment on all issues and questions raised in this advance notice of proposed rulemaking until October 26, 1981.

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 81-27835 Filed 9-24-81; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 271

[Docket No. RM79-76 (Colorado-17)]

High-Cost Gas Produced From Tight Formations; Notice of Proposed Rulemaking

Issued: September 21, 1981.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Federal Energy Regulatory Commission is authorized by section 107(c)(5) of the Natural Gas Policy Act of 1978 to designate certain types of natural gas as high-cost gas where the Commission determines that the gas is produced under conditions which present extraordinary risks or costs. Under section 107(c)(5), the Commission issued a final regulation designating natural gas produced from tight formations as high-cost gas which may receive an incentive price (18 CFR § 271.703). This rule established procedures for jurisdictional agencies to submit to the Commission recommendations of areas for designation as tight formations. This notice of proposed rulemaking by the Director of the Office of Pipeline and Producer Regulation contains the recommendation of the State of Colorado that the Mesaverde Formation be designated as a tight formation under § 271.703(d).

DATE: Comments on the proposed rule are due on October 21, 1981.

PUBLIC HEARING: No public hearing is scheduled in this docket as yet. Written requests for a public hearing are due on October 6, 1981.

ADDRESS: Comments and requests for hearing must be filed with the Office of the Secretary, 825 North Capitol Street, NE., Washington, D.C. 20426.

FOR FURTHER INFORMATION CONTACT: Leslie Lawner, (202) 357-8307, or Victor Zabel, (202) 357-8616.

I. Background

On September 10, 1981, the State of Colorado Oil and Gas Conservation Commission (Colorado) submitted to the Commission a recommendation, in accordance with § 271.703 of the Commission's regulations (45 FR 56034, August 22, 1980), that the Mesaverde Formation located in Garfield County, Colorado, be designated as a tight formation. Pursuant to § 271.703(c)(4) of the regulations, this Notice of Proposed Rulemaking is hereby issued to determine whether Colorado's recommendation that the Mesaverde Formation be designated a tight formation should be adopted. The United States Geological Survey concurs with Colorado's recommendation. Colorado's recommendation and supporting data are on file with the Commission and are available for public inspection.

II. Description of Recommendation

The recommended formation underlies 96,612 acres in the Grand Valley Area of Garfield County, Colorado, between the towns of Debeque, and Rifle, Colorado. It is defined as being between the base of the Wasatch Formation (Tertiary) and the top of the Mancos shale, with an average depth to the top of the formation of 4,475 feet. The acreage included in the recommended area is 64% Fee, 31.1% Federal, and 4.8% Naval Oil Shale Leaseholds. Exact location for the recommended area is as follows: Township 6 South, Range 93 West, 6th P.M., Sections 3 through 10, 15 through 22, 27 through 34; Township 6 South, Range 94 West, 6th P.M., Sections 1 through 3, 7 through 36; Township 6 South, Range 95 West, 6th P.M., Sections 25 through 36; Township 7 South, Range 94 West, 6th P.M., Sections 1 through 9, 16 through 18; Township 7 South, Range 95 West, 6th P.M., Sections 1 through 24, 27 through 34; Township 7 South, Range 96 West, 6th P.M., Sections 1 through 36; Township 8 South, Range 96 West, 6th P.M., Sections 1 through 6.

III. Discussion of Recommendation

Colorado claims in its submission that evidence gathered through information and testimony presented at a public hearing in Cause No. NG-21 convened by Colorado on this matter demonstrates that:

(1) The average *in situ* gas permeability throughout the pay section of the proposed area is not expected to exceed 0.1 millidarcy;

(2) The stabilized production rate, against atmospheric pressure, of wells completed for production from the recommended formation, without stimulation, is not expected to exceed the maximum allowable production rate set out in § 271.703(c)(2)(i)(B); and

(3) No well drilled into the recommended formation is expected to produce more than five (5) barrels of oil per day.

Colorado further asserts that existing State and Federal Regulations assure that development of this formation will not adversely affect any fresh water aquifers.

Accordingly, pursuant to the authority delegated to the Director of the Office of Pipeline and Producer Regulation by Commission Order No. 97, issued in Docket No. RM80-68 (45 FR 53456, August 12, 1980), notice is hereby given of the proposal submitted by Colorado that the Mesaverde Formation, as described and delineated in Colorado's recommendation as filed with the Commission, be designated as a tight formation pursuant to § 271.703.

IV. Public Comment Procedures

Interested persons may comment on this proposed rulemaking by submitting written data, views or arguments to the Office of the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before October 21, 1981. Each person submitting a comment should indicate that the comment is being submitted in Docket No. RM79-76 (Colorado-17), and should give reasons including supporting data for any recommendations. Comments should include the name, title, mailing address, and telephone number of one person to whom communications concerning the proposal may be addressed. An original and 14 conformed copies should be filed with the Secretary of the Commission. Written comments will be available for public inspection at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C., during business hours.

Any person wishing to present testimony, views, data, or otherwise participate at a public hearing should notify the Commission in writing that they wish to make an oral presentation and therefore request a public hearing. Such request shall specify the amount of time requested at the hearing. Requests should be filed with the Secretary of the

Commission no later than October 6, 1981.

(Natural Gas Policy Act of 1978, 15 U.S.C. §§ 3301–3342.)

Accordingly, the Commission proposes to amend the regulations in Part 271, Subchapter H, Title 18, Code of Federal Regulations, as set forth below, in the event Colorado's recommendation is adopted.

Kenneth A. Williams,

Director, Office of Pipeline and Producer Regulation.

PART 271—CEILING PRICES

Section 271.703(d) is amended by adding new paragraph (66) as follows:

§ 271.703 Tight formations.

* * * * *

(d) *Designated tight formations.* The following formations are designated as tight formations. A more detailed description of the geographical extent and geological parameters of the designated tight formations is located in the Commission's official file for Docket No. RM79–76, subindexed as indicated, and is also located in the official files of the jurisdictional agency that submitted the recommendation.

* * * * *

(55) through (65) [Reserved]

(66) *Mesaverde Formation in Colorado.* RM79–76 (Colorado–17).

(i) *Delineation of formation.* The Mesaverde Formation is found in Garfield County, Colorado, in Township 6 South, Range 93 West, 6th P.M., Sections 3 through 10, 15 through 22, 27 through 34; Township 6 South, Range 94 West, 6th P.M., Sections 1 through 3, 7 through 36; Township 6 South, Range 95 West, 6th P.M., Sections 25 through 36; Township 7 South, Range 94 West 6th P.M., Sections 1 through 9, 16 through 18; Township 7 South, Range 95 West, 6th P.M., Sections 1 through 24, 27 through 34; Township 7 South, Range 96 West, 6th P.M., Sections 1 through 36; Township 8 South, Range 96 West, 6th P.M., Sections 1 through 6.

(ii) *Depth.* The Mesaverde Formation is defined as being between the base of the Wasatch Formation (Tertiary) and the top of the Mancos shale. The average depth to the top of the Mesaverde Formation is 4,475 feet.

[FR Doc. 81–27954 Filed 9–24–81; 8:45 am]

BILLING CODE 6450–85–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 452

[Docket No. 80N–0406]

Erythromycin Enteric-Coated Tablets; Revision of Disintegration Standard; Withdrawal of Proposed Rule

AGENCY: Food and Drug Administration.

ACTION: Withdrawal of proposed rule.

SUMMARY: The Food and Drug Administration (FDA) is withdrawing a proposal to revise the disintegration standard for erythromycin enteric-coated tablets for human use. The proposal is being withdrawn for further consideration.

FOR FURTHER INFORMATION CONTACT: Joan Eckert, Bureau of Drugs (HFD–140), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4290.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of November 28, 1980 (45 FR 79091), FDA published a proposed rule to revise the disintegration standard for erythromycin enteric-coated tablets for human use from 2 hours to 1 hour and 25 minutes. The proposed rule was intended to assure better quality control of this product by establishing a more accurate time period. The proposed rule invited comments until January 27, 1981.

Three comments were received. None of the comments supported the proposal. The comments expressed doubt that the proposed disintegration standard would be appropriate for all affected products because of differing tablet formulations. One comment suggested that the official pH specified for simulated intestinal fluid be changed to the estimated pH of the duodenum, where most of the tablet is assumed to disintegrate and dissolve.

Upon review of the comments received, the agency has decided to withdraw the proposed rule and reconsider the matter. A new proposed rule may be issued after all the facts have been evaluated.

Accordingly, the proposed rule published in the **Federal Register** of November 28, 1980, is hereby withdrawn, and the rulemaking proceeding begun by that proposed rule is terminated.

This notice is issued under authority of the Federal Food, Drug, and Cosmetic Act (secs. 507, 701(f) and (g), 52 Stat. 1055–1056 as amended, 59 Stat. 463 as amended (21 U.S.C. 357, 371(f) and (g))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10 (formerly 5.1; see 46 FR 26052; May 11, 1981)).

Dated: September 16, 1981.

Mary A. McEniry,

Assistant Director for Regulatory Affairs, Bureau of Drugs.

[FR Doc. 81–27818 Filed 9–24–81; 8:45 am]

BILLING CODE 4110–03–M

DEPARTMENT OF LABOR

Office of the Assistant Secretary for Labor-Management Relations

29 CFR Part 225

Hospital Employee Protection Program; Procedures and Guidelines Followed by Secretary for Determining That Fair and Equitable Arrangements Have Been Made for Protection of Employees Affected by Program To Assist and Encourage the Discontinuance of Unneeded Hospital Services

AGENCY: Labor-Management Services Administration, Labor.

ACTION: Proposed rule; notice of intent.

SUMMARY: This notice is to advise interested parties that it is the intent of the Department of Labor (DOL) not to publish a final rule under this Part, regarding guidelines and procedures relating to DOL responsibilities for reviewing applications for grants filed with the Secretary of Health and Human Services pending further action by the Department of Health and Human Services.

EFFECTIVE DATE: September 25, 1981.

ADDRESS: U.S. Department of Labor, Labor-Management Services Administration, Division of Employee Protections, Room N–5639, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

FOR FURTHER INFORMATION CONTACT: Thomas H. Roadley, U.S. Department of Labor, Labor-Management Services Administration, Division of Employee Protections, Room N–5639, 200 Constitution Avenue, N.W., Washington, D.C. 20210, Telephone Number (202) 523–6495. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: On January 23, 1981, the Department of Labor (DOL) published Notice of Proposed Rulemaking (46 FR 7756) regarding guidelines and procedures relating to DOL responsibilities, for reviewing applications for grants filed with the Secretary of Health and Human Services. Authority for this program is established under Sections 1641 and 1642(c) of the Health Planning and

Resources Development Amendments of 1979, Pub. L. 96-79, 93 Stat. 592.

This notice is to advise interested parties that it is the intent of DOL not to publish a final rule under this Part pending action by the Department of Health and Human Services to issue a Notice of Proposed Rulemaking for its respective program responsibilities under Section 1641 of Pub. L. 96-79. At such time DOL intends to publish a revised Notice of Proposed Rulemaking under this Part which will take into consideration the comments received as a result of the January 23, 1981, Notice and provide further opportunities for public comment.

(Section 1642(c), Health Planning and Resources Development Amendments of 1979, Pub. L. 96-79, Stat. 592)

Signed at Washington, D.C., this 10th of September, 1981.

Donald L. Dotson,

Assistant Secretary for Labor-Management Relations.

[FR Doc. 81-27734 Filed 9-24-81; 8:45 am]

BILLING CODE 4510-29-M

Occupational Safety and Health Administration

29 CFR Part 1910

[Docket No. H-112D]

Access to Employee Exposure and Medical Records; Proposed Interim Modification; Extension of the Comment Period

AGENCY: Occupational Safety and Health Administration, Labor.

ACTION: Extension of the deadline for submission of comments and information.

SUMMARY: On August 7, 1981, OSHA published in the Federal Register (46 FR 40492) a proposal to modify the trade secrets provision of the access to employee and medical records standard, 29 CFR 1910.20(f). The modification would permit employers to include liquidated damages clauses or the like in confidentiality agreements which they may require of employee designated representatives prior to disclosing toxic substance information which is a trade secret. In addition, the notice requested interested parties to submit written comments on the modification by September 21, 1981.

The AFL-CIO requested on August 27, 1981, a sixty day extension of the comment period to allow them sufficient time to contact local unions and individuals who have experience with the standard and the trade secrets issue. After consideration of the request, OSHA has decided to grant the extension.

This notice extends the comment period for written responses to the proposed modification to November 20, 1981.

DATE: Written comments must be received by November 20, 1981.

ADDRESS: Written comments should be submitted in quadruplicate to the Docket Officer, Docket No. H-112D, Room S-6212, U.S. Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, N.W., Washington, D.C. 20210 (202-523-7894).

FOR FURTHER INFORMATION CONTACT: Mr. James F. Foster, Office of Public Affairs, OSHA, Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210 (202-523-8151).

Signed at Washington, D.C., this 23d day of September, 1981.

Thorne G. Auchter,

Assistant Secretary of Labor.

[FR Doc. 81-28027 Filed 9-24-81; 8:45 am]

BILLING CODE 4510-26-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-3-FRL 1929-4; AH007WV]

Deficiency in West Virginia's State Implementation Plan

AGENCY: Environmental Protection Agency [EPA].

ACTION: Notice of time extension to correct deficiencies in State implementation plan.

SUMMARY: On November 10, 1980 EPA notified West Virginia that its State Implementation Plan (SIP) for control of sulfur dioxide [SO_2] emissions from the Mitchell and Harrison power plants was not adequate to ensure attainment and maintenance of the secondary national ambient air quality standard for SO_2. EPA required the State to submit a control strategy and demonstration of attainment of the secondary SO_2 standards within nine months. Both the existing control strategy and EPA's notice of deficiency have been challenged in the Third Circuit Court of Appeals. The State has requested an extension of time to prepare its control strategy, and EPA now grants an extension until nine months from the date that the United States Court of Appeals for the Third Circuit issues its mandate in Nos. 79-1025 and consolidated cases concerning SO_2 control for the Mitchell and Harrison power stations.

FOR FURTHER INFORMATION CONTACT: Sheldon M. Novick, Regional Counsel, Environmental Protection Agency, Region III, The Curtis Building, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106 (215/597-9821).

SUPPLEMENTARY INFORMATION: On November 9, 1978 [43 FR 52239] EPA approved amendments to the West Virginia Air Pollution Control Commission's Regulation X as a revision to the State Implementation Plan [SIP] for control of SO_2 emissions from electric power generating plants. Those amendments, as they applied to the Mitchell and Harrison power stations, were challenged in the United States Court of Appeals for the Third Circuit, *Pennsylvania* v. *EPA*, Nos. 79-1025, 1026. As a result of this litigation, EPA again reviewed West Virginia's Regulation X as it applied to the two power plants and determined that the SIP revision was adequate to ensure attainment and maintenance of the primary SO_2 standard [45 FR 74478]. However, EPA determined that West Virginia's SO_2 control strategy was not adequate to ensure attainment and maintenance of the secondary NAAQS for SO_2. On November 10, 1980, EPA published a Notice of Deficiency in West Virginia's SIP [45 FR 74520] and required the State to submit a control strategy and demonstration of attainment of the secondary SO_2 standard within nine months from the date of Notice unless additional time was requested by the State.

On May 28, 1981 West Virginia requested an extension of time for developing a secondary SO_2 control strategy for the Mitchell and Harrison power stations. The State noted that the Third Circuit court of Appeals would be adjudicating issues raised by EPA's Notice of Deficiency, and that an extension pending resolution of the litigation therefore was appropriate.

EPA agrees, and hereby grants an extension to West Virginia to evaluate its control strategy, enact any necessary regulations and submit a control strategy and demonstration of attainment of the secondary SO_2 standard to EPA within nine months from the date of the Third Circuit Court of Appeals' issuance of its mandate in *Pennsylvania* v. *EPA*, Nos. 79-1025 and consolidated cases. Within that time, West Virginia must reassess its control strategy and adopt any additional regulations that may be needed to protect the secondary SO_2 NAAQS. If such new regulations are needed, the

State must also prescribe a schedule for compliance within a reasonable time.

Under Executive Order 12291, EPA must judge whether a regulation is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This Notice is not a major regulation because this action only extends the time allowed for West Virginia to prepare and submit its control strategy for attainment of the secondary SO_2 standard to EPA. The Notice of Extension impses no new requirements on anyone.

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

(42 U.S.C. 7401–642)

Dated: September 19, 1981.

Anne M. Gorsuch,

Administrator.

[FR Doc. 81-27883 Filed 9-24-81; 8:45 am]

BILLING CODE 6560-36-M

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40 CFR Part 180

[PH–FRL–1940–1; PP 0F2329/PP 1F2455/P189]

Glyphosate; Proposed Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This notice proposes establishing tolerances for the combined residues of the herbicide glyphosate [*N*-(phosphonomethyl)glycine] and its metabolite aminomethylphosphonic acid in or on certain raw agricultural commodities. This proposal was submitted by Monsanto Co. This proposal will establish the maximum permissible level for residues of glyphosate in or on certain raw agricultural commodities.

DATE: Written comments must be received on or before October 26, 1981

ADDRESS: Written comments to: Robert J. Taylor, Product Manager (PM) 25, Registration Division (TS–767C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Robert J. Taylor (703–557–7066).

SUPPLEMENTARY INFORMATION: EPA issued notices that published in the Federal Register of April 7, 1980 (45 FR 23511) and March 17, 1981 (46 FR 17130) that Monsanto Co., 1101 17th St., NW., Washington, DC 20036, had filed pesticide petitions 0F2329 and 1F2455 with the EPA. These petitions proposed the establishment of tolerances for the combined residues of the herbicide glyphosate [*N*-(phosphonomethyl)glycine] and its metabolite amino-methylphosphonic acid in or on peanuts at 0.1 part per million (ppm); peanut hay and forage at 0.3 ppm; and peanut shells (hulls) at 0.4 ppm (PP 0F2329); and cottonseed at 15 ppm (1F2455).

The petitioner subsequently amended these petitions by submitting revised Section F's. The revised section F for petition PP 0F2329 increased the tolerances for peanut hay and forage, and peanut shells (hulls) to 0.5 ppm; proposed tolerances (PP 1E2455) of 15 ppm on cotton forage and hay; and 0.5 ppm for liver and kidney of cattle, goats, hogs, horses, poultry, and sheep. Because there is a potential increase in risk to humans, these tolerances are being proposed at this time to allow for public comment.

The data submitted in the petition and other relevant material have been evaluated. The toxicology data submitted included an oral LD_{50} (rabbit) study with a LD_{50} of 3.8 grams (g)/kilogram (kg); a 90-day feeding (dog) study with a no-observed-effect-level (NOEL) of 2,000 ppm; a 90-day feeding (rat) study with a NOEL of 2,000 ppm; teratology (2 rabbit studies) negative at 30 mg/kg/day (highest dose), teratology (rat) study negative at 3,500 mg/kg/day and fetotoxic NOEL is 1,000 mg/kg/day; teratology (rabbit) study negative at 350 mg/kg/day and the fetotoxic NOEL is 175 mg/kg/day; 2-year feeding (dog) study with a NOEL of 300 ppm; three generation reproduction (rat) study with a NOEL of 100 ppm; 18-month feeding (mouse) study—no carcinogenic potential at 300 ppm (highest dose); 2-year feeding (rat) study with a NOEL of 100 ppm; neurotoxicity (hen) negative at 7.5 mg (highest dose); Ames assay (negative); rec-assay (negative); rec-assay (B. *subtilis*)—not mutagenic up to 2,000 micrograms test material/disk; reverse mutat ion (not mutagenic); Ames test (*Salmonella*) not mutagenic; and dominant lethal assay (mouse)—negative at 2,000 mg/kg.

Desirable data that are currently lacking are oncogenicity studies with two species. Although the oncogenic potential of glyphosate is not fully elucidated, the life-time rat and mouse studies provide assurance that glyphosate has a relatively low oncogenic potential. Further assurance of low risk with glyphosate is found in the fact that on a theoretical basis the exposure via the diet is about one-fifth of the ADI. The company has been notified of the deficiencies and has agreed to perform the above studies and to remove the use from the label should the results of the above studies exceed the risk criteria from chronic toxicity as stated in 40 CFR 162.11 of the regulations.

Tolerances have previously been established on a variety of commodities at levels from 0.1 ppm to 18.0 parts per million. The proposed tolerances on peanuts (0.1 ppm) and cottonseed (15.0 ppm) contribute 0.02097 mg/day/1.5 kg to the current theoretical maximal contribution (TMRC) of 0.3284 mg/day/1.5 kg or 11.63 percent of the allowable daily intake (ADI). Other tolerances for this herbicide have been approved for guava and papayas (0.2 ppm) and will contribute 0.00018 mg/day (1.5 kg) to the newly established TMRC for a total of 0.3494 mg/day (1.5 kg). This value will occupy 11.64 percent of the ADI. The ADI is based on a NOEL of 100 ppm (2-year rat feeding study) with a 100-fold safety factor.

There are no regulatory actions pending against the herbicide and no Rebuttable Presumption Against Registration (RPAR) criteria have been exceeded. The nature of the residue in plants and animals is adequately understood. Adequate analytical methods (gas chromatography using a phosphorous-specific flame photometric vector and liquid chromatography) are available for enforcement purposed. Secondary residues of glyphosate and/or its metabolite which may occur in liver and kidney of livestock will be covered under the proposed tolerance of 0.5 part per million. There is no reasonable expectation of finite residues in meat, fat, and meat byproducts (except liver and kidney) of cattle, goats, hogs, horses, poultry, and sheep, eggs, and milk from the proposed tolerances (180.6(a)(3)). It is concluded that these tolerances will protect the public health.

Interested persons are invited to submit written comments on the proposed regulation. The comments must bear a notation indicating both the subject and the petition and document control number "[PP OF2329/1F2455/P189]". All written comments filed in response to this notice of proposed rulemaking will be available for public inspection in the office of Robert J. Taylor from 8:00 a.m. to 4:00 p.m., Monday through Friday, except legal holidays.

As required by Executive Order 12291, EPA has determined that this proposed rule is not a "Major" rule and therefore does not require a Regulatory Impact Analysis. In addition, the Office of Management and Budget (OMB) has exempted this regulation from the OMB review requirements of Executive Order

12291 pursuant to section 8(b) of that Order.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-534, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

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

Dated: September 16, 1981.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

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

Therefore, it is proposed that 40 CFR 180.364 be amended by alphabetically inserting the following raw agricultural commodities:

§ 180.364 Glyphosate; tolerances for residues.

* * * * *

Commodities	Part per million
* * * * *	
Cattle, kidney	0.5
Cattle, liver	0.5
* * * * *	
Cottonseed	15
Cotton, forage	15
Cotton, hay	15
Goats, kidney	0.5
Goats, liver	0.5
* * * * *	
Hogs, Kidney	0.5
Hogs, liver	0.5
* * * * *	
Horses, kidney	0.5
Horses, liver	0.5
* * * * *	
Peanuts	0.1
Peanut, hay	0.5
Peanut, forage	0.5
Peanut, hulls	0.5
* * * * *	
Poultry, kidney	0.5
Poultry, liver	0.5
* * * * *	
Sheep, liver	0.5
Sheep, kidney	0.5
* * * * *	

[FR Doc. 81-27920 Filed 9-24-81; 8:45 am]

BILLING CODE 6560-32-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Chap. I

[Gen. Docket 81-500]

Policy Regarding Character Qualifications in Broadcast Licensing Order Extension of Time for Filing Comments and Replies

AGENCY: Federal Communications Commission.

ACTION: Notice of inquiry; extension of comment/reply comment period.

SUMMARY: The Commission extends dates for filing comments and reply comments in General Docket No. 81-500 on the notice of inquiry in the matter of policy regarding character qualifications in broadcast licensing in response to request by National Broadcasters Association.

DATES: Comments must be filed by October 2, 1981. Reply Comments must be filed by October 23, 1981.

ADDRESS: Comments may be filed with Secretary, Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Lee Peltzman, Office of the General Counsel, (202) 632-6990 or 254-6530.

In the matter of policy regarding character qualifications in broadcast licensing (Gen. Docket No. 81-500, August 13, 1981 (46 FR 40899)).

Order

Adopted: September 10, 1981.

Released: September 11, 1981.

1. The Commission has before it a Motion for Extension of Time filed on September 4, 1981, by the National Association of Broadcasters (NAB).

2. In a *Notice of Inquiry*, FCC 81-387, released August 6, 1981, the Commission stated that interested persons could file comments in this proceeding on or before September 25, 1981, and file reply comments on or before October 16, 1981. NAB represents that its preparation of comments will require careful evaluation of the *Notice of Inquiry* as well as past Commission precedents. In order to provide it with an adequate opportunity to prepare and present comments, NAB requests that the dates for filing comments and reply comments be extended for 60 days to November 25 and December 16, 1981, respectively.

3. It is the policy of this Commission that extensions of time shall not be routinely granted. (See § 1.46(a) of the Commission rules, 47 CFR 1.46(a).) While NAB has not demonstrated good cause in support of its request for a 60 day extension of time, it has shown an adequate basis for a more limited extension.

4. Accordingly, it is ordered, That, pursuant to Section 0.251(b) of the Commission's rules, 47 CFR 0.251(b), the Request for Extension of Time filed on September 4, 1981, by NAB is granted to the extent that the time for filing comments and reply comments is extended to and including October 2, 1981, and October 23, 1981, and is denied in all other respects.

Stephen A. Sharp,

General Counsel.

[FR Doc. 81-27902 Filed 9-24-81; 8:45 am]

BILLING CODE 6712-01-M

Notices

Federal Register
Vol. 46, No. 186
Friday, September 25, 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.

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Committee on Informal Action; Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. No. 92–463), notice is hereby given of a meeting of the Committee on Informal Action of the Administrative Conference of the United States, to be held at 1:30 p.m., Thursday, October 15, 1981 in the library of the Administrative Conference, Suite 500, 2120 L Street, N.W., Washington, D.C.

The Committee will meet to discuss (1) Professor Colin Diver's pending study of agency articulation of regulatory policy (why some agencies extensively articulate their policies and some do not) and (2) a pending study of techniques used by agencies to narrow or avoid evidentiary hearings in initial licensing proceedings.

Attendance is open to the interested public, but limited to the space available. Persons wishing to attend should notify the Office of the Chairman of the Administrative Conference at least two days in advance. The Committee Chairman, if he deems it appropriate, may permit members of the public to present oral statements at the meeting; any member of the public may file a written statement with the Committee before, during or after the meeting.

For further information concerning this meeting contact Jeffrey S. Lubbers, Office of the Chairman, Administrative Conference of the United States, 2120 L Street, N.W., Suite 500, Washington, D.C. (Telephone: 202–254–7065.) Minutes of the meeting will be available on request.

Richard K. Berg,
General Counsel.
September 21, 1981.
[FR Doc. 81-27895 Filed 9-24-81; 8:45 am]
BILLING CODE 6110-01-M

DEPARTMENT OF AGRICULTURE

Office of the Secretary

Intent To Reestablish; National Arboretum Advisory Council

Notice is hereby given that the Secretary of Agriculture intends to reestablish the National Arboretum Advisory Council. The purpose of the Council is to provide the Secretary of Agriculture with an independent overview of the work of the Arboretum by a body of qualified individuals who represent national organizations. The National Arboretum was created by act of Congress (Pub. L. 799, 69th Congress, 20 U.S.C. 191–194) on March 4, 1927, for purposes of research and education concerning tree and plant life.

The Council meets annually at the National Arboretum in Washington, D.C., to receive reports from the Arboretum staff on research progress with trees and environmental plants, educational activities, site development, and long-range goals. The Council's findings are reported in writing to the Secretary of Agriculture.

It has been determined that the reestablishment of this Council is in the public interest in connection with the work of the U.S. Department of Agriculture.

Interested parties are invited to submit written comments, views, or data concerning this proposal to Anson E. Thompson, Executive Secretary, National Arboretum Advisory Council, Building 005, BARC-West, Beltsville, MD 20705, by October 13, 1981.

Dated: September 21, 1981.

John E. Schrote,
Deputy Assistant Secretary for Administration.
[FR Doc. 81-27856 Filed 9-24-81; 8:45 am]
BILLING CODE 3410-03-M

Members of Performance Review Boards; Amendment to List

AGENCY: Office of the Secretary, USDA.

ACTION: Notice.

SUMMARY: This document amends the list of Performance Review Board members published April 20, 1981, 46 FR 22629 and 22630.

EFFECTIVE DATE: September 25, 1981.

FOR FURTHER INFORMATION CONTACT:

Earl C. Hadlock, Chief, Executive Resources, Performance Appraisal and Merit Pay Staff, Office of Personnel, Department of Agriculture, 14th Street and Independence Avenue, S.W., Washington, D.C. 20250, (202) 447–2830.

The membership of the Department of Agriculture's Performance Review Boards is amended by adding the names of John Graziano, Ruth Reister, John E. Schrote, Richard Siegel, Charles Shuman and Harold Hunter.

John R. Block,
Secretary of Agriculture.
September 22, 1981.
[FR Doc. 81-27857 Filed 9-24-81; 8:45 am]
BILLING CODE 3410-03-M

Rural Electrification Administration

KAMO Electric Cooperative, Inc.; Finding of No Significant Impact

The Rural Electrification Administration (REA) has prepared a Finding of No Significant Impact with respect to proposed financing assistance by REA for KAMO Electric Cooperative, Inc., (KAMO) of Vinita, Oklahoma, for the construction of 72.4 km (45 mi) of 69 kV transmission line. The proposed construction includes the following projects:

40 km (25 mi) Butler—Austin 69 kV line.

16 km (10 mi) Jasper—Dudenville 69 kV line.

16 km (10 mi) Jasper—Medoc 69 kV line.

The above projects will be located in Bates, Cass, and Jasper Counties, Missouri. Associated substation construction includes the proposed Medoc Substation. KAMO has prepared Borrower's Environmental reports (BER's) concerning the proposed projects. An Environmental Assessment was prepared by REA.

Threatened and endangered species, important farmlands, archaeological and historic sites, wetlands and floodplains and other potential impacts of the proposed projects are adequately considered in the BER's and the Environmental Assessment. Some pole structures may be located in floodplains. Part of the Medoc substation and some pole structures will be located on prime farmland. The impact will be minimal.

Alternatives considered include no action, alternate routes and alternate

substation sites. The proposed transmission lines and associated substation additions are the most viable alternatives to deliver power to existing and projected loads within the project area.

REA's independent evaluation of the proposed construction concludes that this project does not represent a major Federal action that will significantly affect the quality of the human environment. A finding of No Significant Impact was reached in accordance with REA Bulletin 20–21:320–21, Part 1.

Copies of the Finding of No Significant Impact, the Environmental Assessment, and BER's may be obtained from or reviewed at the Office of the Director, Power Supply Division, Room 0230, South Agriculture Building, Rural Electrification Administration, Washington, D.C. 20250, or may be reviewed at the office of the KAMO Electric Cooperative, Inc., P.O. Box 577, Vinita, Oklahoma 74301.

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

Dated at Washington, D.C., this 22d day of September 1981.

Harold V. Hunter,

Administrator, Rural Electrification Administration.

[FR Doc. 81–27932 Filed 9–24–81; 8:45 am]

BILLING CODE 3410–15–M

DEPARTMENT OF COMMERCE

International Trade Administration

Strontium Nitrate From Italy; Early Determination of Antidumping Duty

AGENCY: International Trade Administration, Commerce.

ACTION: Early determination of antidumping duty.

SUMMARY: The Department of Commerce has conducted an early determination of the antidumping duty to be assessed upon imports of strontium nitrate from Italy entered, or withdrawn from warehouse, for consumption from February 18, 1981 to June 24, 1981. This determination will also be the basis for the deposit of estimated antidumping duties on future entries of such merchandise.

EFFECTIVE DATE: September 25, 1981.

FOR FURTHER INFORMATION CONTACT: F. Patrick Pope or David R. Chapman, Office of Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230 (202–377–4697/2657).

SUPPLEMENTARY INFORMATION:

Procedural Background

On June 25, 1981, the Department of Commerce ("the Department") published in the **Federal Register** (46 FR 32864) an antidumping duty order covering imports of strontium nitrate from Italy. In accordance with the order, Customs officers were directed to require a deposit of estimated antidumping duties on the merchandise pending liquidation.

On July 1, 1981, the only known Italian exporter of the merchandise, Societa Bario e Derivati S.p.A. ("SABED"), requested that we waive the deposit of estimated duties and make an early determination of duty.

On July 24, 1981, we announced in the **Federal Register** (46 FR 38114) that, in accordance with section 736(c) of the Tariff Act of 1930 ("the Tariff Act"), we were satisfied that we would be able to determine foreign market value and United States price for all entries by SABED from the date of our preliminary affirmative determination to the date of the International Trade Commission's final determination. Deposit of estimated duties was waived pending the early determination of duty.

Scope of the Investigation

We investigated all imports of Italian strontium nitrate entered, or withdrawn from warehouse, for consumption during the period from February 18, 1981 to June 24, 1981.

For the purpose of this notice, the term "strontium nitrate" means a chemical compound $Sr(NO_3)_2$, currently classifiable under item 421.7400 of the Tariff Schedules of the United States Annotated (TSUSA).

The review covers the only known exporter of strontium nitrate from Italy to the United States, SABED.

United States Price

In calculating United States price, the Department used purchase price, as defined in section 772(b) of the Tariff Act, since all sales of Italian strontium nitrate were to unrelated U.S. customers and were concluded before the merchandise was imported into the United States. We calculated purchase price on the basis of a packed price f.o.b. Massa, Italy. No adjustments were made or claimed.

Foreign Market Value

In calculating foreign market value, the Department used constructed value, as defined in section 773(e) of the Tariff Act, since sufficient quantities of such or similar merchandise were not sold in the home market or to third countries to provide a basis for comparison. Constructed values were calculated as the sum of materials, fabrication costs, general expenses, profit and the cost of packing. The amount added for general expenses constituted at least ten percent of the sum of materials and fabrication costs. Profit was calculated at eight percent of the sum of all general expenses and cost.

Analysis of Comments Received

Interested parties were given an opportunity to submit written or oral comments. The petitioner and SABED submitted comments.

The petitioner contends that home market sales should form the basis for foreign market value because there were sales in the home market and a relatively small number of transactions occurred during the review period.

The petitioner is correct that the total number of transactions was small. However, we used constructed value because we determined that neither the sales in Italy nor those for exportation to countries other than the U.S. constituted a viable market. Production is related specifically to the U.S. market and any residual amounts not purchased by U.S. customers are sold sporadically and are not in the ordinary course of trade.

The respondent contends that sales from SABED to a parent sufficiently reflect arm's length transactions and should not be adjusted when calculating the constructed value. The constructed value submitted by SABED included a deduction from raw material costs for the value of a by-product generated as a result of the production process. Because the by-product was sold to both related and unrelated customers, we adjusted this value by recalculating the sales receipts for the sales to the related party to reflect a value comparable to sales transactions of similar merchandise to unrelated parties. The respondent has not supplied to date satisfactory evidence to support its claim that the price to the related party fairly reflected the value of the by-product.

The constructed value data presented by SABED did not include costs for general corporate interest. During verification we examined the financial statements of SABED for the two most recent fiscal years and received information on interest costs for the six months ending June 30, 1981. this examination revealed that SABED has carried significant debt for the past several years. We allocated the interest charges to strontium nitrate on the basis of net receipts. SABED argues that this

allocation was improper because the debt was in place prior to the production of strontium nitrate and no additional debt was incurred as a result of its production. Even if all of the debt predates the beginning of production of strontium nitrate, we consider this corporate debt to be a normal business expense that is properly included in the general expenses for constructed value calculations.

In February, 1981, SABED's parent firm, KALI-Chemie of Hannover, West Germany, loaned SABED additional sums for the purpose of retiring outstanding debt. This related party loan was made at a rate of interest below the commercial rate prevailing in Italy at the time. We recalculated the interest payments on this loan to reflect terms available in the commercial market. SABED objects to the recomputation and argues that no amount in excess of actual cost should be allocated. The fact that this loan was made at rates significantly below the prime rate in the Italian market indicated that this was not an arm's length transaction. We therefore reject SABED's argument.

Results of Early Determination

As a result of adjustments made based on comments received and our analysis, we determine that no margins on any of the sales exist. The Department shall issue appraisement instructions separately to the Customs Service.

As provided for in section 353.48(b) of the Commerce Regulations, a cash deposit based on the most recent margin calculated normally would be required on all shipments of Italian strontium nitrate entered, or withdrawn from warehouse, for consumption on or after the date of publication of these results. Since the most recent margin calculated is zero, the Department waives the deposit requirement for Italian exports of strontium nitrate. The waiver of deposit shall remain in effect until publication of the final results of the next administrative review. The Department intends to conduct the next administrative review by the end of June, 1983.

This early determination and notice are in accordance with section 736(c)(3) of the Tariff Act (19 U.S.C. 1673(e)) and § 353.49 of the Commerce Regulations (19 CFR 353.49).

Leonard M. Shambon,

Director, Office of Compliance.

September 22, 1981.

[FR Doc. 81-27827 Filed 9-24-81; 8:45 am]

BILLING CODE 3510-25-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Additional Import Controls on Certain Apparel Products From Taiwan

September 22, 1981.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Controlling wool coats in Category 435, produced or manufactured in Taiwan, at a level of 19,230 dozen during the twelve-month period which began on January 1, 1981.

(A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on February 28, 1980 (45 FR 13172), as amended on April 23, 1980 (45 FR 27463), August 12, 1980 (45 FR 53506) December 24, 1980 (45 FR 85142) and May 5, 1981 (46 FR 25121)).

SUMMARY: Pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of June 8, 1978, as amended, concerning textile and apparel products from Taiwan, the United States Government has decided, following consultations with the Coordination Council for North American Affairs, to control imports of wool textile products in Category 435, produced or manufactured in Taiwan and exported during the twelve-month period which began on January 1, 1981 in addition to those categories previously designated.

EFFECTIVE DATE: September 30, 1981.

FOR FURTHER INFORMATION CONTACT: Ronald Sorini, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377-5423).

SUPPLEMENTARY INFORMATION: On December 29, 1980, there was published in the Federal Register (45 FR 85497) a letter dated December 19, 1980 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs which established levels of restraint for certain specified categories of cotton, wool and man-made fiber textile products, produced or manufactured in Taiwan, which may be entered into the United States for consumption, or withdrawn from warehouse for consumption, during the twelve-month period which began on January 1, 1981 and extends through December 31, 1981. In the letter published below, the Chairman of the Committee for the Implementation of Textil Agreements directs the Commissioner of Customs also to prohibit entry for consumption, or withdrawal from warehouse for consumption, of wool coats in Category 435, in excess of 19,230 dozen. The level of restraint has not been adjusted to account for any imports after December 31, 1980. Imports during the January 1–July 31, 1981 period have amounted to 5,928 dozen and will be charged. As the data become available, further charges will be made for the period which began on August 1, 1981 and extends to the effective date of this action.

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

September 22, 1981.

Committee for the Implementation of Textile Agreements

Commissioner of Customs,
Department of the Treasury, Washington, D.C. 20229

Dear Mr. Commissioner: This directive further amends, but does not cancel, the directive issued to you on December 19, 1980 by the Chairman, Committee for the Implementation of Textile Agreements, concerning imports into the United States of certain cotton, wool and man-made fiber textile products, produced or manufactured in Taiwan.

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, as extended on December 15, 1977; pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of June 8, 1978, as amended, concerning cotton, wool and man-made fiber textile products from Taiwan; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended by Executive Order 11951 of January 6, 1977, you are directed to prohibit, effective on September 30, 1981, and for the twelve-month period beginning on January 1, 1981 and extending through December 31, 1981, entry into the United States for consumption and withdrawal from warehouse for consumption of wool textile products in Category 435, produced or manufactured in Taiwan, in excess of 19,230 dozen.[1]

Textile products in Category 435 which have been exported to the United States prior to January 1, 1981 shall not be subject to this directive.

Textile products in Category 435 which have been released from the custody of the U.S. Customs Service under the provisions of 19 U.S.C. 1448(b) or 1484(a)(1)(A) prior to the effective date of this directive shall not be denied entry under this directive.

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the authorities in Taiwan and with respect to wool textile products from Taiwan, have been determined by the Committee for the Implementation of Textile Agreements to

[1] The level of restraint has not been adjusted to reflect any imports after December 31, 1980. Imports have amounted to 5,938 dozen during the January-July period of 1981.

involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the **Federal Register.**

Sincerely,

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 81-27904 Filed 9-24-81; 8:45 am]

BILLING CODE 3510-25-M

Additional Import Controls on Certain Cotton Apparel Products From Pakistan

September 22, 1981.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Controlling imports of cotton nightwear in Category 351 from Pakistan at a level of 38,462 dozen during the 18-month period which began on January 1, 1981.

(A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the **Federal Register** on April 23, 1980 (45 FR 27463), and August 12, 1980 (45 FR 53506)).

SUMMARY: Under the terms of the Bilateral Cotton Textile Agreement of January 4 and 9, 1978, as amended, between the Governments of the United States and Pakistan, the United States Government has decided to control imports of cotton textile products in Category 351, produced or manufactured in Pakistan at a level of 38,462 dozen during the 18-month agreement year which began on January 1, 1981, in addition to those categories previously designated.

EFFECTIVE DATE: September 28, 1981.

FOR FURTHER INFORMATION CONTACT: Gordana Slijepcevic, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377-2184).

SUPPLEMENTARY INFORMATION: On December 24, 1980, there was published in the **Federal Register** (45 FR 85140) a letter dated December 19, 1980 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs, which established levels of restraint for certain specified categories of cotton textile products, produced or manufactured in Pakistan, which may be entered into the United States for consumption, or withdrawn from warehouse for consumption, during the 18-month period which began on January 1, 1981 and extends through June 30, 1982. Under the terms of the bilateral agreement, the United States Government has decided also to control imports of cotton textile products in Category 351 during that same period. Accordingly, in the letter published below the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs to prohibit entry into the United States for consumption, or withdrawal from warehouse for consumption, of cotton textile products in Category 351 in excess of 38,462 dozen. The level of restraint has not been adjusted to account for any imports after December 31, 1980. Imports during the period which began on January 1, 1981 and extended to July 31, 1981 amounted to 26,940 dozen and will be charged. As the data become available, further charges will be made to account for the period which began on August 1, 1981 and extends to the effective date of this action.

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

September 22, 1981.

Committee for the Implementation of Textile Agreements

Commissioner of Customs,
Department of the Treasury, Washington, D.C. 20229

Dear Mr. Commissioner: This directive amends, but does not cancel, the directive issued to you on December 19, 1980 by the Chairman, Committee for the Implementation of Textile Agreements, concerning imports into the United States of certain cotton textile products, produced or manufactured in Pakistan.

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, as extended on December 15, 1977; pursuant to the Bilateral Cotton Textile Agreement of January 4 and 9, 1978, as amended, between the Governments of the United States and Pakistan; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended by Executive Order 11951 of January 6, 1977, you are directed to prohibit, effective on September 28, 1981 and for the eighteen-month period which began on January 1, 1981 and extends through June 30, 1982, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 351 in excess of 38,462 dozen.[1]

Textile products in Category 351 which have been exported to the United States prior to January 1, 1981 shall not be subject to this directive.

Textile products in Category 351 which have been released from the custody of the U.S. Customs Service under the provisions of 19 U.S.C. 1448(b) or 1484(a)(1)(A) prior to the effective date of this directive shall not be denied entry under this directive.

The actions taken with respect to the Government of Pakistan and with respect to imports of cotton textile products from Pakistan have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553. This letter will be published in the **Federal Register.**

Sincerely,

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 81-27903 Filed 9-24-81; 8:45 am]

BILLING CODE 3510-25-M

[1] The level of restraint has not been adjusted to account for any imports after December 31, 1980. Imports during the January–July 1981 period have amounted to 26,940 dozen.

Adjusting the Levels of Restraint for Certain Cotton Apparel Products From the People's Republic of China

September 23, 1981.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Establishing specific ceilings of 150,000 dozen, 208,333 dozen and 583,333 dozen, respectively, for men's and boys' other cotton coats in Category 334, women's, girls' and infants cotton coats in Category 335, and men's and boys' cotton knit shirts in Category 338 during the ten-month period which began on March 1, 1981 and extends through December 31, 1981. In addition, a sublimit of 416,667 dozen has been established within Category 338 for T.S.U.S.A. numbers 380.0029 and 380.0652.

(A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the **Federal Register** on February 28, 1980 (45 FR 13172), as amended on April 23, 1980 (45 FR 27463), August 12, 1980 (45 FR 53506), December 24, 1980 (45 FR 85142) and May 5, 1981 (46 FR 25121)).

SUMMARY: On September 21, 1981 the Governments of the United States and the People's Republic of China exchanged notes amending the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of September 17, 1980 between the two governments to establish, among other things, specific ceilings for cotton textile products in Categories 334, 335 and 338 for the period which began on March 1, 1981

and extends through December 31, 1981, but including the provision that the percentage increases for swing shall be 6 percent for Category 334, 7 percent for Category 335, and 6 percent for Category 338 during the ten-month agreement period which began on March 1, 1981 and henceforth.

EFFECTIVE DATE: September 28, 1981.

FOR FURTHER INFORMATION CONTACT: Carl Ruths, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377–5423).

SUPPLEMENTARY INFORMATION: On June 19, 1981, there was published in the **Federal Register** (46 FR 32060) a letter dated June 16, 1981 to the Commissioner of Customs from the Chairman of the Committee for the Implementation of Textile Agreements which established levels of restraint for cotton textile products in Categories 334, 335, and 338, produced or manufactured in the People's Republic of China and exported during the ninety-day period which began on February 24, 1981 and extended through May 24, 1981 and the twelve-month period which began on May 25, 1981 and extends through May 24, 1982. The letter published below from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs cancels and supersedes the June 16, 1981 letter and directs the Commissioner of Customs to prohibit entry for consumption, or withdrawal from warehouse for consumption of cotton textile products in Categories 334, 335 and 338 in excess of the designated levels of restraint during the ten-month period which began on March 1, 1981 and extends through December 31, 1981.

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

September 23, 1981.

Commissioner of Customs,
Department of the Treasury, Washington, D.C. 20229

Dear Mr. Commissioner: This directive cancels and supersedes the directive issued to you on June 16, 1981 by the Chairman of the Committee for the Implementation of Textile Agreements which established levels of restraint for cotton textile products in Categories 334, 335 and 338 from the People's Republic of China during the ninety-day period which began on February 24, 1981 and extended through May 24, 1981 and the twelve-month period which began on May 25, 1981 and extends through May 24, 1982.

Under the terms of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of September 17, 1980, as amended, between the Governments of the United States and the People's Republic of China, and in accordance with the provisions of Executive Order 11651 of March 3, 1972 as amended by Executive Order 11951 of January 6, 1977, you are directed to prohibit, effective on September 28, 1981 and for the ten-month period which began on March 1, 1981 and extends through December 31, 1981, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Categories 334, 335 and 338, exported from the People's Republic of China on and after March 1, 1981, in excess of the following levels of restraint: [1]

Category	10-month level of restraint
334	150,000
335	[2] 208,333
338	[3] 583,333

[1] Dozen.
[2] Dozen of which not more than 416,667 dozen shall be in T.S.U.S.A. numbers 380.0029 and 380.0652.

Textile products in Categories 334, 335 and 338 which have been exported to the United States prior to March 1, 1981 shall not be subject to this directive.

Textile products in Categories 334, 335 and 338 which have been released from the custody of the U.S. Customs Service under the provisions of 19 U.S.C. 1448(b) or 1484(a)(1)(A) prior to the effective date of this directive shall not be denied entry under this directive.

The actions taken with respect to the Government of the People's Republic of China and with respect to imports of cotton textile products from China have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 533. This letter will be published in the **Federal Register**.

Sincerely,

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 81-28002 Filed 9-24-81; 8:45 am]
BILLING CODE 3510-25-M

Adjusting the Level of Restraint for Certain Wool and Man-Made Fiber Apparel Products Exported From the Polish People's Republic

September 23, 1981.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Increasing the level of restraint established for wool and man-made fiber suits in Category 443/643/644, produced or manufactured in Poland, from 14,852 dozen to 16,634 dozen during the agreement year which began on January 1, 1981 by the application of swing and carryforward. The sublimit for Category 443/643 (except leisure suits in T.S.U.S.A. Numbers 380.8145, 380.8451, 380.6651 and 380.6652) is being increased from 13,000 dozen to 14,560 dozen during the same agreement period.

(A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the **Federal Register** on February 28, 1980 (45 FR 13172), as amended on April 23, 1980 (45 FR 27463), August 12, 1980 (45 FR 53506) December 24, 1980 (45 FR 85142) and May 5, 1981 (46 FR 25121)).

SUMMARY: The Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of September 15, 1980 and March 21, 1981, as amended, between the Governments of the United States and the Polish People's Republic provides, among other things, for the borrowing of yardage in certain categories from the succeeding year's level with the amount used deducted from the level in the following year (carryforward); and that specific ceilings may be increased by designated percentages (swing). Pursuant to the terms of the bilateral agreement, the import restraint level for Category 443/643/644 is being increased during the twelve-month period which began on January 1, 1981.

EFFECTIVE DATE: September 28, 1981.

FOR FURTHER INFORMATION CONTACT: Carl Ruths, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377–4212).

SUPPLEMENTARY INFORMATION: On April 30, 1981 there was published in the **Federal Register** (46 24224) a letter dated April 27, 1981 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs which established levels of restraint for certain cotton, wool and man-made fiber textile products, including Category 443/643/644, produced or manufactured in Poland which may be entered into the United States for consumption, or withdrawn from warehouse for consumption, during the twelve-month period which began on January 1, 1981 and extends through December 31, 1981 under the terms of a new bilateral agreement.

In the letter published below the Chairman of the Committee for the

[1] The levels of restraint have not been adjusted to reflect any imports after February 28, 1981.

Implementation of Textile Agreements directs the Commissioner of Customs to permit entry for consumption and withdrawal from warehouse for consumption of wool and man-made fiber textile products in Category 443/643/644, produced or manufactured in Poland, at the increased level of 16,634 dozen during the agreement year which began on January 1, 1981.

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

September 23, 1981.

Committee for the Implementation of Textile Agreements

Commissioner of Customs, Department of the Treasury,
Washington, D.C.

Dear Mr. Commissioner: On April 27, 1981, the Chairman, Committee for the Implementation of Textile Agreements, directed you to prohibit entry during the twelve-month period beginning on January 1, 1981 and extending through December 31, 1981 of cotton, wool and man-made fiber textile products in certain specified categories, produced or manufactured in Poland, in excess of designated levels of restraint. The Chairman further advised you that the levels of restraint are subject to adjustment.[1]

Under the terms of the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, and extended on December 15, 1977, pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of September 15, 1980 and March 21, 1981, as amended, between the Governments of the United States and the Polish People's Republic; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended by Executive Order 11951 of January 6, 1977, you are directed, effective on September 28, 1981, to increase the twelve-month level of restraint for Category 443/643/644 to the following:

Category	Amended 12-mo. level of restraint[1]
443/643/644	16,634 dozen of which not more than 14,560 dozen shall be applied to all T.S.U.S.A. numbers in these categories except 380.8145, 380.8451, 380.6651 and 380.6652.

[1] The level of restraint has not been adjusted to reflect any imports after December 31, 1980.

The actions taken with respect to the Government of the Polish People's Republic and with respect to imports of wool and man-made fiber textile products from Poland have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the **Federal Register.**

Sincerely,

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 81-28097 Filed 9-24-81; 10:24 am]

BILLING CODE 3510-25-M

[1] The term "adjustment" refers to those provisions of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of September 15, 1980 and March 21, 1981, as amended, between the Governments of the United States and the Polish People's Republic which provide, in part, that: (1) within the aggregate and applicable group limits of the agreement, specific levels of restraint may be exceeded by designated percentages; (2) these levels may also be increased for carryover and carryforward; and (3) administrative arrangements or adjustments may be made to resolve minor problems arising in the implementation of the agreement.

Announcing an Import Restraint Level for Certain Wool Sweaters From Mauritius

September 24, 1981.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Establishing a level of restraint of 47,214 dozen for wool sweaters in Category 445/446, produced or manufactured in Mauritius and exported during the twelve-month period which began on July 30, 1981, pursuant to Section 204 of the Agricultural Act of 1956, as amended.

(A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the **Federal Register** on February 28, 1980 (45 FR 13172), as amended on April 23, 1980 (45 FR 27463), August 12, 1980 (45 FR 53506), December 24, 1980 (45 FR 85142), and May 5, 1981 (46 FR 25121)).

SUMMARY: On July 30, 1981, the United States Government requested the Government of Mauritius to enter into consultations to establish an appropriate level of restraint for wool sweaters in Category 445/446, produced or manufactured in Mauritius and exported to the United States during the twelve-month period which began on July 30, 1981. Consultations held in Geneva during the week of September 21–25, 1981 did not produce a mutually satisfactory solution. Inasmuch as these imports are continuing to rise, the Government of the United States has decided, pending further consultations, to prohibit entry of wool sweaters in Category 445/446 in excess of 47,214 dozen during the twelve-month period which began on July 30, 1981.

EFFECTIVE DATE: September 28, 1981.

FOR FURTHER INFORMATION CONTACT: Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377–4212).

SUPPLEMENTARY INFORMATION: On August 13, 1981, there was published in the **Federal Register** (46 FR 40916) a notice dated August 10, 1981, announcing that consultations had been requested with the Government of Mauritius concerning an appropriate level of restraint for wool sweaters in Category 445/446, produced or manufactured in Mauritius, and soliciting public comment thereon. Consultations were held with the Government of Mauritius during the week of September 21–25, 1981 in Geneva and did not produce a mutually satisfactory solution. Accordingly, in the letter published below, the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs to prohibit entry for consumption or withdrawal from warehouse for consumption of wool sweaters, produced or manufactured in Mauritius and exported during the twelve-month period which began on July 30, 1981 and extends through July 29, 1982 in excess of 47,214 dozen. This directive is subject to termination or revision in the event a different solution is agreed between the two governments during further consultations.

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

September 24, 1981

Committee for the Implementation of Textile Agreements

Commissioner of Customs,
Department of the Treasury, Washington, D.C. 20229

Dear Mr. Commissioner: Under the terms of Section 204 of the Agricultural Act of 1956, as amended, and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended by Executive Order 11951 of January 6, 1977, you are directed to prohibit effective on September 28, 1981, and for the twelve-month period which began on July 30, 1981 and extends through July 29, 1982, entry into the United States for consumption and withdrawal from warehouse for consumption of wool textile products in Category 445/446, produced or manufactured in Mauritius and exported during the twelve-month period which began on July 30, 1981, in excess of 47,214 dozen.[1]

Wool textile products in Category 445/446 that have been exported before July 30, 1981 shall not be subject to this directive.

Wool textile products in Category 445/446 that have been released from the custody of the U.S. Customs Service under the provisions of 19 U.S.C. 1448(b) or 1484(a)(1)(A) prior to the effective date of this directive shall not be denied entry under this directive.

[1] The level of restraint has not been adjusted to account for any imports after July 29, 1981.

A detailed description of the textilte categories in terms of T.S.U.S.A. numbers was published in the **Federal Register** on February 28, 1980 (45 FR 13172), as amended on April 23, 1980 (45 FR 27463), August 12, 1980 (45 FR 53506) December 24, 1980 (45 FR 85142) and May 5, 1981 (46 FR 25121).

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Mauritius and with respect to imports or wool textile products from Mauritius have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rule-making provisions of 5 U.S.C. 553. This letter will be published in the **Federal Register.**

Sincerely,

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 81-28096 Filed 9-24-81; 10:24 am]

BILLING CODE 3510-25-M

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

Procurement List 1981; Addition

AGENCY: Committee for Purchase from the Blind and Other Severely Handicapped.

ACTION: Addition to procurement list.

SUMMARY: This action adds to Procurement List 1981 a service to be provided by workshops for the blind and other severely handicapped.

EFFECTIVE DATE: September 25, 1981.

ADDRESS: Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street North, Suite 610, Arlington, Virginia 22201.

FOR FURTHER INFORMATION CONTACT: C. W. Fletcher, (703) 557-1145.

SUPPLEMENTARY INFORMATION: On July 24, 1981, the Committee for Purchase from the Blind and Other Severely Handicapped published a notice (46 FR 38119) of proposed addition to Procurement List 1981, November 12, 1980 (45 FR 74836).

After consideration of the relevant matter presented, the Committee has determined that the service listed below is suitable for procurement by the Federal Government under 41 U.S.C. 46-48c, 85 Stat. 77.

Accordingly, the following service is hereby added to Procurement List 1981:

SIC 7399

Currency Packaging Service, Bureau of Engraving and Printing, Washington, D.C.

E. R. Alley, Jr.,

Acting Executive Director.

[FR Doc. 81-27863 Filed 9-24-81; 8:45 am]

BILLING CODE 6820-33-M

DEPARTMENT OF DEFENSE

Office of the Secretary

DOD Advisory Group on Electron Devices; Meeting

Working Group C (Mainly Imaging and Display) of the DOD Advisory Group on Electron Devices (AGED) will meet in closed session 26 October 1981, at the Honeywell Management Development Center, 7625 Metro Blvd., Minneapolis, Minnesota 55420.

The mission of the Advisory Group is to provide the Under Secretary of Defense for Research and Engineering, the Director, Defense Advanced Research Projects Agency and the Military Departments with technical advice on the conduct of economical and effective research and development programs in the area of electron devices.

The Working Group C meeting will be limited to review of research and development programs which the military propose to initiate with industry, universities or in their laboratories. This special device area includes such programs as infrared and night sensors. The review will include classified program details throughout.

In accordance with 5 U.S.C. App 1, § 10(d) (1976), it has been determined that this Advisory Group meeting concerns matters listed in 5 U.S.C. 552b(c)(1) (1976), and that accordingly, this meeting will be closed to the public.

M. S. Healy,

OSD Federal Register Liaison Officer, Washington Headquarters Services, Department of Defense.

September 22, 1981.

[FR Doc. 81-27953 Filed 9-24-81; 8:45 am]

BILLING CODE 3810-01-M

DEPARTMENT OF ENERGY

Record of Decision; Medium Btu Industrial Fuels Gasification Demonstration Plant (IFGDP) Memphis, Shelby County, Tenn.

AGENCY: Department of Energy.

ACTION: Notice of Record of Decision regarding the Department of Energy's action on the proposed demonstration project. The environmental consequences of the proposed project and the reasonable alternatives to the proposed project were evaluated in a Final Environmental Impact Statement (EIS), DOE/EIS-0071, which was filed with EPA on May 1, 1981. This Record of Decision is being issued pursuant to regulations of the Council on Environmental Quality (40 CFR Part 1505) and Implementing Procedures of the Department of Energy (45 FR 20694).

Decision

The Department of Energy (DOE) has decided to terminate future funding support of the proposed Memphis Light, Gas, and Water (MLGW) Division sponsored Medium Btu Industrial Fuel Gas Demonstration Plant (IFGDP) project. MLGW has submitted an application to the Synthetic Fuels Corporation (SFC) for continued financial support to construct the IFGDP. In order to assist the current project schedule and to maintain project design team efforts until SFC can act on the MLGW application, DOE will continue to provide available prior year funds to the project, with the provision that these funds will be utilized only for final design and associated technical support pilot plant tests, and necessary vendor engineering. No site work or construction work is included. The DOE involvement in the project will terminate either when available prior year funds are exhausted, or when SFC acts on the MLGW application; whichever comes first.

Basis for Decision

The United States' dependence on foreign sources for some of its petroleum and natural gas has been a matter of concern for some time.

The goal of DOE's Fossil Energy program is to develop advanced methods of utilizing the Nation's abundant coal supply to increase national security, and minimize economic and social costs. DOE has supported the proposed MLGW project with funds for conceptual design and environmental impact assessment. With the restructuring of the Federal Synthetic Fuels Program during 1981, which involves increased reliance on the private sector to bring about expanded development and production of new energy resources, DOE will phase out its participation in the project as a major cost-sharing partner. MLGW has submitted a proposal to the SFC to continue the project under incentives provided by the Corporation. It is DOE's opinion that use of the available prior year funds will aid MLGW in the possible transition to SFC sponsorship and is not inconsistent with the

Administration's policies of teminating Federal support of the project. DOE will terminate its involvement with the IFGDP project when these available funds are either exhausted or when SFC acts upon the MLGW application; whichever comes first. Prior year funds are not to be used to accomplish site work or other construction activities.

The alternatives considered by DOE in reaching this decision were discussed in Section 2 of the Final EIS. They are: to proceed with the proposed action, to modify the proposed action, or to take no action. The environmentally preferred alternative is the no-action alternative. As discussed above, DOE is taking the no-action alternative in support of the Administration's restructuring of the Federal Synthetic Fuels Programs by terminating future funding for the MLGW project.

The Final EIS (DOE/EIS–0071) identified only two monitoring activities that DOE would have undertaken to supplement the monitoring activities of the industrial partners; namely to prepare and make public quarterly reports and to conduct supporting investigations on the release and effects of novel effluents. It is DOE's opinion that the proposed project is technically sound and based on the analysis in the Final EIS, the impacts of the proposed MLGW project would be environmentally acceptable without DOE's monitoring activity. If successful, the project will provide private industry with needed information and incentive to phase the U-gas process into the commercial sector. Successful commercialization of the U-gas process could result in a national market penetration of 0.6 Quads of medium Btu gas by 1992.

Dated this 18th day of September 1981, in Washington, D.C.

Jan W. Mares,

Assistant Secretary for Fossil Energy.

[FR Doc. 81–27828 Filed 9–24–81; 8:45 am]

BILLING CODE 6450–01–M

Voluntary Agreement and Plan of Action To Implement the International Energy Program; Meeting

In accordance with section 252(c)(1)(A)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6272), notice is hereby provided of the following meeting:

A meeting of Subcommittee A of the Industry Advisory Board to the International Energy Agency (IEA) will be held on October 5, 1981, at the offices of the IEA, 2 Rue Andre Pascal, Paris 16, France, beginning at 9:00 a.m. This meeting is being held to permit Subcommittee A to consult with the IEA Secretariat and IEA member governments concerning trade discrepancies in the IEA Emergency Data System.

The agenda for the meeting is under the control of the IEA Secretariat. It is expected that the following subjects will be discussed:

Trade discrepancies in the IEA Emergency Data System:

—transshipment terminals;

—non-reporting by traders in the Rhine area.

As provided in section 252(c)(1)(A)(ii) of the Energy Policy and Conservation Act, this meeting will not be open to the public.

Issued in Washington, D.C., September 21, 1981.

Janine Landow-Esser,

Deputy Assistant General Counsel, International Trade and Emergency Preparedness.

[FR Doc. 81–27915 Filed 9–24–81; 8:45 am]

BILLING CODE 6450–01–M

Bonneville Power Administration

Alumax Final Environmental Impact Statement; Record of Decision

AGENCY: Bonneville Power Administration, DOE.

Decision: Bonneville Power Administration (BPA) has decided to provide service to the Alumax-Pacific aluminum reduction plant at Umatilla, Oregon, under the terms of the Industrial Firm Power Sales Contract (No. 14–03–59133) of April 17, 1975. Such service shall not extend beyond July 20, 1986, pursuant to such contract. This record of decision (ROD) is based upon the Final Alumax Environmental Impact Statement (EIS), (DOE/EIS–0076), which was filed with the Environmental Protection Agency on June 15, 1981, and upon "The Role of the Bonneville Power Administration in the Pacific Northwest Power Supply System: Including Its Participation In a Hydro Thermal Power Program" (Final Role EIS: DOE/EIS–0066) of December 1980.

This decision applies to service rendered to Alumax pursuant to the terms and conditions of Contract No. 14–03–59133. Following that, service to Alumax would fall under the provisions and the requirements of the Pacific Northwest Electric Power Planning and Conservation Act of 1980 (PNEPPCA).

Project description: In April of 1975, BPA signed a contract with Alumax-Pacific Corporation for the sale of power to their proposed primary aluminum reduction plant to be located in northeastern Oregon near Umatilla. Under the existing contract BPA proposes to serve the facility with 320 MW of Industrial Firm power. The proposed plantsite would occupy approximately 165 acres of a 4,100 acre-tract in the Port of Umatilla's industrial site area and involves two potlines for the reduction of aluminum by the Hall-Heroult process using prebake carbon anodes. Dominant physical features of the proposed facility include four "potroom," large aluminum storage silos, an emission control center with 150-foot stack, and the anode manufacturing building. Rail access would be provided by an extension of an existing Union Pacific spur serving Umatilla.

Transmission facilities would include the construction of two single-circuit 230-kV lines from the existing McNary Substation to the proposed Mill Substation near the plant. Each line would be approximately 4 miles long and would follow a route where the fewest environmental impacts are expected to occur.

Alternatives considered: Alternatives to the proposal considered by Bonneville in reaching its decision were:

(a) No service to Alumax;

(b) Alumax served at the Warrenton site;

(c) Service to Alumax delayed until firm energy surplus to preference customers' requirements is available;

(d) Alternative contract expiration dates;

(e) Alternative plant technology or methods of operation; and

(f) Alumax served but with power inadequate to facilitate operation at planned capacity.

Alternative A, the "no-action" alternative, is also the environmentally preferred alternative. If BPA did not serve Alumax, it is unlikely that the plant would be built. Therefore, the construction and operating impacts of the plant would be avoided.

Alternative B, resiting the plant at Warrenton, an alternate site considered in the EIS, would have many of the same types of impacts as those of the proposal, but the natural ecosystems at this site would be more vulnerable to harm than those at the Umatilla site.

Alternative C, delaying service, would be similar to the "no-action" alternative; no surplus in power supply is expected within the duration of the Alumax contract.

Alternative D, alternative contract dates, would not change the nature and extent of the impacts, although a shorter contract period might decrease the likelihood of the Alumax plant being built. Longer contract lengths would increase the duration of the possible

impacts and the likelihood that the plant would be built.

Alternative E, utilization of alternate plant technology or methods of operation, would not result in any change in the operational impacts of Alumax (e.g., air quality and water quality), on the environment, because the Alumax plant as proposed already encompasses the best available pollution control technology. As indicated on page 5, the plant will meet all applicable environmental standards and requirements. Therefore, there is no alternative process or technology that would further reduce regulated environmental impacts. Construction impacts would also remain the same as in Alternative A.

Alternative F, inadequate service, would have variable impacts, depending on the size of the inadequacy and Alumax's response to the cutback. If supplemental energy is found, impacts would be the same as those of the proposal. If the plant were operated at less than capacity, such impacts would be reduced accordingly. If Alumax were not to build in the region, the impacts would be the same as those of Alternative A.

Decision factors: The impact factors of siting the Alumax plant at Umatilla which were evaluated by BPA in reaching this decision inlcude physical and biological impacts to natural ecosystems, air and water quality impacts, and socioeconomic impacts to surrounding communities. Particular attention was given to the examination of air contaminants—fluorides and sulfides—associated with the aluminum reduction process.

Impacts to surrounding communities such as increased tax base, compatibility with existing community services and employment, were also considered. Although it was determined that community services in Umatilla would be detrimentally affected, the increase in tax base associated with the influx of population is, in the opinion of locally elected officials, adequate to accommodate the expected changes.

While the plant as proposed would emit particulate and gaseous pollutants into the atmosphere, use of the best available control technology would meet ambient air quality standards and prevention of significant deterioration requirements. There is, however, some speculation that long-term fluoride accumulation (0.2 $\mu g/m^3$ annual or monthly average total fluoride; 0.1 $\mu g/m^3$ annual or monthly average gaseous fluoride) may affect the immediate area of the plant (the plantsite, the river, and the land between the two); however, Washington State ambient fluoride standards would not be exceeded (Oregon has no ambient fluoride standards; therefore, Washington standards are used to measure fluoride concentrations).

BPA examined the U.S. and international markets for aluminum and the impacts of the proposal on them. The impact of Alumax on both world and national supply of aluminum in percentage terms would decline over time in world and national markets. With price adjustments, world supply of and demand for aluminum would be brought into balance, while national demand would have to be satisfied through imports; without Alumax, the amount of imports required would be greater (130,000 metric tons in all years after 1980), and the average cost of imports higher (70 million 1976 dollars) than with the plant as proposed.

BPA also examined impacts of the proposal on the Federal Power System in the Pacific Northwest, concluding that both negative impacts (in the form of increased system losses) and positive ones (approximate Federal system load factor increase of 0.5 percent, due to Alumax's very high load factor of 98–100 percent) would result from siting the plant at Umatilla.

Considerations which mitigate the impacts of implementing the decision: All regulated environmental impacts associated with the decision are within levels that comply with Federal, State, and local standards and requirements. Therefore, the decision to serve the plant, while not the environmentally preferred alternative, is judged to be environmentally acceptable. In addition, both BPA and Alumax have identified specific measures to mitigate impacts on the natural resources and socioeconomic environment expected to be affected by the proposal. They include specific measures to mitigate the physical effects of the plant on the environment (relocation of wildlife irrigation ponds, special measures to minimize damage to soils and vegetation during construction, paving of roads and maintenance of ground cover to reduce dust and limitation of construction activities to daytime to minimize noise) and measures to mitigate impacts of transmission facilities (described in BPA's Draft Role EIS, Appendix B, VIII). Unlike physical and biological impacts, the nature of social and economic impacts is such that it is often difficult to determine which of these effects are adverse or to suggest or require mitigation measures. Furthermore, it is often outside the jurisdiction of the party proposing the action to undertake any measures which might be required. Therefore, measures discussed in the EIS are not concrete actions to which someone is committed to performing to a specified level of efficiency; generally, they are accepted planning practices and techniques utilized to limit the adverse effects of community growth which have been specifically attributed to Alumax.

Monitoring for long-term air quality will be carried out in accordance with the Oregon Department of Environmental Quality (DEQ) permitting procedures. The DEQ has already issued a permit for the wastewater control treatment and disposal facilities (permit No. 2287, July 21, 1975); monitoring programs are required under this permit.

All practicable means to avoid or minimize environmental harm have been adopted.

For further information contact: Anthony R. Morrell, Acting Environmental Manager, Bonneville Power Administraion, P.O. Box 3621–SJ, Portland, Oregon 97208. Telephone (503) 234–3361, extension 5137.

Dated: August 7, 1981.

Peter T. Johnson,

Administrator.

[FR Doc. 81–27824 Filed 9–24–81; 8:45 am]

BILLING CODE 6450–01–M

Economic Regulatory Administration

Alpar Resources, Inc.; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of action taken and opportunity for comment on consent order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces action taken to execute a Consent Order and provides an opportunity for public comment on the Consent Order and on potential claims against the refunds deposited in an escrow account established pursuant to the Consent Order.

EFFECTIVE DATE: August 26, 1981.

COMMENTS BY: October 26, 1981.

ADDRESS: Send comments to: Wayne I. Tucker, Southwest District Manager, Economic Regulatory Administration, Department of Energy, P.O. Box 35228, Dallas, Texas 75235, Phone: 214/767–7745.

FOR FURTHER INFORMATION, CONTACT: Wayne I. Tucker, Southwest District

Manager, Economic Regulatory Administration, Department of Energy, P.O. Box 35228, Dallas, Texas 75235, phone: 214/767–7745.

SUPPLEMENTARY INFORMATION: On August 26, 1981 the Office of Enforcement the ERA executed a Consent Order with Alpar Resources, Inc. of Perryton, Texas. Under 10 CFR 205.199J(b) a Consent Order which involves a sum of $500,000 or less in the aggregate excluding penalties and interest, becomes effective upon its execution.

Because the DOE and Alpar Resources, Inc. wish to expeditiously resolve this matter as agreed and to avoid delay in the payment of refunds, the DOE has determined that it is in the public interest to make the Consent Order with Alpar effective as of the date of its execution by the DOE and Alpar.

I. The Consent Order

Alpar Resources, Inc. (Alpar) is a firm engaged in the production of crude oil and was subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR Parts 210, 211, and 212. To resolve certain civil actions which could be brought by the Office of Enforcement of the Economic Regulatory Administration as a result of its audit of Alpar the Office of Enforcement, ERA, and Alpar entered into a Consent Order, the significant terms of which are as follows:

1. During the period September 1, 1973 through January 27, 1981, Alpar allegedly sold crude oil above the allowable prices specified at 10 CFR Part 212, subpart D.

2. Alpar and the DOE have agreed to a settlement of $313,000. This amount will be refunded by Alpar within 30 days of the effective date of the Consent Order. The negotiated settlement was determined to be in the public interest as well as the best interest of the DOE and Alpar.

3. This consent Order constitutes neither an admission by Alpar that ERA regulations have been violated nor a finding by the ERA that Alpar has violated ERA regulations.

4. The provisions of 10 CFR 205.199J, including the publication of this Notice, are applicable to the Consent Order.

II. Disposition of Refunded Overcharges

In this Consent Order, Alpar agrees to refund in full settlement of any civil liability with respect to actions which might be brought by the Office of Enforcement, ERA, arising out of the transactions specified in I.1. above, the sum of $313,000 in the manner specified in I.2 above. Refunded overcharges will be in the form of certified checks made payable to the United States Department of Energy and will be delivered to the Assistant Administrator for Enforcement, ERA. The funds will remain in a suitable account pending the determination of their proper disposition.

The DOE intends to distribute the refund amounts in accordance with applicable laws and regulations. Accordingly, distribution of such refunded overcharges requires that only those "persons" (as defined at 10 CFR 205.2) who actually suffered a loss as a result of the transactions described in the Consent Order receive appropriate refunds. Because of the petroleum industry's complex marketing system, it is likely that overcharges have either been passed through as higher prices to subsequent purchasers or offset through devices such as the Old Oil Allocation (Entitlements) Program, 10 CFR 211.67. In fact, the adverse effects of the overcharges may have become so diffused that it is a practical impossibility to identify specific, adversely affected persons, in which case disposition of the refunds will be made in the general public interest by an appropriate means such as payment to the Treasury of the United States pursuant to 10 CFR 205.199I(a).

III. Submission of Written Comments

A. *Potential Claimants:* Interested persons who believe that they have a claim to all or a portion of the refund amount should provide written notification of the claim to the ERA at this time. Proof of claims is not being required. Written notification of the ERA at this time is requested primarily for the purpose of identifying valid potential claims to the refund amount. After potential claims are identified, procedures for the making of proof of claims may be established. Failure by a person to provide written notification of a potential claim within the comment period for this Notice may result in the DOE irrevocably disbursing the funds to other claimants or to the general public interest.

B. *Other Comments:* the ERA invites interested persons to comment on the terms, conditions, or procedural aspects of the Consent Order. You should send your comments or written notification of a claim to Wayne I. Tucker, Southwest District Manager, Economic Regulatory Administration, Department of Energy, P.O. Box 35228, Dallas, Texas 75235. You may obtain a free copy of this Consent Order by writing to the same address or by calling 214/767–7745.

You should identify your comments or written notification of a claim on the outside of your envelope and on the documents you submit with the designation "Comments on the Alpar Resources, Inc. Consent Order." We will consider all comments we received by 4:30 p.m., local time, October 26, 1981. You should identify any information or data which, in your opinion, is confidential and submit it in accordance with the porcedures in 10 CFR 205.9(f).

Issued in Dallas, Texas on the 11th day of September, 1981.

Wayne I. Tucker,

Southwest District Manager, Economic Regulatory Administration.

[FR Doc. 81–27821 Filed 9–24–81; 8:45 am]

BILLING CODE 6450–01–M

[ERA Docket No. 81–CERT–017]

Arizona Public Service Co.; Recertification of Eligible Use of Natural Gas To Displace Fuel Oil

On July 21, 1981, Arizona Public Service Company (Arizona Public), P.O. Box 21666, Phoenix, Arizona 85036, filed an application with the Administrator of the Economic Regulatory Administration (ERA) pursuant to 10 CFR Part 595 for recertification of an eligible use of 10,832,000 Mcf of natural gas per year for the Ocotillo Plant in Tempe, Arizona; 1,671,000 Mcf per year for the West Phoenix Plant in Phoenix, Arizona; 5,470,000 Mcf per year for the Saguaro Plant in Red Rock, Arizona; and 2,808,000 Mcf per year for the Yuma Plant in Yuma, Arizona. These volumes are estimated to displace the use of the following quantities of fuel oil per year:

	No. 6 (0.9 pct sulfur)	No. 2 (0.5 pct sulfur)
Ocotillo Plant	1,635,500	250,000
West Phoenix Plant	53,200	251,400
Saguaro Plant	715,800	243,800
Yuma Plant	346,300	147,600

The eligible sellers of the natural gas are Delhi Gas Pipeline Corporation and Gas Company of New Mexico. The gas will be transported on interstate pipeline by El Paso Natural Gas Company. Notice of that application was published in the **Federal Register** (46 FR 45013, September 9, 1981) and an opportunity for public comment was provided for a period of ten (10) calendar days from the date of publication. No comments were received.

On July 31, 1981, Arizona Public received a certification (ERA Docket No. 80–CERT–021) of an eligible use of natural gas at the Ocotillo, West Phoenix, Saguaro, and Yuma Plants, for a period of one year. That certificate

expired on August 1, 1981. Due to the late filing on July 21, 1981, continuity of certifications was not possible. Arizona Public stated no natural gas was being used to displace fuel oil at the close of the earlier certification period and that no loss of oil displacement would occur as a result of delay in issuing this recertification.

The ERA has carefully reviewed Arizona Public's application for recertification in accordance with 10 CFR Part 595 and the policy considerations expressed in the Final Rulemaking Regarding Procedures for Certification of the Use of Natural Gas To Displace Fuel Oil (44 FR 47920, August 16, 1979). The ERA has determined that Arizona Public's application satisfies the criteria enumerated in 10 CFR Part 595, and, therefore, has granted the recertification and transmitted that recertification to the Federal Energy Regulatory Commission. More detailed information including a copy of the application, transmittal letter, and the actual recertification are available for public inspection at the Division of Natural Gas Docket Room, Room 7108, RG–13, 2000 M Street, N.W., Washington, D.C. 20461, from 8:30 a.m. to 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, D.C. September 21, 1981.

F. Scott Bush,

Acting Director, Office of Program Operations, Economic Regulatory Administration.

[FR Doc. 81-27914 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-01-M

Marshall Pipe & Supply Co.; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of action taken and opportunity for comment on consent order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces action taken to execute a Consent Order and provides an opportunity for public comment on the Consent Order and on potential claims against the refunds deposited in an escrow account established pursuant to the Consent Order.

EFFECTIVE DATE: August 26, 1981.

COMMENTS BY: October 26, 1981.

ADDRESS: Send comments to: Wayne I. Tucker, Southwest District Manager, Economic Regulatory Administration, Department of Energy, P.O. Box 35228, Dallas, Texas 75235, Phone: 214/767–7745.

FOR FURTHER INFORMATION, CONTACT: Wayne I. Tucker, Southwest District Manager, Economic Regulatory Administration, Department of Energy, P.O. Box 35228, Dallas, Texas 75235, phone: 214/767–7745.

SUPPLEMENTARY INFORMATION: On August 26, 1981 the Office of Enforcement of the ERA executed a Consent Order with Marshall Pipe & Supply Company of Dallas, Texas. Under 10 CFR 205.199J(b) a Consent Order which involves a sum of $500,000 or less in the aggregate excluding penalties and interest, becomes effective upon its execution.

Because the DOE and Marshall Pipe & Supply Company wish to expeditiously resolve this matter as agreed and to avoid delay in the payment of refunds, the DOE has determined that it is in the public interest to make the Consent Order with Marshall effective as of the date of its execution by the DOE and Marshall.

I. The Consent Order

Marshall Pipe & Supply Company (Marshall) is a firm engaged in the production of crude oil and was subject to the mandatory Petroleum Price and Allocation Regulations at 10 CFR Parts 210, 211, and 212. To resolve certain civil actions which could be brought by the Office of Enforcement of the Economic Regulatory Administration as a result of its audit of Marshall the Office of Enforcement, ERA, and Marshall entered into a Consent Order, the significant terms of which are as follows:

1. During the period September 1, 1973 through October 31, 1980, Marshall allegedly sold crude oil above the allowable prices specified at 10 CFR Part 212, Subpart D.

2. Marshall and the DOE have agreed to a settlement of $52,000. This amount will be refunded by Marshall within 31 days of the effective date of the Consent Order. The negotiated settlement was determined to be in the public interest as well as the best interest of the DOE and Marshall.

3. This Consent Order constitutes neither an admission by Marshall that ERA regulations have been violated nor a finding by the ERA that Marshall has violated ERA regulations.

4. The provisions of 10 CFR 205.199J, including the publication of this Notice, are applicable to the Consent Order.

II. Disposition of Refunded Overcharges

In this Consent Order, Marshall agrees to refund in full settlement of any civil liability with respect to actions which might be brought by the Office of Enforcement, ERA, arising out of the transactions specified in I.1. above, the sum of $52,000 in the manner specified in I.2. above. Refunded overcharges will be in the form of certified checks made payable to the United States Department of Energy and will be delivered to the Assistant Administrator for Enforcement, ERA. The funds will remain in a suitable account pending the determination of their proper disposition.

The DOE intends to distribute the refund amounts in accordance with applicable laws and regulations. Accordingly, distribution of such refunded overcharges requires that only those "persons" (as defined at 10 CFR 205.2) who actually suffered a loss as a result of the transactions described in the Consent Order receive appropriate refunds. Because of the petroleum industry's complex marketing system, it is likely that overcharges have either been passed through as higher prices to subsequent purchasers or offset through devices such as the Old Oil Allocation (Entitlements) Program, 10 CFR 211.67. In fact, the adverse effects of the overcharges may have become so diffused that it is a practical impossibility to identify specific, adversely affected persons, in which case disposition of the refunds will be made in the general public interest by an appropriate means such as payment to the Treasury of the United States pursuant to 10 CFR 205.199I(a).

III. Submission of Written Comments

A. *Potential Claimants:* Interested persons who believe that they have a claim to all or a portion of the refund amount should provide written notification of the claim to the ERA at this time. Proof of claims is not being required. Written notification of the ERA at this time is requested primarily for the purpose of identifying valid potential claims to the refund amount. After potential claims are identified, procedures for the making of proof of claims may be established. Failure by a person to provide written notification of a potential claim within the comment period for this Notice may result in the DOE irrevocably disbursing the funds to other claimants or to the general public interest.

B. *Other Comments:* The ERA invites interested persons to comment on the terms, conditions, or procedural aspects of this Consent Order. You should send your comments or written notification of a claim to Wayne I. Tucker, Southwest District Manager, Economic Regulatory

Administration, Department of Energy, P.O. Box 35228, Dallas, Texas 75235. You may obtain a free copy of this Consent Order by writing to the same address or by calling 214/767–7745.

You should identify your comments or written notification of a claim on the outside of your envelope and on the documents you submit with the designation "Comments on the Marshall Pipe & Supply Company Consent Order". We will consider all comments we received by 4:30 p.m., local time, October 16, 1981. You should identify any information or data which, in your opinion, is confidential and submit it in accordance with the procedures in 10 CFR 205.9(f).

Issued in Dallas, Texas on the 11th day of September, 1981.

Wayne I. Tucker,

Southwest District Manager, Economic Regulatory Administration.

[FR Doc. 81-27822 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Project No. 5285–000]

Alton Hydro Associates; Notice of Application for Preliminary Permit

September 21, 1981.

Take notice that Alton Hydro Associates (Applicant) filed on August 20, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for Project No. 5285 to be known as the Merrymeeting Project located on the Merrymeeting River in the Town of Alton in Belknap County, New Hampshire. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Alton Hydro Associates, c/o East Coast Engineering, Box 25, Barrington, New Hampshire 03825.

Project Description—The proposed run-of-the-river project would consist of existing facilities including: (1) Alton Power Dam, a composite concrete gravity and earth-embankment dam with an overall length of 190 feet and a height of 16 feet, and containing twelve stoplog-controlled bays along its 82-foot long concrete spillway; (2) a reservoir with a surface area of about 160 acres and storage capacity of 4,670 acre-feet at spillway crest elevation 523.3 feet m.s.l.; (3) an intake structure at the right (east) abutment of the dam; (4) a powerhouse and short discharge channel. The dam is owned by the New Hampshire Fish and Game Department. New project works would include a new penstock 250 feet long, a new 57-kW turbine-generator, electrical facilities, and other appurtenances. Applicant estimates annual generation of 300,000 kWh. Project energy would be sold to the Public Service Company of New Hampshire.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of preliminary permit for a period of 24 months during which time Applicant would investigate project design alternatives, financial feasibility, environmental effects of project construction and operation, and project power potential. Depending upon the outcome of the studies, the Applicant would decide whether to proceed with an application for FERC license. Applicant estimates that the cost of the studies under permit would be $15,000.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before November 27, 1981, either the competing application itself [See 18 CFR 4.33 (a) and (d) (1980)] or a notice of intent [See 18 CFR 4.33 (b) and (c) (1980)] to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in § 4.33(c).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before November 27, 1981.

Filing and Service of Responsive documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27958 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81–481–000]

Carbonic Intrastate Pipeline Company, Inc.; Notice of Application

September 18, 1981.

Take notice that on August 24, 1981,[1] Carbonic Intrastate Pipeline Company, Inc. (Applicant), 135 South La Salle Street, Chicago, Illinois 60603, filed in Docket No. CP81–481–000 an application pursuant to Section 1(c) of the Natural Gas Act for an exemption from the provisions of the Natural Gas Act and the Regulations of the Commission pertaining thereto, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that Applicant operates in Louisiana a system which is interconnected to United Gas Pipeline Company's (United) interstate natural gas facilities in Ascension Parish, Louisiana. Applicant asserts that this is the only point at which its system interconnects with an interstate pipeline system and that it does not presently connect with any other intrastate pipeline in Louisiana. Applicant also contends that all of the natural gas it receives from United is consumed within the state of Louisiana. Furthermore, Applicant submits that the Louisiana Public Service Commission exercises jurisdiction over the natural gas rates, service and facilities of Applicant. Therefore, Applicant maintains that it fully satisfies the requirements of Section 1(c) of the Natural Gas Act.

[1] The application was initially tendered for filing on August 24, 1981; however, the fee required by Section 159.1 of the Regulations under the Natural Gas Act (18 CFR 159.1) was not paid until August 27, 1981; thus, filing was not completed until the latter date.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 9, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 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.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27933 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-502-000]

Cities Service Gas Co.; Notice of Application

September 18, 1981.

Take notice that on September 4, 1981, Cities Service Gas Company (Applicant), P.O. Box 25128, Oklahoma City, Oklahoma 73125, filed in Docket No. CP81-502-000 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 facilities in the McLouth Storage Field, Jefferson County, Kansas, to recover natural gas released from the reservoir due to deep drilling, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is asserted that Petro-Technology, Inc. (Petro-Tech) has obtained leases to drill to depths below Applicant's existing McLouth Storage Field and has drilled three wells to the Mississippi Formation. It appears that gas from the McLouth Storage Field has permeated this lower horizon and is being withdrawn in connection with oil production from these wells, Applicant states. Petro-Tech, it is explained, acknowledges that this is Applicant's gas and has agreed to deliver such gas back to Applicant at no charge; but in order for Applicant to accept delivery of the gas and reinject it into the storage field it must be compressed.

Therefore, Applicant proposes to construct and operate the McLouth Booster Station consisting of one 360 horsepower rental compressor unit and appurtenant facilities, approximately 0.21 mile of 6-inch pipeline and measuring and appurtenant facilities.

Applicant states that the estimated cost of such facilities is $61,550, which would be financed from treasury cash.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 9, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 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 be 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. 81-27935 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 2792-001]

City of Delta, Colo.; Notice of Application for Preliminary Permit

September 18, 1981.

Take notice that the City of Delta, Colorado (Applicant) filed on August 27, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for Project No. 2792 to be known as the Smith Fork Project located on the Gunnison River, near the City of Delta in Delta and Montrose Counties, Colorado on lands administered by the U.S. Bureau of Land Management (T50, 51N, 15S, R93, 94, 8, 9W). The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. James V. Williamson, R.W. Beck and Associates, 200 Tower Building, 7th Avenue at Olive Way, Seattle, Washington 98101.

Project Description—The proposed project would consist of: (1) a 275-foot high, 480-foot long concrete-arch dam; (2) a 605 acre reservoir with a total usable storage capacity of 20,000 acre-feet at a normal water surface elevation of 5,425 feet M.S.L; (3) a powerhouse located at the downstream toe of the dam containing turbine-generators with a total rated capacity of 80 MW; (4) a 6-mile long, 115-kV transmission line; and (5) appurtenant facilities. The project would produce up to 175,000,000 kWh annually. Energy produced at the project would be utilized by the Applicant and/or sold to Colorado-Ute Electric Association.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Geotechnical studies which would include core drilling in the vicinity of the axis of the proposed dam would be conducted. Disturbed areas would be restored upon completion of such studies. Based on results of these studies, Applicant would decide whether to proceed with more detailed studies and the preparation of an application for license to construct and operate the project. The Applicant has estimated that the cost of studies under the prelimianry permit would be $700,000.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before November 30, 1981, either the competing application itself [See 18 CFR 4.33 (a) and (d) (1980)] or a notice of intent [See 18 CFR 4.33 (b) and (c) (1980)] to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in § 4.33(c).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be

obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before November 30, 1981.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27934 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 5207-000]

City of Gillette, Wyo.; Notice of Application for Preliminary Permit

September 21, 1981.

Take notice that the City of Gillette, Wyoming (Applicant) filed on August 10, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for Project No. 5207 known as the Buffalo Bill Dam Power Project near Cody, Wyoming, located on the Shoshone River in Park County, Wyoming. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Michael B. Enzi, Mayor of Gillette, P.O. Box 3003, Gillette, Wyoming 82716.

Project Description—The proposed project would utilize an existing Bureau of Reclamation dam and reservoir. Project No. 5207 would consist of: (1) renovation of an existing powerhouse; (2) enlarging the existing access and power tunnel to the powerhouse; (3) use of existing switchyard equipment near the powerhouse; (4) a proposed penstock to be installed through the dam; and (5) appurtenant facilities. Applicant estimates the capacity of the proposed project to be 31 MW and the annual energy output to be 74 GWh.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant has requested a 36 month permit to prepare a definitive project report, including preliminary design and economic feasibility studies, and soil and foundation data. The cost of the aforementioned activities along with obtaining agreements with other Federal, State, and local agencies is estimated by the Applicant to be $100,000.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before November 27, 1981, either the competing application itself [See 18 CFR 4.33 (a) and (d) (1980)] or a notice of intent [See 18 CFR 4.33 (b) and (c) (1980)] to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in § 4.33(c).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before November 27, 1981.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27968 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: September 21, 1981.

JD NO	JA [KT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION									
-BORALDON & CO						RECEIVED: 09/02/81 JA: NY			
8147986	16	3102912465		108		GRINNEL I #22	BRANT	4.5	NATIONAL FUEL GAS
-DORAN & ASSOCIATES INC						RECEIVED: 09/02/81 JA: NY			
8147982	844	3101321449		102-2		BERNICE SWARTOUT #1 K-A-21	LAKE SHORE	30.0	NATIONAL FUEL GAS
-ENVIROGAS INC						RECEIVED: 09/02/81 JA: NY			
8147976	1091	3101314480		103		#1 M BEAUJEAN	LAKESHORE	18.0	NATIONAL FUEL GAS
8147977	1089	3101314318		103		#1 R STRONG	LAKESHORE	18.0	NATIONAL FUEL GAS
8147983	1096	3101315270		103		#2 A STRINE	LAKESHORE	18.0	NATIONAL FUEL GAS
-FLINT OIL & GAS INC						RECEIVED: 09/02/81 JA: NY			
8147967	1099	3102913099		103		#1401 - LARRY LIPPERT ET UX #1	COWLESVILLE	10.0	NATIONAL FUEL GAS
8147973	1100	3102914333		103		#1437 - ROGACKI-FOSS UNIT #1	COWLESVILLE	10.0	NATIONAL FUEL GAS
8147956	1102	3102914334		103		#1439 - A GERHARDT #1	COWLESVILLE	10.0	NATIONAL FUEL GAS
8147955	1103	3102914335		103		#1440 - L & G KURKE UNIT #1	COWLESVILLE	10.0	NATIONAL FUEL GAS
8147958	1101	3102914336		103		#1441 - L & G KURKE UNIT #2	COWLESVILLE	10.0	NATIONAL FUEL GAS
8147988	1098	3102914371		103		#1442 - CLAUDE KRATT #1	COWLESVILLE	10.0	NATIONAL FUEL GAS
8147950	941	3102914437		103		C & C SAGER UNIT #1	LAKESHORE	20.0	NATIONAL FUEL GAS
8147951	938	3102914543		103		C C VOLLMAR UNIT #1	BRANT-EVANS	20.0	NATIONAL FUEL GAS
8147953	942	3102914435		103		K & C JEWITT #1	LAKESHORE	20.0	NATIONAL FUEL GAS
8147980	940	3102914541		103		K & M TAYLOR UNIT #1	BRANT-EVANS	20.0	NATIONAL FUEL GAS
8147954	937	3102914540		103		M FORSTER #1	BRANT - EVANS	20.0	NATIONAL FUEL GAS
-GENOA & CO						RECEIVED: 09/02/81 JA: NY			
8147945	22	3101311721		108		GLOOR I I #8	LAKESHORE	8.4	NATIONAL FUEL GAS
-GRIMSBY & CO						RECEIVED: 09/02/81 JA: NY			
8147981	17	3101311920		108		CIVELETTO III III #15	LAKESHORE	4.1	NATIONAL FUEL GAS
8147943	21	3101311786		108		PAGANO I I - #9	LAKESHORE	5.3	NATIONAL FUEL GAS
-GILMARK & CO INC						RECEIVED: 09/02/81 JA: NY			
8147972	1808	3101313710		103		BRISKY #1	LAKESHORE	8.0	NATIONAL FUEL GAS
8147985	1116	3101313708		108		CHANT #1	LAKESHORE	27.0	NATIONAL FUEL GAS
8147984	1117	3101313709		108		CHANT #2	LAKESHORE	13.0	NATIONAL FUEL DIS
8147957	#875	3101314474		103		DECK #1	LAKESHORE	20.0	COLUMBIA GAS TR C
8147942	814	3101314476		103		ELLIS #1	LAKESHORE	10.0	COLUMBIA GAS TR C
8147990	1114	3101313792		108		FEINEN #2	LAKESHORE	30.0	NATIONAL FUEL GAS
8147969	1805	3101313795		103		FEINEN BROS INC #1	LAKESHORE	0.0	NATIONAL FUEL GAS
8147946	1810	3101313756		103		GEIBEN BROS #1	LAKESHORE	8.0	NATIONAL FUEL GAS
8147979	876	3101313959		103		HANKS #1	LAKESHORE	20.0	COLUMBIA GAS TR C
8147992	1115	3101313793		108		KRYSTOFIK #1	LAKESHORE	20.0	NATIONAL FUEL DIS
8147971	1807	3101314473		103		OWENS #1	LAKESHORE	20.0	NATIONAL FUEL GAS
8147974	873	3101314831		103		ROLPH #1	LAKESHORE	15.0	COLUMBIA GAS TR C
8147989	1119	3101312331		108		ROMAN #1	LAKESHORE	19.0	NATIONAL FUEL GAS
8147970	1809	3101314383		103		RUCH #1	LAKESHORE	12.0	NATIONAL FUEL GAS
8147978	877	3101314475		103		SHERMET #1	LAKESHORE	20.0	COLUMBIA GAS TR C

JD NO	JA IAT	API NO	D SEC CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8147991	1113	3101313711	108	YERICO #1	LAKESHORE	38.0	NATIONAL FUEL GAS
8147987	1118	3101313712	108	YERICO #2	LAKESHORE	38.0	NATIONAL FUEL GAS
-P & S DRILLING INC				RECEIVED: 09/02/81 JA: NY			
8147968	944	3102913913	103	DUDZIC #1	ELMA	6.0	NATIONAL FUEL GAS
8147962	943	3100914619	103	FITZPATRICK & WELLER #1	SKINNER HOLLOW	25.8	NATIONAL FUEL GAS
-PARAGON RESOURCES INC				RECEIVED: 09/02/81 JA: NY			
8147961	1113	3101310700	108	UNIT NO 155 - JOSEPH P DEJOE	LAKESHORE	1.2	NATIONAL FUEL GAS
8147965	208	3101310875	108	UNIT NO 168 - NORMAN F PRATT	LAKESHORE	2.9	NATIONAL FUEL GAS
8147964	226	3101311199	108	UNIT NO 227 - CARMEN VASTULA	LAKESHORE	3.9	NATIONAL FUEL GAS
8147960	228	3101311167	108	UNIT NO 232 - MERL EIMERS	LAKESHORE	5.3	NATIONAL FUEL GAS
8147963	159	3101310028	108	UNIT NO 30 - G M MOONEY	LAKESHORE	3.3	NATIONAL FUEL GAS
8147949	395	3101311458	108	UNIT NO 344 - FRANCIS HEALY	LAKESHORE	8.2	NATIONAL FUEL GAS
8147948	419	3101311701	108	UNIT NO 346 - JEROME CRANDALL	LAKESHORE	2.9	NATIONAL FUEL GAS
8147952	320	3101312339	108	UNIT NO 451 - JOHN CIMINELLO	LAKESHORE	2.8	NATIONAL FUEL GAS
8147959	1112	3101310344	108	UNIT NO 58 - RICHARD BOUQUIN	LAKESHORE	1.8	NATIONAL FUEL GAS
-RESOURCE EXPLORATION INC				RECEIVED: 09/02/81 JA: NY			
8147947	1134	3101312127	108	COWELS #3	PANAMA QUAD	2.0	COLUMBIA GAS TRAN
8147975	1133	3101311665	108	NELSON #1	STEBBINS CORNER	3.0	COLUMBIA GAS TRAN
-SCG GAS QUEST INC				RECEIVED: 09/02/81 JA: NY			
8147944	1104	3102913535	108	FRALICK #1	EDEN-EVANS	19.7	TENNESSEE GAS PIP
-21 WEST GREEN ST ASSOCIATES				RECEIVED: 09/02/81 JA: NY			
8147966	1087	3101313064	103	CASTILE HEIGHTS #2	LAKESHORE	15.0	NATIONAL FUEL GAS
**********							
OKLAHOMA CORPORATION COMMISSION							
**********							
-ANADARKO PRODUCTION COMPANY				RECEIVED: 08/31/81 JA: OK			
8147913	12870	3500722840	102-4	COOK F NO 1	NABISCO	72.0	WESTERN GAS INTER
-ANDOVER OIL COMPANY				RECEIVED: 08/31/81 JA: OK			
8147888	12560	3501721858	102-2	POST #18-1		100.0	DELHI GAS PIPELIN
8147888	12560	3501721858	103	POST #18-1		100.0	DELHI GAS PIPELIN
-A N R PRODUCTION CO				RECEIVED: 08/31/81 JA: OK			
8147823	12728	3515321040	102-2	BORDEN #1-16	S W MUTUAL	145.0	MICHIGAN WISCONSI
-APOLLO PRODUCTION LTD				RECEIVED: 08/31/81 JA: OK			
8147910	10449	3507322598	103	TUTTY NO 25-10	OKARCHE	16.4	SID RICHARDSON CA
-ARCO OIL AND GAS COMPANY				RECEIVED: 08/31/81 JA: OK			
8147852	10314	3500721902	103	APPLE GAS UNIT NO 1	CAMRICK GAS AREA	73.0	NORTHERN NATURAL
-ATLAS OIL INC				RECEIVED: 08/31/81 JA: OK			
8147887	12149	3508321691	102-4	JAMES 1-3	WEST GUTHRIE	50.0	EASON OIL CO
-AUSTIN & AUSTIN				RECEIVED: 08/31/81 JA: OK			
8147880	08126	3510300000	108	DAY #1	ORLANDO	16.3	AMINOIL USA INC
-B & H EXPLORATION CO				RECEIVED: 08/31/81 JA: OK			
8147813	10127	3510522932	103	EMBERSON #1		2.3	A G SYSTEMS INC
-B M C OIL & GAS INC				RECEIVED: 08/31/81 JA: OK			
8147859	10303	3509120406	103	ALBIN 29-1 WELL	NORTH RAIFORD	474.5	WELLHEAD ENTERPRI
-BARUCH-FOSTER CORP				RECEIVED: 08/31/81 JA: OK			
8147825	12801	3508121023	102-4	STATE OF OKLAHOMA B #1	WEST SHAMROCK	10.0	CITIES SERVICE GA
8147825	12801	3508121023	103	STATE OF OKLAHOMA B #1	WEST SHAMROCK	10.0	CITIES SERVICE GA
-BARUCH-FOSTER CORP				RECEIVED: 09/01/81 JA: OK			
8147932	12799	3511921582	102-4	COTHAM #1	SCHLEGEL	15.0	CITIES SERVICE GA
8147932	12799	3511921582	103	COTHAM #1	SCHLEGEL	15.0	CITIES SERVICE GA
8147931	12800	3503722840	102-4	RUTH GIMENO #1	WEST SHAMROCK	15.0	CITIES SERVICE GA
8147931	12800	3503722840	103	RUTH GIMENO #1	WEST SHAMROCK	15.0	CITIES SERVICE GA
-BERRY PETROLEUM CORP				RECEIVED: 08/31/81 JA: OK			

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JD NO	JA DAT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8147815	10246	3509322081		103		RATZLAFF #1-25	WEST ORIENTA	150.0	PIONEER GAS PRODU
-BETA OIL CO				RECEIVED: 08/31/81 JA: OK					
8147865	10282	3507300000		103		KLINNERT #1-18	OMEGA WEST	100.0	WARREN PETROLEUM
-BLAIK OIL COMPANY				RECEIVED: 08/31/81 JA: OK					
8147855	10207	3509322135		103		GLENNIE #2-A	SOONER TREND	27.0	PIONEER GAS PRODU
8147856	10206	3504721501		103		WILSON UNIT NO 1	SOONER TREND	45.0	PANHANDLE EASTERN
-C R WOOD				RECEIVED: 08/31/81 JA: OK					
8147876	08565	3503722258		103		WOOD #1		164.3	PHILLIPS PETROLEU
8147877	08566	3503700000		103		WOOD #2		135.1	PHILLIPS PETROLEU
-CANADIAN EXPLORATION CORP				RECEIVED: 08/31/81 JA: OK					
8147839	10391	3501721811		103		JOHNSON NO 15-1	NORTHWEST MUSTANG	0.0	DELHI GAS PIPELIN
8147840	10392	3501721740		103		NETHERTON NO 15-1	NORTH MUSTANG	0.0	DELHI GAS PIPELIN
-CLARK RESOURCES INC				RECEIVED: 08/31/81 JA: OK					
8147867	10256	3507322784		103		GILL 9-1	SOONER TREND	150.0	CITIES SERVICE GA
8147868	10255	3507322790		103		KUSIK 10-1	SOONER TREND	27.0	PANHANDLE EASTERN
-CORE OIL & GAS CORP				RECEIVED: 08/31/81 JA: OK					
8147851	09449	3501721010		102-2		JOANI #1	W YUKON	0.0	PHILLIPS PETROLEU
-COTTON PETROLEUM CORPORATION				RECEIVED: 08/31/81 JA: OK					
8147822	12720	3501521006		102-4		MARSHALL SMITH NO 1	N W HINTON	0.0	TRANSOK PIPE LINE
8147824	12731	3501521028		102-2		OAKES NO 1	HINTON	0.0	DELHI GAS PIPE LI
-DAVIS OIL COMPANY				RECEIVED: 08/31/81 JA: OK					
8147846	09796	3501721759		103		ALICE NO 1	EL RENO	1000.0	DELHI PIPELINE CO
-DON O MONTGOMERY JR				RECEIVED: 08/31/81 JA: OK					
8147845	10307	3502520403		103		HOWARD WARREN #1-27	SAMPSEL	0.0	PANHANDLE EASTERN
-DOUGLAS OIL & GAS CO INC				RECEIVED: 09/01/81 JA: OK					
8147937	11998	3501900000		103		BENNETT 1A	SOUTH GRAHAM	36.0	MOBIL OIL CORP
-EARLSBORO OIL AND GAS CO INC				RECEIVED: 08/31/81 JA: OK					
8147818	10231	3515121087		103		HODGDEN NO 1-1	NORTHWEST OAKDALE	180.0	AMINOIL USA INC
8147843	10228	3509321984		103		LOLA TOMSON NO 1-11	WEST CLEO	180.0	AMINOIL USA INC
8147820	10227	3509321886		103		RATZLAFF NO 1-15	RINGWOOD	140.0	AMINOIL USA INC
8147819	10229	3510720886		103		W T PRICE NO 2-27	S W HICKORY RIDGE	110.0	HICKORY RIDGE GAS
-ECC OIL CO				RECEIVED: 09/01/81 JA: OK					
8147938	12287	3510524989		102-2		GLASS #1 NW/4 SE/4 NE/4 14-28N-15E	LENAPAH	340.0	OKAN GAS CO
8147939	12288	3510522858		102-2		GLASS ESTATE #4A NE/4 14-28N-15E	LENAPAH	800.0	OKAN GAS CO
8147940	12289	3514721515		102-2		MITCHELL 1 #2-A SE/4 NE/4 2-27N-13E	EAST DEWEY	50.0	OKAN GAS CO
-EDINGER INC				RECEIVED: 08/31/81 JA: OK					
8147857	10205	3500320775		103		RYEL B #1	RINGWOOD	33.0	PANHANDLE EASTERN
-ENERGY RESERVES GROUP INC				RECEIVED: 09/01/81 JA: OK					
8147929	12278	3509120412		102-2		MATHENY #1	HICHITA	194.4	
-EXXON CORPORATION				RECEIVED: 08/31/81 JA: OK					
8147861	10299	3510320853		103		S S TATE #3	LUCIEN	8.0	AMINOIL USA INC
-F C D OIL CORP				RECEIVED: 08/31/81 JA: OK					
8147884	10613	3504722481		102-4		CHRISTY 1-16	KREMLIN	88.7	CRA INC
8147892	09839	3504722341		102-4		COFFEY 1-17	KREMLIN	73.0	CRA INC
8147891	09098	3504722339		102-4		DOYLE 1-16	KREMLIN	109.5	CRA INC
8147885	10615	3504722462		102-4		HOLLINGSWORTH 1-17	N W KREMLIN	14.6	CRA INC
8147881	10616	3504722513		102-4		JUNIOR 1-16	KREMLIN	87.6	C R A INC
8147893	13408	3504722644		102-4		MARKWELL 1-9	N W KREMLIN	109.5	CRA INC
8147886		3504722471		102-4		THESMAN 1-17	N W KREMLIN	109.5	CRA INC
8147894	13053	3504722340		102-4		VOTH 1-16	KREMLIN	36.5	CRA INC
-F M BUXTON				RECEIVED: 08/31/81 JA: OK					
8147842	10218	3508321578		103		ZACHGO 18 NO 1	SOONER TREND	73.0	CONOCO INC
-FALCON PETROLEUM COMPANY				RECEIVED: 08/31/81 JA: OK					

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME
8147878	8448	3500721949		102-4		CLENNEY NO 2
				RECEIVED: 09/01/81 JA: OK		
-FUNK EXPLORATION INC						
8147936	11629	3508321667		102-2		WILLSON #1
				RECEIVED: 08/31/81 JA: OK		
-GENO OIL & GAS CORP						
8147914	09287	3508500000		103		SCHAFFER-GORRELL
				RECEIVED: 08/31/81 JA: OK		
-GEORGE RODMAN INC						
8147835	10351	3508700000		103		RACHEL NO 1-25
				RECEIVED: 08/31/81 JA: OK		
-GETTY OIL COMPANY						
8147911	12824	3505100000		102-3		RICHARDSON NO 8-1
				RECEIVED: 08/31/81 JA: OK		
-GOLDEN TOUCH OIL CO						
8147869	10199	3514721931		103		BLEVINS NO 1
8147870	10198	3514721932		103		BLEVINS NO 2
				RECEIVED: 09/01/81 JA: OK		
-HAMM PRODUCTION CO						
8147934	10388	3508320815		103		HAKEN #1
				RECEIVED: 08/31/81 JA: OK		
-HAZELWOOD PRODUCTION & EXPLORATION						
8147915	10359	3507322778		103		CHESNEY NO 7-2
8147916	10360	3507322776		103		CHESNEY NO 7-2
				RECEIVED: 08/31/81 JA: OK		
-HENRY H GUNGOLL ASSOCIATES						
8147854	10232	3507322582		103		PEACH 1-1
				RECEIVED: 08/31/81 JA: OK		
-HUNT ENERGY CORPORATION ET AL						
8147827	12872	3501520980		102-2		BAR-D NO 1
				RECEIVED: 08/31/81 JA: OK		
-JACK ADKISSON						
8147908	12828	3514300000		102-2		ADKISSON #1
				RECEIVED: 09/02/81 JA: OK		
-JOHN A TAYLOR						
8147941	05240	3512920227		102-4		ELLIS 1-34
				RECEIVED: 08/31/81 JA: OK		
-K T MEADE JR						
8147866	10266	3515121083		103		EBERLY AND MEADE WARREN #1-12
				RECEIVED: 08/31/81 JA: OK		
-KAISER-FRANCIS OIL COMPANY						
*8147875	10519	3515321101		103		CLARK #1
8147841	12575	3501721881		102-4		JAMESON #1
8147841	12575	3501721881		103		JAMESON #1
				RECEIVED: 08/31/81 JA: OK		
-KENNEDY & MITCHELL INC						
8147831	12841	3505920433		102-4		HOWARD #22-336-2
8147828	12741	3505900000		102-4		PAGE #28-442
8147829	12742	3505920948		102-4		STATE OF OKLAHOMA #31-579
8147830	12840	3505920945		102-4		WHEELER #28-363
				RECEIVED: 09/01/81 JA: OK		
-KLEIN OIL CO						
8147935	10389	3503120775		103		PITTMAN NO 1
				RECEIVED: 08/31/81 JA: OK		
-L G WILLIAMS OIL COMPANY INC						
8147860	10300	3501721644		103		ANNIS NO 19-1
				RECEIVED: 08/31/81 JA: OK		
-LAGUNA PETROLEUM CO						
8147889	12613	3501721886		102-2		OKARCHE NO 1-3
8147879	08326	3504722080		103		ROGERS NO 1
				RECEIVED: 08/31/81 JA: OK		
-LATIGO OIL & GAS INC						
8147837	10378	3500721953		103		R E BARBY ESTATE #1
				RECEIVED: 08/31/81 JA: OK		
-MAGIC CIRCLE ENERGY CORP						
8147905	10395	3500320801		103		PRUETT #1
8147898	10394	3515112113		103		STERBA #2
				RECEIVED: 08/31/81 JA: OK		
-MARLIN OIL CORPORATION						
8147904	10403	3500721824		103		NO 1 GROVE
				RECEIVED: 09/01/81 JA: OK		
-MAY PETROLEUM INC						
8147927	10020	3505120950		103		AARON C LITTLE #1
				RECEIVED: 08/31/81 JA: OK		
-MEWBOURNE OIL COMPANY						

FIELD NAME	PROD	PURCHASER
WILDCAT (SOUTH BALKO)	800.0	TRANSWESTERN PIPE
N NAVINA	0.0	EASON OIL CO
ELKHORN	0.0	EASON
PAYNE	20.4	SUN GAS CO
WEST MINCO	182.0	TRANSOK PIPE LINE
BARTLESVILLE	36.0	PHILLIPS PETROLEU
BARTLESVILLE	36.0	PHILLIPS PETROLEU
NORTHEAST HULL	207.6	EASON OIL CO
WEST LOYAL	91.3	CITIES SERVICE GA
WEST LOYAL	91.3	CITIES SERVICE GA
SOONER TREND	212.0	OKLAHOMA NATURAL
E EAKLY	82.0	EL PASO NATURAL G
	47.0	DIAMOND S GAS SYS
W GRAND	475.0	DELHI GAS PIPELIN
RED OAK	0.0	MAGIC CIRCLE GAS
N SHARON	180.0	NORTHERN NATURAL
WATONGA TREND	400.0	OKLAHOMA GAS & EL
WATONGA TREND	400.0	OKLAHOMA GAS & EL
UNDESIGNATED (C SW SEC 1	550.0	MICHIGAN WISCONSI
UNDESIGNATED (C NE SEC 2	150.0	NORTHERN NATURAL
UNDESIGNATED (C E/2 LANS	150.0	MICHIGAN WISCONSI
UNDESIGNATED (C NW SEC 3	100.0	NORTHERN NATURAL
PUMPKIN CENTER	0.0	ARKANSAS LOUISIAN
UNION CITY	379.0	PHILLIPS PETROLEU
OKARCHE	0.0	PHILLIPS PETROLEU
	0.0	GRACE PETROLEUM C
MOCANE LAVERNE-COUNCIL G	60.0	COLORADO INTERSTA
WEST CARMEN	180.0	OKLAHOMA NATURAL
SOUTHWEST ALINE	180.0	OKLAHOMA NATURAL
MOCANE-LAVERNE	110.0	PANHANDLE EASTERN
	365.0	OKLAHOMA NATURAL

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JD NO	JA DKT	API NO	C	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8147895	11298	3504520899		102-4		BROSH UNIT #1	BROSH UNIT #1	20.0	
8147906	10404	3504520894		103		GRACE NO 1 OCC #	N CHANEY	120.0	
8147814	10109	3504520864		103		HAMILTON UNIT NO 1	STUART (LOWER MORROW)	0.0	MICHIGAN WISCONSI
				RECEIVED: 08/31/81 JA: OK					
-MOBIL OIL CORP									
8147833	10349	3513921344		103		FISCHER (RNG UNIT 185) NO 2	GUYMON-HUGOTON COUNCIL G	45.0	CITIES SERVICE GA
8147832	10347	3513921346		103		LEWIS (RNG UNIT 63) NO 2	GUYMON-HUGOTON COUNCIL G	60.0	CITIES SERVICE GA
8147863	10288	3513921077		103		PEARL DAVIS (127) - WELL NO 3	GUYMON-HUGOTON	140.0	CITIES SERVICE GA
				RECEIVED: 08/31/81 JA: OK					
-MORGAN & STEINERT INC									
8147874	10057	3504722424		103		PARKHURST #1	SOONER TREND	110.0	ONG WESTERN INC
				RECEIVED: 08/31/81 JA: OK					
-MURCHISON OIL & GAS INC									
8147834	10350	3500320800		103		KLINE #1	RINGWOOD	208.0	PANHANDLE EASTERN
				RECEIVED: 08/31/81 JA: OK					
-NOBLE OPERATING INC									
8147871	10198	3509322015		103		RATZLAFF #1	NW OKEENE	0.0	DELMI GAS PIPELIN
				RECEIVED: 08/31/81 JA: OK					
-OIL LIFT INC									
8147897	12124	3510524313		102-2		OESTMANN #8 (API NO 10524313)	SOUTH COFFEYVILLE	54.8	PELICAN PIPELINE
8147897	12124	3510524313		103		OESTMANN #8 (API NO 10524313)	SOUTH COFFEYVILLE	54.8	PELICAN PIPELINE
8147882	12126	3510524316		102-2		OSHEL #2 (API NO 10524316)	SOUTH COFFEYVILLE	54.8	PELICAN PIPELINE
8147882	12126	3510524316		103		OSHEL #2 (API NO 10524316)	SOUTH COFFEYVILLE	54.8	PELICAN PIPELINE
8147883	12127	3510521452		102-2		WENDELL HARDEN #1-A	SOUTH COFFEYVILLE	18.3	PELICAN PIPELINE
8147883	12127	3510521452		103		WENDELL HARDEN #1-A	SOUTH COFFEYVILLE	18.3	PELICAN PIPELINE
8147909	12125	3510524312		102-2		WILBUR HARDEN #2-15	SOUTH COFFEYVILLE	27.4	PELICAN PIPELINE
8147909	12125	3510524312		103		WILBUR HARDEN #2-15	SOUTH COFFEYVILLE	27.4	PELICAN PIPELINE
				RECEIVED: 08/31/81 JA: OK					
-PCX CORP									
8147864	10287	3507222074		103		HOFFMAN #1	SOONER TREND	365.0	PHILLIPS PETROLEU
				RECEIVED: 09/01/81 JA: OK					
-PHILLIPS PETROLEUM COMPANY									
8147928	09878	3501721241		108-ER		SCHROEDER L #1		0.0	PANHANDLE EASTERN
				RECEIVED: 09/01/81 JA: OK					
-POST PETROLEUM COMPANY INC									
8147923	10194	3507322976		103		TRINDLE #2	SW REEDING	0.0	CONOCO INC
				RECEIVED: 08/31/81 JA: OK					
-PUBLIC SERVICE CO OF OKLAHOMA									
8147862	10289	3512120764		103		BENNIGHT #2-27	KINTA	0.0	SOUTHEAST TRANSMI
				RECEIVED: 08/31/81 JA: OK					
-RAMBLER OIL CO									
8147816	10242	3501120864		103		ESTHER RHODES NO 1-10	SOUTH GREENFIELD	121.5	OKLAHOMA GAS & EL
				RECEIVED: 08/31/81 JA: OK					
-SABINE OIL INDUSTRIES INC									
8147890	13551	3503920387		107-DP		MILLER #2	CUSTER CITY FIELD	720.0	TRANSWESTERN PIPE
				RECEIVED: 08/31/81 JA: OK					
-SAKET PETROLEUM CORP									
8147849	10081	3511122600		103		PARKS #1		180.0	PHILLIPS PETROLEU
8147847	10083	3511120038		103		VAUGHAN #1		45.0	PHILLIPS PETROLEU
8147848	10082	3511100000		103		VAUGHAN #2	WEST MORRIS	30.0	PHILLIPS PETROLEU
				RECEIVED: 08/31/81 JA: OK					
-SAMEDAN OIL CORPORATION									
8147817	10241	3505120876		103		HUMPHREYS NO 1		190.0	CITIES SERVICE GA
				RECEIVED: 08/31/81 JA: OK					
-SEARCH DRILLING CO									
8147838	10379	3500721896		103		BARTEL #2-18	WEST ELMWOOD	30.0	PHILLIPS PETROLEU
				RECEIVED: 09/01/81 JA: OK					
-SEARCH DRILLING CO									
8147921	10336	3509322086		103		COPPOCK #1-35	N W QUINLAN	32.9	AMINOIL U S A INC
				RECEIVED: 08/31/81 JA: OK					
-SENECA OIL COMPANY									
8147873	10091	3513921362		103		JOLLIFFE NO 1-33	BEAVER RIVER	275.0	PANHANDLE EASTERN
				RECEIVED: 09/01/81 JA: OK					
-SENECA OIL COMPANY									
8147930	12808	351392134		102-2		CAMPBELL #1-14	S W COMBEY	790.0	PANHANDLE EASTERN
				RECEIVED: 08/31/81 JA: OK					
-SHELL OIL CO									
8147907	10412	3507300000		108		PATOCKA B NO 2-13	HENNESSEY EAST	12.8	EXXON CORP
				RECEIVED: 08/31/81 JA: OK					
-SUNDANCE ENERGY CORP									
8147853	10359	3504722198		103		FREDERICK 12-1	SOONER TREND	20.0	CHAMPLIN PETROLEU
-TENNECO OIL COMPANY				RECEIVED: 08/31/81 JA: OK					

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8147850	10080	+3501520748		103		LEUS 1-34	WATONGA-CHICKASHA TREND	7.2	
-TEXACO INC						RECEIVED: 09/01/81 JA: OK			
8147922	10361	3507322685		103		LINCOLN NORTH UNIT TR 61 #2	SOONER TREND	13.0	EXXON CO U S A
-THE GHK COMPANY						RECEIVED: 08/31/81 JA: OK			
8147912	12754	3508920354		102-2		GIBBINS 1-4	SOUTH ELK CITY	438.0	EL PASO NATURAL G
-TRANSIERRA EXPLORATION CORP						RECEIVED: 08/31/81 JA: OK			
8147821	12597	3504722056		103		CLAUDINE DUNCAN NO 1	S E HUNTER	15.0	ARCO OIL & GAS CO
-UNION OIL COMPANY OF CALIF						RECEIVED: 08/31/81 JA: OK			
8147896	11618	3508524026		102-2		D JOYCE COFFEY #1-25	NEW HOPE	36.0	
8147896	11618	3508524026		103		D JOYCE COFFEY #1-25	NEW HOPE	36.0	
-UNIVERSAL RESOURCES CORPORATION						RECEIVED: 08/31/81 JA: OK			
8147812	10128	3501720646		103		HEUPEL 1-16	N W RICHLAND	137.2	MUSTANG GAS PRODU
8147858	10120	3507322406		103		KATHLEEN 1-14	SOONER TREND	98.2	PHILLIPS PETROLEU
8147811	10129	3507322641		103		RALPH 1-4		18.3	PHILLIPS PETROLEU
-UNIVERSAL RESOURCES CORPORATION						RECEIVED: 09/01/81 JA: OK			
8147925	10045	3507322742		103		EUGENE #1-24	SOONER TREND (SIMPSON)	725.9	PHILLIPS PETROLEU
8147924	10044	3501721790		103		HOLLIS #1-30	RICHALAND N W (MISS HTN)	73.0	PHILLIPS PETROLEU
8147926	10042	3501721753		103		MALCOM #1-32	RICHLAND N W (HTN MISS)	91.3	PHILLIPS PETROLEU
-V & V OIL & GAS CORP						RECEIVED: 09/01/81 JA: OK			
8147928	10362	3511122460		103		VAUGHAN #1D	VAUGHAN	34.7	PHILLIPS OIL & GA
-VAL SYNAR						RECEIVED: 08/31/81 JA: OK			
8147844	10234	3513121728		103		SYNAR #2	SYNAR #2	36.0	DIAMOND S GAS CO
-WAGNER & BROWN						RECEIVED: 09/01/81 JA: OK			
8147933	12596	3505121812		102-2		ROCKHOLD #1-34	S E CHICKASHA	87.5	ARKANSAS LOUISIAN
-WARREN DRILLING CO INC						RECEIVED: 08/31/81 JA: OK			
8147872	10160	3509321885		103		EAGLE #1	RINGWOOD	75.0	PIONEER GAS PRODU
8147917	10370	3500320810		103		MEISTER #1	RINGWOOD	100.0	AMINOIL USA INC
-WHITMAR EXPLORATION CO						RECEIVED: 08/31/81 JA: OK			
8147826	12832	3504921564		102-4		WILLIE B SMITH #12-4	EAST ANTIOCH	100.0	BUCKEYE NATURAL G
-WILLIAM H DAVIS						RECEIVED: 08/31/81 JA: OK			
8147836	10358	3508321615		103		HUMP & EDDIE LOU NO 1	W LANGSTON	16.0	EASON OIL CO
-WILLIAM MOSS PROPERTIES INC						RECEIVED: 08/31/81 JA: OK			
8147901	06681	3507300000		103		GOUCHER 17 WELL NO 2	SOONER TREND	36.5	PHILLIPS PETROLEU
8147900	06683	3507322355		103		MILLER 17 WELL NO 2	SOONER TREND	54.8	PHILLIPS PETROLEU
8147903	06679	3507322344		103		NELSON NO 2 WELL	SOONER TREND	54.8	PHILLIPS PETROLEU
8147899	08254	3507322366		103		STARKEY 9 WELL NO 2	SOONER TREND	36.5	CITIES SERVICE GA
8147902	06680	3507300000		103		STATE 16 WELL NO 2	SOONER TREND	54.8	PHILLIPS PETROLEU
-WILLIAM MOSS PROPERTIES INC						RECEIVED: 09/01/81 JA: OK			
8147919	10367	3507322732		103		GARNET NO 33-2 WELL	SOONER TREND	109.5	CITIES SERVICE GA
8147918	10368	3507322764		103		ROBERSON NO 24-1 WELL	SOONER TREND	36.5	CITIES SERVICE GA

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WEST VIRGINIA DEPARTMENT OF MINES

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-CABOT OIL & GAS CORP						RECEIVED: 02/09/81 JA: WV			
8147776		4706700324		108		A BACKUS BURGESS #1	JEFFERSON	10.0	CABOT CORP
8147755		4701501005		108		C & H CORP B-1	PLEASANT	6.0	CABOT CORP
8147781		4706700412		108		C & H CORPORATION B-11	JEFFERSON	3.0	CABOT CORP
8147756		4701501212		108		C & H CORPORATION B-9	PLEASANT	10.0	CABOT CORP
8147753		4701900186		108		CANNELTON COAL A-2	FALLS	13.0	CABOT CORP
8147757		4703902627		108		CANNELTON COAL A-6	CABIN CREEK	21.0	CABOT CORP
8147774		4701900309		108		F F BANKS #2	FAYETTEVILLE	13.0	CABOT CORP
8147779		4706700409		108		FEDERAL COAL A-4	JEFFERSON	11.0	CABOT CORP
8147780		4706700410		108		FEDERAL COAL A-5	JEFFERSON	19.0	CABOT CORP

JD NO	JA NBT	API NO	D SEC CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8147777		4706700325	108	HILL & LONG B-8	JEFFERSON	13.0	CABOT CORP
8147778		4706700327	108	LLOYD A BURGESS #1	JEFFERSON	8.0	CABOT CORP
8147769		4708100355	108	PINEY COKING COAL A-22	SLAB FORK	7.9	CABOT CORP
8147772		4708100367	108	PINEY COKING COAL A-24	SLAB FORK	7.9	CABOT CORP
8147771		4708100359	108	PINEY COKING COAL A-25	SLAB FORK	7.9	CABOT CORP
8147768		4708100353	108	PINEY COKING COAL A-29	SLAB FORK	10.7	CABOT CORP
8147770		4708100356	108	PINEY COKING COAL A-30	SLAB FORK	10.7	CABOT CORP
8147767		4708100316	108	PINEY COKING COAL A-6	SLAB FORK	1.0	CABOT CORP
8147775		4704700718	108	POCAHONTAS LAND CORP C-10	NORTH FORK	3.0	CABOT CORP
8147759		4710900808	108	POCAHONTAS LAND CORP L-2	BAILEYSVILLE	16.0	CABOT CORP
8147758		4704700632	108	RED ASH POCAHONTAS B-1	SANDY RIVER	5.0	CABOT CORP
8147773		4708100449	108	T H WOOLWINE #2	TOWN	6.0	CABOT CORP
-MAE FLUHARTY				RECEIVED: 02/09/81 JA: WV			
8147763		4701322021	108	DELL COOPER GAS COMPANY #1	LEE DISTRICT	0.4	CONSOLIDATED GAS
8147760		4701300781	108	FRED STUMP WELL #1	SHERIDAN DISTRICT	2.5	CONSOLIDATED GAS
8147764		4701322111	108	PETER BOOHER GAS COMPANY #1	LEE DISTRICE	2.0	CONSOLIDATED GAS
8147762		4701329700	108	R J KNOTTS GAS COMPANY #1	SHERMAN	2.5	CONSOLIDATED GAS
-P P & C C GUNN				RECEIVED: 02/09/81 JA: WV			
8147761		4701329270	108	JARVIS MINNEY WELL #1	SHERMAN	4.7	CONSOLIDATED GAS
-R H ADKINS TRUSTEE FOR MCCOMAS				RECEIVED: 02/09/81 JA: WV			
8147754		4704300269	108	TRENEPERRY #1 GPA 1003	CORROLL	1.4	PENNZOIL CO
-UNION DRILLING INC				RECEIVED: 08/11/81 JA: WV			
8147782		4709702057	103	ROBERT HOSAFLOOK #1 1576	MEADE DISTRICT	0.0	COLUMBIA GAS TRAN
-W E POPE				RECEIVED: 02/09/81 JA: WV			
8147766		4709500327	108	J M L SMITH TYL-327	WILDCAT	7.8	EQUITABLE GAS CO
8147765		4709500319	108	MARY SECKMAN KEYS TYL-319	WILDCAT	3.5	EQUITABLE GAS CO
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** U.S. GEOLOGICAL SURVEY - METAIRIE,LA							
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-KERR-MCGEE CORPORATION				RECEIVED: 08/31/81 JA: 3			
8147806	G1-1996	1771240235	102-5	OCS G 1025 NO A-9	SHIP SHOAL	639.0	TRANSCONTINENTAL
-CHEVRON U S A INC				RECEIVED: 08/31/81 JA: LA 3			
8147809	G1-1912	1770340112	102-5	OCS-G-2853 NO 1	EAST CAMERON	2153.0	COLUMBIA GAS TRAN
8147790	G1-1913	1770340133	102-5	OCS-G-2853 NO 2	EAST CAMERON	2555.0	COLUMBIA GAS TRAN
-EXXON CORPORATION				RECEIVED: 08/31/81 JA: LA 3			
*8147792	G1-2039	1770240648	102-5	OCS-G 2560 NO A-10	WEST CAMERON	500.0	COLUMBIA GAS TRAN
-HOUSTON OIL & MINERALS CORPORATION				RECEIVED: 08/31/81 JA: LA 3			
8147791	G1-2142	1770540242	102-5	OCSG-3392 (#2) B-1A	VERMILION AREA	0.0	TEXAS GAS TRANSMI
*8147789	G-2192	1770540253	102-5	OCSG-3392 #B-2 (FORMERLY #4)	VERMILION AREA	0.0	TEXAS GAS TRANSMI
-KERR-MCGEE CORPORATION				RECEIVED: 08/31/81 JA: LA 3			
8147801	G1-1998	1771240236	102-5	OCS G 1025 NO A-10	SHIP SHOAL	6393.0	TRANSCONTINENTAL
8147800	G1-1997	1771240236	102-5	OCS G 1025 NO A-10D	SHIP SHOAL	6340.0	TRANSCONTINENTAL
8147802	G1-1999	1771240244	102-5	OCS G 1025 NO A-14D	SHIP SHOAL	440.0	TRANSCONTINENTAL
8147803	G1-2000	1771240244	102-5	OCS G 1025 NO 14	SHIP SHOAL	121.0	TRANSCONTINENTAL
8147785	G1-2133	1771540343	102-1	OCS-G 4119 NO 2	SOUTH TIMBALIER	617.0	TENNESSEE GAS PIP
8147799	G1-2122	1771540346	102-1	OCS-G 4119 NO 3	SOUTH TIMBALIER	575.0	TENNESSEE GAS PIP
8147786	G1-2123	1771540346	102-1	OCS-G 4119 NO 3-D	SOUTH TIMBALIER	404.0	TENNESSEE GAS PIP
-MCMORAN OFFSHORE EXPLORATION CO				RECEIVED: 08/31/81 JA: LA 3			
*8147787	G1-2136	1770540403	102-5	OCS-G 3390 #10	VERMILION	7300.0	TRANSCONTINENTAL
*8147788	G1-2138	1770540400	102-5	OCS-G 3390 #16	VERMILION	7300.0	TRANSCONTINENTAL
8147793	G1-2030	1770540451	102-5	OCS-G 3390 #20	VERMILION	5400.0	TRANSCONTINENTAL
-MOBIL OIL EXPLORATION & PROD S E				RECEIVED: 08/31/81 JA: LA 3			
*8147796	G1-2131	1772140169	102-5	SOUTH PASS 49 # A-7 (ST #1)	SOUTH PASS	532.0	COLUMBIA GAS TRAN

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
-OCEAN PRODUCTION CO				RECEIVED: 08/31/81 JA: LA 3					
8147805	G1-2019	1771140454		102-5		OCS - G - 1023 D-2A	SHIP SHOAL 222 FIELD	100.0	TRANSCONTINENTAL
8147797	G1-2020	1771140557		102-5		OCS -G- 1023 D8A	SHIP SHOAL 222 FIELD	1000.0	TRANSCONTINENTAL
8147794	G1-2046	1771140553		102-5		OCS-1023 E-10 A	SHIP SHOAL 222 FIELD	145.0	TRANSCONTINENTAL
-ONECO OIL & GAS CO				RECEIVED: 08/31/81 JA: LA 3					
8147808	G1-2069	1771140506		102-5		OCS-G-1023 D3A	SHIP SHOAL 222 FIELD	100.0	TRANSCONTINENTAL
-PENNZOIL OIL & GAS INC				RECEIVED: 08/31/81 JA: LA 3					
8147795	G1-2025	1770440501		102-5		PENNZOIL CO OCS-G 2062 E 335 WELL	EAST CAMERON AREA SOUTH	3000.0	
-SHELL OIL CO				RECEIVED: 08/31/81 JA: LA 3					
8147804	G1-2006	1770840478		102-5		OCS-G 2280 D-13	SOUTH MARSH ISLAND	60.0	TRANSCONTINENTAL
-TENNECO OIL COMPANY				RECEIVED: 08/31/81 JA: LA 3					
8147807	G1-2120	1773140023		102-1		SABINE PASS 13 A-1	SABINE PASS	365.0	TENNESSEE GAS PIP
8147783	G1-2125	1772140021		102-1		SABINE PASS 13 A-2	SABINE PASS	1277.5	TENNESSEE GAS PIP
8147784	G1-2126	1773140023		102-1		SABINE PASS 13 A-3	SABINE PASS	1095.0	TENNESSEE GAS PIP
8147798	G1-2121	1773140025		102-1		SABINE PASS 13 A-4	SABINE PASS	365.0	TENNESSEE GAS PIP
8147810	G1-2127	1772140026		102-1		SABINE PASS 13 A-5	SABINE PASS	365.0	TENNESSEE GAS PIP

OTHER PURCHASERS VOLUME NO :510

8147787 PUBLIC SERVICE ELECTRIC & GAS CO
8147788 PUBLIC SERVICE ELECTRIC & GAS CO
8147785 PUBLIC SERVICE ELECTRIC & GAS CO
8147792 NORTHERN NATURAL GAS CO
8147796 TENNESSEE GAS P L CO
8147875 PANHANDLE EASTERN P L 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 October 13, 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. 81–27987 Filed 9–24–81; 8:45 am]

BILLING CODE 6450–85–M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: September 21, 1981.

JD NO	DOCKET	WELL NO	C SEC CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
TEXAS RAILROAD COMMISSION							
-A L HERNDEN & MORRIS CANNAN				RECEIVED: 09/03/81 JA: TX			
8148022	F-01-031879	4231131525	103	HAGIST #1-C 92483	LOMA ALTA (3500)	300.0	TEXAS EASTERN TRA
-ADOBE OIL & GAS CORPORATION				RECEIVED: 09/03/81 JA: TX			
8148048	F-01-032473	4232331182	103	BURR ESTATE 77342	LOS CUATROS (LOWER CREAT	37.0	CLAJON GAS CO
8148109	F-81-037674	4244530875	103	CLARE NO 5	PRENTICE (6700) FIELD	20.0	AMOCO PRODUCTION
-AMOCO PRODUCTION CO				RECEIVED: 09/03/81 JA: TX			
8148178	F-10-039085	4239330757	103	J B WATERFIELD B NO 3	N W KENDOTA	273.0	MICHIGAN-WISCONSI
8148074	F-02-036550	4239131251	103	MARY ELLEN OCONNOR #55	M E OCONNOR/FQ-25/	14.6	LA ROSA CORP
-APACHE CORPORATION				RECEIVED: 09/03/81 JA: TX			
8148068	F-10-035799	4248330714	107-DP	STILES #7-1	STILES RANCH (ATOKA)	365.0	ARKANSAS LOUISIAN
-B J GIERHART INC				RECEIVED: 09/03/81 JA: TX			
8148063	F-01-034836	4216300000	103	GROSSIE WELL NO 1	PEARSALL (AUSTIN CHALK)	0.0	TIPPERARY CORP
8148062	F-01-034835	4216300000	103	HUGO WELL NO 1	PEARSALL (AUSTIN CHALK)	0.0	TIPPERARY CORP
-BENCHMARK OIL INC				RECEIVED: 09/03/81 JA: TX			
8148177	F-03-039074	4220131030	102-4	LEWIS TYRA #3 RRC ID #85752	BENCHMARK RANKIN (KELLER	360.0	UNITED TEXAS TRAN
-BLOCKER EXPLORATION CO				RECEIVED: 09/03/81 JA: TX			
8148069	F-06-035832	4200131045	102-4	WILLIAM R CADY ET AL #4	S W PRAIRIE LAKE (RODESS	500.0	SEAGULL PIPELINE
-BTA OIL PRODUCERS				RECEIVED: 09/03/81 JA: TX			
8148096	F-81-037290	4211531224	103	WELCH SE (SPRABERRY) UNIT #5-1	WELCH SE (SPRABERRY)	10.0	PHILLIPS PETROLEU
-C F LAWRENCE & ASSOC INC				RECEIVED: 09/03/81 JA: TX			
8148098	F-7C-037304	4210500000	108	OWENS C #1	CLARA COUCH (WOLFCAMP)	4.0	EL PASO NATURAL G
8148097	F-7C-037303	4210500000	103	SHANNON C #1	NOELKE NE (QUEEN)	0.0	EL PASO NATURAL G
-CAL-TEX OIL CO				RECEIVED: 09/03/81 JA: TX			
8148186	F-10-039117	4223330957	103	CARVER AREA WATERFLOOD #1 WELL #40	PANHANDLE HUTCHINSON CO	90.0	DIAMOND SHAMROCK
8148187	F-10-039118	4223330956	103	CARVER AREA WATERFLOOD #2 WELL #30	PANHANDLE HUTCHINSON COU	13.0	DIAMOND SHAMROCK
-CANYON CO				RECEIVED: 09/03/81 JA: TX			
8148055	F-7C-033568	4210531786	103	LAURA HOOVER ESTATE #101	AMERICAN (CANYON)	50.0	EL PASO NATURAL G
8148054	F-7C-033567	4210531789	103	LAURA HOOVER ESTATE #1019	AMERICAN (CANYON)	50.0	EL PASO NATURAL G
-CHALMERS OPERATING CO INC				RECEIVED: 09/03/81 JA: TX			
8148139	F-7H-038692	4241733332	102-4	EDNA DILLER BLANTON WELL #2 - 93259	BLANTON (MISS 4740)	0.0	DELHI GAS PIPELIN
-CHAMPLIN PETROLEUM COMPANY				RECEIVED: 09/03/81 JA: TX			
8148066	F-03-035735	4205100000	102-2	IRVIN WORTHINGTON NC 1	GIDDINGS	0.0	FERGUSON CROSSING
8148066	F-03-035735	4205100000	103	IRVIN WORTHINGTON NC 1	GIDDINGS	0.0	FERGUSON CROSSING
-CHARLES L WALKER				RECEIVED: 09/03/81 JA: TX			
8148182	F-08-039107	4200332368	102-4	FISHER 3 #4	BLOCK A-34 (SAN ANDRES)	4.3	PHILLIPS PETROLEU
8148182	F-08-039107	4200332368	103	FISHER 3 #4	BLOCK A-34 (SAN ANDRES)	4.3	PHILLIPS PETROLEU
8148181	F-08-039103	4200332580	102-4	FISHER B #4	BLOCK A-34 (SAN ANDRES)	3.2	PHILLIPS PETROLEU
8148181	F-08-039103	4200332580	103	FISHER B #4	BLOCK A-34 (SAN ANDRES)	3.2	PHILLIPS PETROLEU
8148180	F-08-039102	4200332505	102-4	UNDERWOOD B #3	BLOCK A-34 (SAN ANDRES)	4.3	PHILLIPS PETROLEU
8148180	F-08-039102	4200332505	103	UNDERWOOD B #3	BLOCK A-34 (SAN ANDRES)	4.3	PHILLIPS PETROLEU
-CIG EXPLORATION INC				RECEIVED: 09/03/81 JA: TX			

JD NO	DA TKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8148120	F-10-038627	4220530114			103	BIVINS A-180	WEST PANHANDLE	105.0	COLORADO INTERSTA
8148119	F-10-038626	4237530709			103	MASTERSON B-104	WEST PANHANDLE	369.0	COLORADO INTERSTA
-CONOCO INC						RECEIVED: 09/03/81 JA: TX			
8148199	F-04-039172	4242700000			108	FRIO D-5 UNIT #2	RINCON (FRIO D-5)	0.4	TENNESSEE GAS PIP
8148195	F-04-039167	4242700000			108	FRIO D-5 UNIT NO 26	RINCON (FRIO D-5)	3.3	TENNESSEE GAS PIP
8148194	F-04-039166	4242700000			108	FRIO D-5 UNIT NO 31	RINCON (FRIO D-5)	0.5	TENNESSEE GAS PIP
8148193	F-04-039165	4242700000			108	FRIO D-5 UNIT NO 45	RINCON (FRIO D-5)	0.7	TENNESSEE GAS PIP
8148201	F-04-039184	4242700000			108	FRIO E UNIT B NO 24	RINCON (FRIO E-1 E-2)	0.5	TENNESSEE GAS PIP
8148197	F-04-039169	4242700000			108	FRIO E UNIT B NO 29	RINCON (FRIO E-1 E-2)	0.8	TENNESSEE GAS PIP
8148200	F-04-039173	4242700000			108	FRIO E-3 UNIT NO 75	RINCON (FRIO E-3)	1.5	TENNESSEE GAS PIP
8148146	F-08-038924	4238900000			108	G E RAMSEY JR -7- #3 ID #21019	GERALDINE FORD	5.4	EL PASO NATURAL G
8148145	F-08-038922	4238900000			108	G E RAMSEY JR -7- #8 ID 21019	GERALDINE FORD	4.5	EL PASO NATURAL G
8148149	F-7B-038927	4215130865			108	J B TERRELL -A- #11 ID #13657	ROUND TOP	6.1	LONE STAR GAS CO
8148196	F-04-039168	4242700000			108	M M GARCIA F-542 #15	RINCON (VICKSBURG II E)	3.1	TENNESSEE GAS PIP
8148192	F-02-039164	4217500000			108	PETTUS UNIT NO 18	CABEZA CREEK (YEGUA 1-B)	3.7	TEXAS EASTERN TRA
8148144	F-08-038920	4210931477			103	RAMSEY -22- #15 ID #24217	FORD WEST (4100)	6.2	EL PASO NATURAL G
8148198	F-04-039171	4242700000			108	T B SLICK EST B-266 NO 11	RINCON (FRIO B-1)	10.9	TENNESSEE GAS PIP
8148148	F-7C-038926	4210500000			108	UNIVERSITY -27- #5 ID #00437	ELKHORN	5.1	PERMIAN CORP
8148147	F-08-038925	4200332303			108	W H BONER -A- #31 ID #01663	FUHRMAN-MASCHO	1.6	PHILLIPS PETROLEU
-D B BAXTER INC						RECEIVED: 09/03/81 JA: TX			
8148158	F-7B-039007	4209330780			102-4	C B WILLIAMS #1 (53704)	HOUSER (DUFFER)	113.0	SIOUX GAS PIPELIN
-D L WHITAKER OIL CO						RECEIVED: 09/03/81 JA: TX			
8148170	F-7B-039042	4244732616			103	WINSTEAD -A- #1 (17197)	THROCKMORTON COUNTY REGU	77.0	GEORGE HARVECK
-DAMERON PETROLEUM CORP						RECEIVED: 09/03/81 JA: TX			
8148056	F-7C-033511	4210532405			102-2	ARMOND HOOVER 17A #1	AMERICAN (CANYON)	65.0	EL PASO NATURAL G
8148056	F-7C-033511	4210532405			107-TF	ARMOND HOOVER 17A #1	AMERICAN (CANYON)	65.0	EL PASO NATURAL G
8148157	F-7C-039001	4210532755			102-2	B E DUNLAP - SEC 12 BLK 1 #212L	AMERICAN (CANYON)	80.0	EL PASO NATURAL G
8148157	F-7C-039001	4210532755			107-TF	B E DUNLAP - SEC 12 BLK 1 #212L	AMERICAN (CANYON)	80.0	EL PASO NATURAL G
-DIAMOND SHAMROCK CORPORATION						RECEIVED: 09/03/81 JA: TX			
8148003	F-10-026771	4229530824			103	BERNICE GASTON D NC 1	CAMBRIDGE	548.0	
8148051	F-8A-032756	4221932908			103	C D FIELDING NO 1-17	HAMILTON	0.3	
8148050	F-10-032737	4239330774			103	LOIS WEBB NO 3-83	MENDOTA NW	86.0	
-DOUGLAS PETROLEUM INC						RECEIVED: 09/03/81 JA: TX			
8148011	F-04-028270	4213100000			102-4	LULA PURSCH B WELL NO 2	DOUGLAS (FRIO 1450) FIEL	155.0	TEXAS EASTERN TRA
-EAGLE PETROLEUM INC						RECEIVED: 09/03/81 JA: TX			
8148017	F-02-030274	4217500000			102-4	EAGLE PET INC #1 B B GAYLE	FRANKLIN FIELD (PROPOSED	180.0	TRUNKLINE GAS CO
-EL PASO NATURAL GAS COMPANY						RECEIVED: 09/03/81 JA: TX			
8148100	F-10-037475	4217923689			108	BARNES #2	PANHANDLE WEST	20.0	EL PASO NATURAL G
8148129	F-7C-038781	4243519207			108	DEBERRY A #2	SONORA - UPPER CANYON	16.0	EL PASO NATURAL G
8147993	F-10-002448	4208700000			108-ER	LAYCOCK #5	PANHANDLE EAST	0.0	EL PASO NATURAL G
-ENERGY RESERVES GROUP INC						RECEIVED: 09/03/81 JA: TX			
8148191	F-7C-039133	4241330942			103	R S WILLIAMS B #2	VELREX (CISCO 6260)	198.0	NORTHERN NATURAL
-ENSERCH EXPLORATION INC						RECEIVED: 09/03/81 JA: TX			
8148128	F-05-038766	4221300000			108	BEN HEARNE NO 6	OPELIKA	16.0	LONE STAR GAS CO
8148125	F-05-038763	4221300000			108	G W HAMILL NO 2	OPELIKA	11.0	LONE STAR GAS CO
8147995	F-06-022913	4220330716			103	H A DUNN UNIT 1 NC 4	WHELAN	564.0	TEXAS EASTERN TRA
8148126	F-05-038764	4221300000			108	PHEBE BARTON NO 1	OPELIKA	16.0	LONE STAR GAS CO
8148124	F-05-038762	4221300000			108	ROY DODSON NO 2	OPELIKA	9.0	LONE STAR GAS CO
8148127	F-05-038765	4221300000			108	W M & R FERGUSON NC 1	OPELIKA	16.0	LONE STAR GAS CO
-ESENJAY PETROLEUM CORP						RECEIVED: 09/03/81 JA: TX			
8148077	F-04-036654	4240931497			103	G R TAYLOR GAS UNIT NC 2	ST PAUL N W (5670)	150.0	TRANSCONTINENTAL
-EXXON CORPORATION						RECEIVED: 09/03/81 JA: TX			
*8148173	F-04-039073	4226130603			102-4	C M ARMSTRONG C-65 (93611)	BARRETA (J-75)	511.0	ARMCO STEEL CORP

JD NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
*8148174	F-04-039074	4226130469			102-4	C M ARMSTRONG 51 (92640)	DON TOMAS EAST (K-50)	180.0	ARMCO STEEL CORP
8148153	F-08-038993	4237100000			108	COYANOSA UNIT #3-2	COYANOSA	18.0	NORTHERN NATURAL
8148155	F-08-038998	4200332568			103	FULLERTON CLEARFORK UNIT #527	FULLERTON	15.0	PHILLIPS PETROLEU
8148086	F-08-036726	4210332466			103	J B TUBB A/C 1 #242L	SAND HILLS (TUBB)	10.0	EL PASO NATURAL G
8148087	F-08-036727	4210332487			103	J B TUBB A/C 1 #243L	SAND HILLS (TUBB)	19.0	EL PASO NATURAL G
*8148185	F-04-039112	4227331322			102-4	K R ALAZAN 326-F (09738)	HINOJOSA NORTH (G-06 S)	42.7	ARMCO STEEL CORP
*8148172	F-04-039072	4227331496			102-4	K R BORREGOS 559-F (92641)	BORREGOS (ZONE S-7 NW II	800.0	ARMCO STEEL CORP
8148076	F-04-036637	4204730922			103	MCGILL BROS 465	KELSEY DEEP (ZONE 25)	600.0	TRUNKLINE GAS CO
8148154	F-08-038995	4200332647			103	MEANS/SAN ANDRES/UNIT #660	MEANS	15.0	PHILLIPS PETROLEU
8148072	F-08-036194	4200332651			103	MEANS/SAN ANDRES/UNIT #958	MEANS	20.0	PHILLIPS PETROLEU
*8148093	F-04-036953	4226130597			103	MRS S K EAST 121 (92661)	RITA SE (L-94W)	183.0	ARMCO STEEL CORP
*8148165	F-04-039020	4226130616			102-4	MRS S K EAST 123 (93210)	RITA NE (I-24)	1200.0	ARMCO STEEL CORP
8148103	F-04-037504	4226100000			108	MRS S K EAST 35-D (07216)	RITA (9-I SEG 3)	1.0	NATURAL GAS PIPEL
*8148190	F-04-039126	4235531622			102-4	PITA ISL GAS #2 WELL #8 #93659	PITA ISLAND (K-25)	763.0	ARMCO STEEL CORP
*8148189	F-04-039125	4204730890			103	R J K JR TR VIBORAS PAST 93(93694)	VIBORAS WEST (I-43)	500.0	ARMCO STEEL CORP
8148104	F-9A-037525	4216532006			103	ROBERTSON CLFK UNIT #6901	ROBERTSON N (CLFK 7100)	15.0	PHILLIPS PETROLEU
-FAIR OIL CO						RECEIVED: 09/03/81 JA: TX			
*8148106	F-06-037583	4231530560			103	GREEN FOX (SMITH ZONE) UNIT #2302	GREEN FOX (SMITH ZONE)	540.0	EAST TEXAS INDUST
-FARRINGTON ENERGY INC						RECEIVED: 09/03/81 JA: TX			
8148004	F-06-027006	4249930760			102-4	#1 DAN GRAHAM	QUITMAN (Q-5 SW)	0.0	CRA INC
8148013	F-06-029845	4249930808			102-4	OPAL MCINTOSH #1 LEASE NO 10287	QUITMAN (Q5-SW)	6.0	CRA INC
8148013	F-06-029845	4249930808			103	OPAL MCINTOSH #1 LEASE NO 10287	QUITMAN (Q5-SW)	6.0	CRA INC
-FIRST AMERICAN OIL & GAS INC						RECEIVED: 09/03/81 JA: TX			
8148073	F-7B-036405	4208300000			102-4	BYROM H NO 2	SNYDER (MORRIS)	91.3	ODESSA NATURAL CO
8148116	F-7B-038378	4208332181			102-4	H BYROM #1	SOMMA SUMMIT (JENNINGS)	50.0	ODESSA NATURAL CO
8148114	F-7B-038376	4208300000			102-4	JACKRABBIT JUNCTION #1 (15542)	SOMMA SUMMIT (JENNINGS)	200.0	ODESSA NATURAL CO
8148115	F-7B-038377	4208331967			102-4	JACKRABBIT JNCT B CLAYTON #2 88197	SNYDER (FRY)	120.0	ODESSA NATURAL CO
-GENERAL PRODUCTION CORP						RECEIVED: 09/03/81 JA: TX			
8148095	F-03-037246	4228730786			103	KENNETH LEHMANN NO 1	GIDDINGS (AUSTIN CHALK)	0.0	CLAJON GAS CO
8148105	F-03-037547	4228730787			103	RONALD JOHNSON NO 1	GIDDINGS (AUSTIN CHALK)	0.0	CLAJON GAS CO
-GETTY OIL COMPANY						RECEIVED: 09/03/81 JA: TX			
8148112	F-06-038276	4236500000			108	MAY SEALEY #2 RRC ID #30192	CARTHAGE (L PETTIT)	20.0	UNITED GAS PIPELI
8148113	F-06-038340	4236500000			108	ROSS - HAMILTON #2 RRC ID #79786	CARTHAGE (COTTON VALLEY)	7.0	TEJAS GAS CORP
8148002	F-03-026095	4205100000			102-4	RUFUS B LEWIS GAS UNIT #1	SOMERVILLE PROSPECT	0.0	
-GRACE PETROLEUM CORPORATION						RECEIVED: 09/03/81 JA: TX			
8148122	F-06-038729	4236530803			103	CHADWICK 1-C	CARTHAGE (TRAVIS-PEAK)	264.0	UNITED GAS PIPELI
-GULF OIL CORPORATION						RECEIVED: 09/03/81 JA: TX			
8148094	F-10-037181	4221131279			103	ISAACS #3-209	RED DEER CREEK	75.0	PIONEER NATURAL G
8148014	F-10-030030	4239330780			103	WEBB #2-187	S PARSELL	315.0	EL PASO NATURAL G
-H & L OPERATING COMPANY						RECEIVED: 09/03/81 JA: TX			
8148184	F-10-039110	4235731082			102-4	VERGIL DOERRIE NO 1	BOOKER NW (BASAL MORROW)	352.0	PHILLIPS PETROLEU
-H & R OILS INC						RECEIVED: 09/03/81 JA: TX			
8148117	F-7C-038523	4239931814			102-2	KING J H # 1-A	DEIKE (GARDNER)	146.0	UNION TEXAS PETRO
-HARKEN OIL & GAS INCORP						RECEIVED: 09/03/81 JA: TX			
8148175	F-7C-039076	4239931726			102-4	A J COLLOM A #1 92617	COLLOM (ELLENBURGER)	547.5	LONE STAR GAS CO
8148176	F-7C-039078	4239931727			102-4	ALEXANDER #1	HARRIS (FRY)	63.9	LONE STAR GAS CO
-HAWKEYE OIL & GAS CORP						RECEIVED: 09/03/81 JA: TX			
8147998	F-09-025053	4223700000			102-2	LEWIS-SKAGGS #1 RRC #88537	CAMPBELL (ATOKA CONGLOME	380.1	NATURAL GAS PIPEL
-HNG OIL COMPANY						RECEIVED: 09/03/81 JA: TX			
8148080	F-7C-036700	4243531463			103	ASKEW 46 #1	SAWYER (CANYON)	8.6	INTRATEX GAS CO
8148078	F-7C-036698	4241330712			103	CLARK 58 #2	SAWYER (CANYON)	55.0	INTRATEX GAS CO
8148081	F-7C-036701	4243532205			103	ESPY 40 #4	SAWYER (CANYON)	140.0	INTRATEX GAS CO
8148079	F-7C-036699	4243532089			103	ESPY 41 #4	SAWYER (CANYON)	177.0	INTRATEX GAS CO

JD NO	JA PKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8148075	F-7C-036627	4243552087		103		SHURLEY 110 #3	SAWYER (CANYON)	1.4	INTRATEX GAS CO
8148085	F-7C-036706	4243531988		103		STEWART 34 #2	SAWYER (CANYON)	40.7	INTRATEX GAS CO
8148067	F-84-035767	4250531084		108		SULLIVAN-HEIN #4 83852	LA PERLA (WILCOX LOWER)	6.5	HOUSTON PIPELINE
8148084	F-7C-036704	4243531987		103		VANDERSTUCKEN 1 #1	SAWYER (CANYON)	47.8	INTRATEX GAS CO
8148082	F-7C-036702	4243531997		103		VANDERSTUCKEN 1 #2	SAWYER (CANYON)	175.4	INTRATEX GAS CO
8148083	F-7C-036703	4243532114		103		VANDERSTUCKEN 1 #3	SAWYER (CANYON)	134.1	INTRATEX GAS CO
→HORIZON OIL & GAS CO OF TEXAS						RECEIVED: 09/03/81 JA: TX			
8148023	F-10-032016	4219530106		108		#1 MCGREEVY - - #03853	HORIZON - CLEVELAND	10.0	NORTHERN NATURAL
→HOUSTON OIL & MINERALS CORPORATION						RECEIVED: 09/03/81 JA: TX			
8148121	F-8A-038643	4216500000		103		WATERS #2	WESCOTT (STRAWN)	66.3	
→HUGHES & HUGHES						RECEIVED: 09/03/81 JA: TX			
8148183	F-04-039109	4235531589		102-4		HERBERT K SCHULZE ET AL NO 7	AGUA DULCE (9850)	730.0	HOUSTON PIPE LINE
→IKE LOVELADY INC						RECEIVED: 09/03/81 JA: TX			
8148088	F-08-036736	4237132572		103		TAFT Q #1	LEHN-APCO SOUTH (QUEEN)	365.0	ADOBE GAS CO
→J M HUBER CORPORATION						RECEIVED: 09/03/81 JA: TX			
8148131	F-10-038817	4206500000		108		BURNETT A NO 5	PANHANDLE WEST	18.0	COLORADO INTERSTA
8148132	F-10-038819	4206530006		108		BURNETT R NO 8A	PANHANDLE WEST	13.5	COLORADO INTERSTA
8148130	F-10-038816	4223300080		108		CARVER A NO 2	PANHANDLE WEST	14.0	COLORADO INTERSTA
8148134	F-10-038822	4223300000		108		SANFORD B NO 1	PANHANDLE WEST	15.0	COLORADO INTERSTA
8148135	F-10-038825	4223300000		108		SANFORD D NO 3	PANHANDLE WEST	14.0	COLORADO INTERSTA
8148133	F-10-038821	4206500000		108		SANFORD E NO 2	PANHANDLE WEST	8.0	COLORADO INTERSTA
→JATAM INC						RECEIVED: 09/03/81 JA: TX			
8148102	F-7C-037501	4243130930		103		JATAM INC KNIGHT - 142 #4	JAMESON (STRAWN)	46.0	SUN OIL CO
8148101	F-7C-037500	4243130931		103		JATAM INC KNIGHT 142 #5	JAMESON (STRAWN)	46.0	SUN OIL CO
→JOE B BARRETT						RECEIVED: 09/03/81 JA: TX			
8148111	F-78-038197	4204932132		103		R G CHAMBERS #1 (85180)	BROWN COUNTY REGULAR (MA	584.0	SOUTHWESTERN GAS
→LAMBERT HOLLUB DRILLING CO						RECEIVED: 09/03/81 JA: TX			
8148049	F-03-032619	4205130827		103		ARLEDGE A #1 - RRC 13253	WILLIARD FIELD	0.3	
→LONDON & WAGGONER						RECEIVED: 09/03/81 JA: TX			
8148057	F-09-033845	4249731921		102-4		M C LITTLE NO.1-C	MONTEATH (CADDO)	365.0	SOUTHWESTERN GAS
→MARIANAS OPERATING CO INC						RECEIVED: 09/03/81 JA: TX			
8148018	F-78-030632	4208331995		102-4		HORNE #1 (15808)	LITTLE LONGHORN (MORRIS)	27.0	ODESSA NATURAL CO
→MARSHALL R YOUNG OIL CO						RECEIVED: 09/03/81 JA: TX			
8148012	F-7C-029655	4210532721		103		UNIVERSITY 14-33	PERNER RANCH (DEVONIAN)	105.9	
→MCCANN CORP						RECEIVED: 09/03/81 JA: TX			
8148091	F-7C-036871	4246131656		103		MCELROY #1	WILLRODE (CISCO)	105.1	EL PASO NATURAL G
8148179	F-08-039094	4222731561		102-2		READ A #4	COAHOMA (MISS)	122.4	GETTY OIL CO
8148179	F-08-039094	4222731981		103		READ A #4	COAHOMA (MISS)	122.4	GETTY OIL CO
→MGF OIL CORP						RECEIVED: 09/03/81 JA: TX			
8148060	F-08-034530	4231732324		103		CLINE A #1	GORDON STREET WEST (WOLF	2.0	PHILLIPS PETROLEU
→MITCHELL ENERGY CORPORATION						RECEIVED: 09/03/81 JA: TX			
8148059	F-09-03451	4223700000		108		CARY-MAG #2	JACK COUNTY REGULAR (GAS	1.0	SOUTHWESTERN GAS
8148053	F-78-033006	4236700000		108		D G TALBOT #1	BUCK RANCH (STRAWN)	0.0	SOUTHWESTERN GAS
8148009	F-02-027836	4228531440		107-DP		DOROTHY WALTERS #1	WILDCAT	180.0	TEXAS EASTERN GAS
8148015	F-09-030034	4248731882		103		FLOYD CLAYTON #3	BOONSVILLE (BEND CONGL G	0.0	NATURAL GAS PIPEL
8147994	F-09-017058	4249700000		108		J L GALLETT #1 28653	BOONSVILLE (BEND CONGL)	10.0	NATURAL GAS PIPEL
8148065	F-09-035615	4236700000		108		J M HART #1 59089	BOONSVILLE (BEND CONGL G	5.8	LONE STAR GAS CO
8148058	F-09-034232	4249700000		108		M L WAGGONER #9	BOONSVILLE (BEND CONGL G	0.0	NATURAL GAS PIPEL
8148052	F-09-032790	4249731904		103		RALEY-ROGER #1	ALVORD SOUTH (BRYSON)	900.0	NATURAL GAS PIPEL
8148021	F-09-031478	4249731917		103		RUFUS GARRETT #2	RHOME (CADDO)	12.0	NATURAL GAS PIPEL
8148064	F-09-034883	4249732048		103		WILLIAM ROHRER UNIT 3 #5	BOONSVILLE (BEND CONGL G	550.0	NATURAL GAS PIPEL
8148009	F-09-025291	4249700000		108		Z H BORDEN #2 51044	CRAFTON WEST (CONGL)	8.9	CITIES SERVICE CO
8148001	F-09-025613	4249700000		108		ZINA FOX #2 57067	BOONESVILLE (BEND CONGL	11.6	NATURAL GAS PIPEL

JC NO	JA DKT	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
-MOBIL PROD TEXAS & NEW MEXICO INC				RECEIVED: 09/03/81 JA: TX					
8148166	F-8A-039021	4207931268		103		NORTH CENTRAL LEVELLAND UNIT NO 339	LEVELLAND	19.0	AMOCO PRODUCTION
-PARAFFINE OIL CORP				RECEIVED: 09/03/81 JA: TX					
8148118	F-02-038580	4205731085		102-4		P H WELDER B NO 10-U	KATIE WELDER (L-1) FIELD	132.0	FLORIDA GAS TRANS
-PAUL DE CLEVA				RECEIVED: 09/03/81 JA: TX					
8148020	F-09-031007	4249731266		103		JACKSON NO 1	BOONSVILLE (BEND CONGL)	173.0	NATURAL GAS P L C
-PETROLEUM INVESTMENTS CORP				RECEIVED: 09/03/81 JA: TX					
8148010	F-09-027853	4249731722		103		WHITAKER #1	PARK SPRINGS (CONGL)	0.0	CITIES SERVICE CO
-PHILLIPS PETROLEUM COMPANY				RECEIVED: 09/03/81 JA: TX					
8148006	F-10-027218	4242100000		108		CRIAG F #1	TEXAS HUGOTON	0.0	MICHIGAN WISCONSI
8148156	F-08-038999	4237131819		103		MITCHELL J #1 (72001)	PUCKETT EAST (STRAWN)	584.0	INTRATEX GAS CO
8148092	F-08-036892	4213533582		103		MOOERS NO 5 (02134)	GOLDSMITH (CLEARFORK)	10.2	EL PASO NATURAL G
8148107	F-08-037594	4213505729		108		TXL A #4 (06963)	TXL (ELLENBURGER)	2.5	SHELL OIL CO
8148152	F-7C-038992	4210533279		103		UNIVERSITY NO 44-5 (08873)	BLOCK-44 (SHALLOW)	0.1	
8148151	F-8A-038991	4203330643		103		WEST JO MILL #1010 (61062)	JO MILL (SPRABERRY)	20.0	GETTY OIL CO
-PLANET OIL CORP				RECEIVED: 09/03/81 JA: TX					
8148110	F-04-037821	4235531598		102-4		RICHARD KING ESTATE NO 1	BAILEY (5350)	47.0	NUE-WELLS PIPE LI
-QUINLAN ENGINEERING				RECEIVED: 09/03/81 JA: TX					
8148188	F-78-039120	4213330710		108		ALLEN NO 2	EASTLAND COUNTY REGULAR	1.4	CHRISTIE GAS TRAN
-R-K OIL & GAS CO				RECEIVED: 09/03/81 JA: TX					
8147997	F-02-024372	4232931431		102-4		WHITLEY-GLOOR GAS UNIT #1	FRANCIS G KELLER SURVEY	73.0	TENNESSEE GAS PIP
-SAN ANTONIO RESOURCES CO				RECEIVED: 09/03/81 JA: TX					
8148071	F-01-036095	4232531581		103		R L BOENIG #4	FAIRFIELD	50.0	VALERO TRANSMISSI
-SAXON OIL COMPANY				RECEIVED: 09/03/81 JA: TX					
8148169	F-7C-039033	4246131750		103		HANKS A NO 2	SPRABERRY (TREND AREA)	43.8	MOBIL PRODUCING T
8147999	F-7C-025262	4238331484		103		PATTERSON A NO 1	SPRABERRY (TREND AREA)	24.0	PHILLIPS PETROLEU
-SEAGULL INTERNATIONAL EXPLORATION I				RECEIVED: 09/03/81 JA: TX					
8148019	F-06-030645	4236500000		102-4		A W GEORGE UNIT NO 1 WELL NO 2	PINEHILL SE (RODESSA GLO	0.0	UNITED GAS PIPELI
-SHELL OIL CO				RECEIVED: 09/03/81 JA: TX					
8148090	F-04-036821	4221531051		103		A A MCALLEN NO 69	MCALLEN RANCH (VICKSBURG	350.0	VALERO INTERSTATE
-SOUTHWESTERN GAS EXPLORATION				RECEIVED: 09/03/81 JA: TX					
8147996	F-78-023145	4236700000		103		HELEN POWELL #1	WHITT (BIG SALINE)	454.6	SOUTHWESTERN GAS
-STRATA ENERGY INC				RECEIVED: 09/03/81 JA: TX					
8148171	F-03-039050	4205131447		102-2		W B HICKS #2	GIDDINGS (AUSTIN CHALK)	0.0	CLAJON GAS CO
-SUN OIL COMPANY (DELAWARE)				RECEIVED: 09/03/81 JA: TX					
8148024	F-04-032162	4242731470		102-4		CARLOS A AUSTIN NO 1	LOCKHART	610.0	TENNESSEE GAS PIP
8148008	F-04-027620	4242700000		108		CHAPATOL LAND CO -A- NO 10	YTURRIA	6.2	TRANSCONTINENTAL
-SUPERIOR OIL CO				RECEIVED: 09/03/81 JA: TX					
8148108	F-8A-037646	4211531407		103		ACKERLY DEAN UNIT NO 1802	ACKERLY DEAN UNIT	0.0	GETTY OIL CO
-TAHOE OIL & CATTLE CO				RECEIVED: 09/03/81 JA: TX					
8148070	F-7C-035888	4208130954		103		FLYING RED HORSE WELL NO 1	JAMESON (STRAWN)	262.0	SUN GAS CO
-TAUBERT & STEED				RECEIVED: 09/03/81 JA: TX					
8148038	F-8A-032320	4226930331		102-4		S B BURNETT ESTATE NA 10	ANNE TANDY (STRAWN 5400)	8.6	LONE STAR GAS CO
8148044	F-8A-032352	4226930342		102-4		S B BURNETT ESTATE NA 11	ANNE TANDY (STRAWN LOWER	0.7	LONE STAR GAS CO
8148045	F-8A-032353	4226930341		102-4		S B BURNETT ESTATE NA 12	ANNE TANDY (STRAWN LOWER	0.9	LONE STAR GAS CO
8148046	F-8A-032354	4226930340		102-4		S B BURNETT ESTATE NA 13	ANNE TANDY (STRAWN LOWER	2.6	LONE STAR GAS CO
8148047	F-8A-032355	4226930352		102-4		S B BURNETT ESTATE NA 19	ANNE TANDY (STRAWN LOWER	1.3	LONE STAR GAS CO
8148032	F-8A-032314	4226930299		102-4		S B BURNETT ESTATE NA 3	ANNE TANDY (STRAWN 5400)	0.6	LONE STAR GAS CO
8148033	F-8A-032315	4226930303		102-4		S B BURNETT ESTATE NA 4	ANNE TANDY (STRAWN 5400)	6.6	LONE STAR GAS CO
8148034	F-8A-032316	4226930309		102-4		S B BURNETT ESTATE NA 5	ANNE TANDY (STRAWN 5400)	0.7	LONE STAR GAS CO
8148035	F-8A-032317	4226930311		102-4		S B BURNETT ESTATE NA 6	ANNE TANDY (STRAWN 5400)	0.9	LONE STAR GAS CO
8148036	F-8A-032318	4226930314		102-4		S B BURNETT ESTATE NA 7	ANNE TANDY (STRAWN 5400)	7.3	LONE STAR GAS CO
8148037	F-8A-032319	4226930318		102-4		S B BURNETT ESTATE NA 8	ANNE TANDY (STRAWN 5400)	7.0	LONE STAR GAS CO

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ID NO	DA NBR	API NO	D	SEC	CAT	WELL NAME	FIELD NAME	PROD	PURCHASER
8148039	F-8A-032346	4226930229		102-4		S B BURNETT ESTATE Y12A	ANNE TANDY (STRAWN LOWER	1.0	LONE STAR GAS CO
8148040	F-8A-032347	4226930235		102-4		S B BURNETT ESTATE Y14A	ANNE TANDY (STRAWN LOWER	7.5	LONE STAR GAS CO
8148025	F-8A-032306	4226930269		102-4		S B BURNETT ESTATE Y22A	ANNE TANDY (STRAWN 5400)	4.9	LONE STAR GAS CO
8148027	F-8A-032308	4226930273		102-4		S B BURNETT ESTATE Y23A	ANNE TANDY (STRAWN 5400)	9.1	LONE STAR GAS CO
8148026	F-8A-032307	4226930279		102-4		S B BURNETT ESTATE Y24A	ANNE TANDY (5400)	4.9	LONE STAR GAS CO
8148028	F-8A-032309	4226930282		102-4		S B BURNETT ESTATE Y25A	ANNE TANDY (STRAWN 5400)	16.6	LONE STAR GAS CO
8148029	F-8A-032310	4226930306		102-4		S B BURNETT ESTATE Y28A	ANNE TANDY (STRAWN 5400)	5.9	LONE STAR GAS CO
8148030	F-8A-032311	4226930372		102-4		S B BURNETT ESTATE Y31A	ANNE TANDY (STRAWN 5400)	12.9	LONE STAR GAS CO
8148041	F-8A-032345	4226930375		102-4		S B BURNETT ESTATE Y32A	ANNE TANDY (STRAWN LOWER	6.2	LONE STAR GAS CO
8148031	F-8A-032312	4226930391		102-4		S B BURNETT ESTATE Y33A	ANNE TANDY (STRAWN 5400)	7.2	LONE STAR GAS CO
8148042	F-8A-032350	4226930392		102-4		S B BURNETT ESTATE Y34A	ANNE TANDY (STRAWN LOWER	4.8	LONE STAR GAS CO
8148043	F-8A-032351	4226930394		102-4		S B BURNETT ESTATE Y35A	ANNE TANDY (STRAWN LOWER	10.9	LONE STAR GAS CO
-TEXACO INC				RECEIVED: 09/03/81 JA: TX					
8148138	F-10-038870	4235700000		108		C D CONNER #5	FARNSWORTH (DES MOINES)	1.2	DIAMOND SHAMROCK
8148136	F-10-038846	4235700000		108		C D CONNER #6	FARNSWORTH (DES MOINES)	1.8	DIAMOND SHAMROCK
8148150	F-08-038973	4210931459		103		CULBERSON W FEE #1	FORD WEST (4100)	3.0	
8148137	F-10-038847	4217900000		108		J B BOWERS NCT -1 #10	PANHANDLE GRAY FIELD	3.5	PHILLIPS PETROLEU
8148123	F-04-038732	4235531455		102-4		J Q CHAPMAN #124	MOBIL-DAVID (6570)	325.0	TEXAS EASTERN TRA
-TEXAS AMERICAN OIL CORP				RECEIVED: 09/03/81 JA: TX					
*8148140	F-10-038915	4248330624		108		CARL PHILLIPS NO 1 RRC #83287	EAST PANHANDLE	20.1	TRANSWESTERN PIPE
*8148143	F-10-038918	4248330563		108		F M BAILEY NO 1 RRC 83082	EAST PANHANDLE	1.1	TRANSWESTERN PIPE
*8148141	F-10-038916	4248330621		108		L C CUNNINGHAM NO 1 RRC #83084	EAST PANHANDLE	71.6	TRANSWESTERN PIPE
*8148142	F-10-038917	4248330618		108		M BAILEY NO 1 RRC #83081	EAST PANHANDLE	23.8	TRANSWESTERN PIPE
-TEXAS OIL & GAS CORP				RECEIVED: 09/03/81 JA: TX					
8148005	F-05-027027	4216130600		103		HEMPHILL #1	REED (HAYNESVILLE)	1.0	
8148005	F-05-027027	4216130600		107-TF		HEMPHILL #1	REED (HAYNESVILLE)	1.0	
-VORTT EXPLORATION CO INC				RECEIVED: 09/03/81 JA: TX					
8148016	F-78-039236	4236332460		102-4		W HESS UNIT II #1	MINERAL WELLS (STRAWN A)	0.0	SOUTHWESTERN GAS
-WALTER EXPLORATION INC				RECEIVED: 09/03/81 JA: TX					
8148159	F-78-039010	4214330511		108		MCDANIEL NO 5 RRC ID NO 84211	ERATH COUNTY (DESDEMONA)	3.0	LONE STAR GAS CO
8148160	F-78-039011	4236300000		108		ROYE NO 2 RRC ID NO 76748	RINGO (STRAWN)	16.0	LONE STAR GAS CO
8148161	F-78-039012	4236331958		108		ROYE NO 3 RRC ID NO 81222	RINGO (STRAWN)	2.0	LONE STAR GAS CO
8148162	F-78-039013	4236300000		108		ROYE NO 4 RRC ID NO 78891	RINGO (STRAWN)	18.0	LONE STAR GAS CO
8148164	F-78-039016	4242900000		108		RUBY NO 1 RRC ID NO 69398	STEPHENS COUNTY REGULAR	16.0	LONE STAR GAS CO
8148163	F-78-039014	4242900000		108		RUBY NO 2 RRC ID NO 74214	STEPHENS COUNTY REGULAR	11.0	LONE STAR GAS CO
-WAYMAN W BUCHANAN				RECEIVED: 09/03/81 JA: TX					
8148167	F-03-039025	4205131513		102-2		JOHN STEFKA UNIT NO 1	GIDDINGS (AUSTIN CHALK)	41.7	FERGUSON CROSSING
8148168	F-03-039026	4205131321		102-2		SYDNEY NO 1	GIDDINGS (AUSTIN CHALK)	57.7	FERGUSON CROSSING
-WILLIAM PERLMAN				RECEIVED: 09/03/81 JA: TX					
8148007	F-7C-027551	4243532363		103		LILLIAN M HUDSPETH MEM H NO 1X	SAWYER (CANYON)	0.0	EL PASO NATURAL G
8148007	F-7C-027551	4243532363		107-TF		LILLIAN M HUDSPETH MEM H NO 1X	SAWYER (CANYON)	0.0	EL PASO NATURAL G
-WILSON ENERGY INC				RECEIVED: 09/03/81 JA: TX					
8148089	F-7C-036767	4210500000		103		UNIVERSITY 2 "A" #3	FARMER (SAN ANDRES)	127.0	BIG LAKE GASOLINE
-WINDSOR PRODUCING CO				RECEIVED: 09/03/81 JA: TX					
8148099	F-03-037424	4228730900		103		SWEET PEA #1	GIDDINGS (AUSTIN CHALK)	36.5	PGP GAS PRODUCTS
-WJC ENGINEERING & MANAGEMENT				RECEIVED: 09/03/81 JA: TX					
8148061	F-08-034749	4210332215		103		DAWSON #3	WYNNE (CLFK)	37.0	PHILLIPS PETROLEU

OTHER PURCHASERS

8148093	E I DUPONT DE NEMOURS & CO INC
8148106	TEXAS EASTERN TRANS CORP
8148140	WARREN PETROLEUM CO
8148141	WARREN PETROLEUM CO
8148142	WARREN PETROLEUM CO
8148143	WARREN PETROLEUM CO
8148165	E I DUPONT DE NEMOURS & CO INC
8148172	E I DUPONT DE NEMOURS & CO INC
8148173	E I DUPONT DE NEMOURS & CO INC
8148174	E I DUPONT DE NEMOURS & CO INC
8148185	E I DUPONT DE NEMOURS & CO INC
8148189	E I DUPONT DE NEMOURS & CO INC
8148190	E I DUPONT DE NEMOURS & CO INC

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 October 13, 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.

Corrections to Previous Notices/Revisions to Prior Determinations

JD No.	JA	Applicant	Well name	Original FERC Volume No.	Date published in FEDERAL REGISTER	R: Revision or redetermination by Jurisdictional Agency. C: Correction to prior FEDERAL REGISTER Notice
80–12152	NM	Petroleum Corp. of Tx	Hanley #2 JM (Fruitland)	143	2–06–80	C: Well name.
80–37951	WV	Union Drilling Inc	William F. Osburn #2–1466–UC	222	7–02–80	R: 102–3 approved.
80–38081	OK	Samson Resources Co	Lash Unit No. 1–Cromwell	222	7–02–80	C: 102 and 103 approved.
80–38754	TX	Remuda Oil & Gas Co	Woolworth GU Well #3	225	7–14–80	C: Well name.
81–02259	OK	Donald C. Slawson	Charlie #1–20	309	11–06–80	C: 102–4 and 103 approved.
81–24365	OK	Andover Oil Co	Walter Mills #4–4	412	5–01–81	C: 102 and 103 approved.
81–24366	OK	Union Oil Co. of Calif	Little-Trust #1–5	412	5–01–81	C: 102 and 103 approved.
81–24367	OK	Union Oil Co	Hoffman #3–2	412	5–01–81	C: 102 and 103 approved.
81–24376	OK	Sabine Production Co	Boggess #1–29	412	5–01–81	C: 102 and 103 approved.
81–24378	OK	Sullivan & Company	Ramey-Wilson No. 1	412	5–01–81	C: 102 and 103 approved.
81–24383	OK	Kaiser-Francis Oil Co	Oakley #2	412	5–01–81	C: 102 and 103 approved.
81–24386	OK	Andover Oil Co	Von Tungelin 6–2	412	5–01–81	C: 102 and 103 approved.
81–24470	OK	Sabine Production Co	Cook #1–26	412	5–01–81	C: 102 and 103 approved.
81–30299	OK	Andover Oil Co	Hunt #32–3	437	6–11–81	C: 102–2 and 103 approved.
81–34274	NM	Phillips Petroleum Co	E Vac GB/SA TR2648 #001	455	7–02–81	C: Well name.
81–35664	TX	Cook Production Co	Andy Shawver #1	461	7–10–81	C: Well name.
81–35802	TX	HNG Oil Co	Vanderstucken "72" #5	462	7–10–81	C: 103 and 107–TF approved.
81–37128	TX	Texas Oil & Gas	Capps No. 1	466	7–16–81	C: 102–4, 103 & 107–TF appr.
81–37438	TX	Cassell Oil Co	Tischler A No. 2	468	7–16–81	C: 103 approved, not 102–4.
81–38518	TX	Mote Resources Inc	Isbell #1–A (78786)	472	7–30–81	C: Well name.
81–38602	TX	R & M Operating Co., Inc	T. J. Studer #1	472	7–30–81	C: Well name.
81–38658	TX	Pennowa Oil & Gas Co. and L. L. Wiler Jr	Ware (00111) No. 4	472	7–30–81	C: Well name.
81–39287	LA	CNG Producing Co	A–4D3 (form, A–4D2 A1+)	474	7–24–81	C: Well name.
81–39782	TX	Sanchez–O'Brien O & G	Corzine Gas Unit #1	476	8–07–81	C: 102–4 approved, not 103.
81–40440	LA	Lyons Petroleum, Inc	Pioneer No. 1	478	7–31–81	C: 102–4 and 103 approved.
81–40482	LA	Lock Arbor Prod. Co	Smith Et Al #20	479	8–07–81	C: 103 and 108 approved.
81–42300	NM	Apollo Oil Co	Alice Bolack #11	487	8–14–81	C: Well name.
81–42549	LA	Peter W. Herbst	Fee 80 #2	488	8–19–81	C: 103 and 108 approved.
81–42551	LA	Peter W. Herbst	Fee 80–6	488	8–19–81	C: 103 and 108 approved.
81–42552	LA	Peter W. Herbst	Fee 80–3	488	8–19–81	C: 103 and 108 approved.
81–42610	LA	Peter W. Herbst	Fee 80 #8	488	8–19–81	C: 103 and 108 approved.
81–42615	LA	Calpetco V	Spyker 80–33	488	8–19–81	C: 103 and 108 approved.
81–42616	LA	Calpetco V	Spyker 80 No. 32	488	8–19–81	C: 103 and 108 approved.
81–42620	LA	Calpetco V	Young 80 No. 1	488	8–19–81	C: 103 and 108 approved.
81–42699	TN	Continental Energy	Griffith/Smith #1	488	8–19–81	C: Well name.
81–42700	TN	Continental Energy	M Migliore #1	488	8–19–81	C: Well name.
81–44019	TX	Monsanto Co	Hunter No. 1	494	8–27–81	C: 102–2, 102–4 and 103 appr.
81–46255	NM	Yates Petroleum Co	Ross IZ Com #1	503		C: 103 approved not 107–TF.

[FR Doc. 81–27972 Filed 9–24–81; 8:45 am]

BILLING CODE 6450–85–M

[Project No. 5205-000]

General Energy Development Associates; Notice of Application for Preliminary Permit

September 21, 1981.

Take notice that General Energy Development Associates (Applicant) failed on August 11, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)–825(r)] for Project No. 5205 to be known as the Upper Deschutes Hydro Development located on Deschutes River in Deschutes County, Oregon. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Carl Rounds, President, General Energy Development Associates, 1881 West Washington Avenue, Stayton, Oregon 97383.

Project Description—The proposed Upper Deschutes Hydro Development project would consist of four seperate diversions and powerhouses.

I. The Lava Diversion site would consist of: (1) a 8-foot high diversion structure; (2) a 13-foot diameter, 1,600-foot long tunnel; (3) a steel surge tank; (4) a 12-foot diameter 620-foot long penstock; (5) a powerhouse to contain two generating units with a total rated capacity of 16,600 kW; and (6) a transmission line extending from the powerhouse to an existing line. The estimated average annual energy output is 86.7 million kWh.

II. Ryan Meadow Diversion would consist of: (1) a 8-foot high diversion structure; (2) a 13-foot diameter, 1,400-foot long tunnel; (3) a steel surge tank; (4) a 12-foot diameter, 300-foot long steel penstock; (5) a powerhouse to contain two generating units with a combined rated capacity of 8,000 kW; and (6) a transmission line extending from the powerhouse to an existing line. The estimated average annual energy output is 41.8 million kWh.

III. Aspen Diversion would consist of: (1) a 8-foot high diversion structure; (2) a 900-foot long trapezoidal canal; (3) a 12-foot diameter, 200-foot long steel penstock; (4) a powerhouse to contain two generating units with a combined rated capacity of 30,000 kW; and (5) a transmission line extending west of the powerhouse to an existing line. The estimated average annual energy output is 17.4 million kWh.

IV. Island Diversion would consist of: (1) a 8-foot high diversion structure; (2) a 2,400-foot long trapezoidal channel; (3) a 12-foot diameter, 1,600-foot long steel penstock; (4) a powerhouse to contain two generating units with a combined rated capacity of 11,000 kW; (5) a transmission line extending from the powerhouse to an existing line. The estimated average annual energy output is 59.3 million kWh.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of 36 months during which it would conduct engineering, environmental and economic feasibility studies, and prepare an application for an FERC license. No new roads would be required to conduct these studies. The estimated cost of conducting these studies and preparing an application for an FERC license is $1,366,000.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before November 27, 1981, either the competing application itself [See 18 CFR 4.33 (a) and (d) (1980)] or a notice of intent [See 18 CFR 4.33 (b) and (c) (1980)] to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in § 4.33(c).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR § 1.8 or §1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before November 27, 1981.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27960 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 4640-000]

Hydroelectric Constructors, Inc.; Notice of Application for Preliminary Permit

September 18, 1981.

Take notice that Hydroelectric Constructors, Inc. (Applicant) filed on May 11, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for Project No. 4640 to be known as the Terrace Project located on Terrace Reservoir, Alamosa River in Conejos County, Colorado. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Glen G. Dorman, President, Hydroelectric Constructors, Inc., 5353 West Dartmouth Avenue, Box 6, Denver, Colorado 80227.

Project Description—The proposed project, located at lands administered by the Bureau of Land Management, would consist of: (1) a 165-foot high, 531-foot long, zoned, hydraulic-fill dam owned by the Terrace Irrigation Company; (2) Terrace Reservoir with an active storage capacity of 17,400 acre-feet; (3) an existing 950-foot-long tunnel and penstock; (4) a new powerhouse, connected to the existing tunnel outlet by a short section of penstock, with a single turbine-generator with a rated capacity of 1.66 MW; (5) a 20-mile long 22 or 69 kV transmission line; and (6) appurtenant facilities. The project would produce up to 3,700,000 kWh annually. Potential purchasers of the output of the

project would include Public Service Company of Colorado or the San Luis Valley Rural Electric Cooperative, Inc.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The work proposed under the preliminary permit would include economic analysis, preparation of preliminary engineering plans, and a study of environmental impacts. Based on results of these studies, Applicant would decide whether to proceed with more detailed studies and the preparation of an application for license to construct and operate the project. Applicant estimates that the cost of the work to be performed under the preliminary permit would be $200,000.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before November 30, 1981, either the competing application itself [See 18 CFR 4.33 (a) and (d) (1980)] or a notice of intent [See 18 CFR 4.33 (b) and (c) (1980)] to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in § 4.33(c).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protest, or petition to intervene must be received on or before November 30, 1981.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27936 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 5158-000]

Hydroelectric Constructors, Inc., and the North Poudre Irrigation Co.; Notice of Application for Preliminary Permit

September 21, 1981.

Take notice that Hydroelectric Constructors, Inc. and the North Poudre Irrigation Company (Applicant) filed on July 30, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)–825(r)] for Project No. 5158 to be known as the Halligan Dam Power Project located on the North Fork Cache La Poudre River in Larimer County, Colorado. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Glen G. Dorman, 5353 West Dartmouth Ave., Box 6, Denver, Colorado 80227.

Project Description—The existing project facilities owned by the North Poudre Irrigation Company consist of: (1) a 322-foot long and 95-foot high masonry arch-type dam having a 110-foot long spillway with a crest elevation of 6,355 msl; (2) a reservoir having a surface area of 261.2 acres and a usable storage capacity of 640 acre-feet at a normal pool elevation of 6,355 msl; and (3) two 34-inch diameter steel outlet conduits with slide-gate controls. The reservoir affects lands of the United States under the jurisdiction of the Bureau of Land Management.

The proposed project would utilize the existing facilities and would consist of: (1) a short penstock; (2) a powerhouse containing a generating unit having a rated capacity of 500–kW; (3) a 4,000-foot long access road; (4) a 10-mile long, 69–kV transmission line; and (5) appurtenant facilities. Applicant estimates that the average annual energy output would be 1,300,000 kWh. Project energy would be sold to a public or private utility.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of three years, during which time it would prepare feasibility, engineering, and hydrological studies, conduct field surveys, prepare environmental reports and detailed plans, consult with Federal, State, and local agencies, and would prepare an application for an FERC license. Applicant estimates the cost of the work under the permit would be $100,000.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before November 27, 1981, either the competing application itself [See 18 CFR 4.33 (a) and (d) (1980)] or a notice of intent [See 18 CFR 4.33 (b) and (c) (1980)] to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in § 4.33(c).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant). If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protest or petition to intervene must be received on or before November 27, 1981.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E.

Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27961 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[ST81-417-000]

Louisiana Intrastate Gas Corp.; Notice of Application of Approval of Rates

September 18, 1981.

Take notice that on August 17, 1981, Louisiana Intrastate Gas Corporation (Applicant), P.O. Box 1352, Alexandria, Louisiana 71301, filed in Docket No. ST81-417-000 an application pursuant to Part 284 of the Commission's Regulations for approval of its rates for the transportation of natural gas on behalf of United Gas Pipe Line Company (United), 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 United dated June 16, 1981, Applicant proposes to transport gas for United for a period of two years. It is stated that Applicant would receive the gas at a point of interconnection between the facilities of Applicant and Supenn in Cameron Parish, Louisiana, and redeliver the gas to United at a point on United's 20-inch Deep Lake line in Cameron Parish, Louisiana, at the Garden City Plant, St. Mary Parish, Louisiana, at the existing interconnection between Applicant and United near Clarence, Natchitoches Parish, Louisiana, at the Exxon Lirette Plant, Terrebonne Parish, Louisiana, or at any other point mutually agreed upon in writing by the parties.

Applicant proposes a transportation rate of 20.0 cents per million Btu and further proposes to retain 1.0 percent of the volume received as fuel, losses and unaccounted for gas. Applicant states that it would be reimbursed by United for all taxes which may be levied upon and/or paid by Applicant with respect to the transportation service performed. Applicant asserts that 20.0 cents per million Btu is a fair and equitable rate for the proposed service.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 9, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 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. 81-27937 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ST81-415-000]

Louisiana Resources Co.; Notice of Application of Approval of Rates

September 18, 1981.

Take notice that on August 14, 1981, Louisiana Resources Company (Applicant), P.O. Box 3102, Tulsa, Oklahoma 74101, filed in Docket ST81-415-000 an application pursuant to Part 284 of the Commission's Regulations for approval of its rates for the transportation of natural gas on behalf of Faustina Pipe Line Company (Faustina), 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 gas transportation and exchange agreement dated April 15, 1981, it proposes to transport gas by exchange on behalf of Faustina from a point of interconnection between the facilities of Applicant and Stingray Pipeline Company located in Cameron Parish, Louisiana, to a point of interconnection between the facilities of Louisiana Intrastate Gas Corporation and Faustina located in St. James Parish, Louisiana. Applicant states that it would transport up to 125,000 Mcf of natural gas per day for Faustina.

For the subject service, Applicant proposes a commodity charge of 22.25 cents per million Btu transported which Applicant asserts is fair and equitable. It is further asserted that Faustina has agreed to pay a monthly facilities demand charge for any special facilities required for the proposed service. Applicant states that no such facilities have yet been required hence Applicant does not seek approval for any such change.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 9, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 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. 81-27938 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-504-000]

Michigan Wisconsin Pipe Line Co.; Notice of Application

September 18, 1981.

Take notice that on September 8, 1981, Michigan Wisconsin Pipe Line Company (Applicant), One Woodward Avenue, Detroit, Michigan 48226, filed in Docket No. CP81-504-000 an application pursuant to Section 7(c) of the Natural Gas Act and Section 284.221 of the Commission's Regulations for a certificate of public convenience and necessity for blanket authorization to transport natural gas for other interstate pipeline companies, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant requests blanket authorization to transport gas for other interstate pipeline companies for periods of up to two years. It states that it would comply with § 284.221(d) of the Commission's Regulations.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 9, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 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 be 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. 81-27939 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 5253-000]

Modesto Irrigation District; Notice of Application for Preliminary Permit

September 18, 1981.

Take notice that Modesto Irrigation District (Applicant) filed on August 19, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for Project No. 5253 known as the Big Creek Power Project located on Big Creek in Trinity County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: A. Lee Delano, Modesto Irrigation District, 1231 11th Street, P.O. Box 4060, Modesto, California 95352.

Project Description—The proposed project would consist of: (1) a natural rock and concrete diversion structure; (2) a 9,500-foot long diversion conduit or channel; (3) a 1,370-foot long, 48-inch diameter steel penstock; (4) a powerhouse containing one generating unit with a rated capacity of 1,390 kW; and (5) a 1-mile long, 12.5-kV transmission line. The Applicant estimates that the average annual output would be 4.4 million kWh.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would conduct engineering, environmental, economic, and feasibility studies, and prepare an FERC license application. No new roads would be required to conduct the studies. Applicant estimates that the cost of the studies under the permit would be $45,000.

Competing Applications—This application was filed as a competing application to Big Creek Power Project No. 4101 filed on February 2, 1981, by Consolidated Hydroelectric, Inc. under 18 CFR 4.33 (1980). Public notice of the filing of the initial application has already been given and the due date for filing competing applications or notices of intent has passed. Therefore, no further competing applications or notices of intent to file competing applications will be accepted for filing.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before October 23, 1981.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27940 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-476-000]

Northwest Pipeline Corp.; Notice of Application

September 18, 1981.

Take notice that on August 21, 1981, Northwest Pipeline Corporation (Applicant), P.O. Box 1526, Salt Lake City, Utah 84110, filed in Docket No. CP81-476-000 an application pursuant to Section 7 of the Natural Gas Act and § 157.7(g) of the Regulations thereunder (18 CFR 157.7(g)) for a certificate of public convenience and necessity authorizing the construction and for permission and approval to abandon during the calendar year 1982 and operation of various field compression and related metering and appurtenant facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The stated purpose of this budget-type application is to enable Applicant to act with reasonable dispatch in constructing and abandoning facilities which would not result in changing Applicant's system salable capacity or service from that authorized prior to the filing of the instant application.

Applicant requests a waiver of § 157.7(g)(iii) to permit a total cost of $5,000,000 with no single project to exceed $1,200,000. It is asserted that § 157.7(g) limits total cost expenditures of $3,000,000 with no single project to exceed $500,000. Applicant states that its request for an increase in the single and total cost limitations is due to inflation, additional safeguards and climatic variations occurring in the gas field areas. Such costs, it is asserted would be financed from funds on hand.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 9, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 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 a grant of the certificate and 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. 81-27942 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-505-000]

Pacific Gas Transmission Co.; Notice of Application

September 21, 1981.

Take notice that on September 8, 1981, Pacific Gas Transmission Company (Applicant), 77 Beale Street, San Francisco, California 94106, filed in Docket No. CP81-505-000 an application pursuant to Section 7(c) of the Natural Gas Act and Section 284.221 of the Commission's Regulations for a certificate of public convenience and necessity for blanket authorization to transport natural gas for other interstate pipeline companies, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant requests blanket authorization to transport gas for other interstate pipeline companies for periods of up to two years. It states that it would comply with Section 284.221(d) of the Commission's Regulations.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 13, 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.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27962 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 5269-000]

Scott Paper Co.; Notice of Application for Preliminary Permit

September 18, 1981.

Take notice that Scott Paper Company (Applicant) filed on August 24, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for Project No. 5269 known as the Jackman Creek Project located on Jackman Creek in Skagit County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Apllicant should be directed to: Regina M. david, Esq., Scott Paper Company, Scott Plaza Two, Philadelphia, Pennsylvania 19113.

Project Description—The proposed project would consist of: (1) a 5-foot high concrete diversion weir; (2) a 4-mile long pipeline; (3) a surge tank and penstock; (4) a powerhouse containing one generating unit rated at 7,400 kW; and (5) a 2-mile long transmission line. The Applicant estimates that the average annual generation would be 37 million kWh.

Proposed Scope of Studies under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would conduct engineering, environmental, economic, and feasibility studies, and prepare an FERC license application. No new roads would be required to conduct the studies. The cost of the work to be performed under the preliminary permit is estimated to be $200,000.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before November 30, 1981, either the competing application itself [See 18 CFR 4.33 (a) and (d) (1980)] or a notice of intent [See 18 CFR 4.33 (b) and (c) (1980)] to file a competing application. Submission of a timely notice of intent allows an interested person to file an acceptable competing application no later than the time specified in § 4.33(c).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant). If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before November 30, 1981.

Filing and Service or Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those

copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27943 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 5271-000]

Scott Paper Co.; Notice of Application for Preliminary Permit

September 21, 1981.

Take notice that Scott Paper Company (Applicant) filed on August 24, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for Project No. 5271 to be known as the Canyon Creek Hydroelectric Project located on Canyon Creek, in Whatcom County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Regina M. David, Esquire, Scott Paper Company, Scott Plaza Two, Philadelphia, Pennsylvania 19113, and a copy to: Nancy J. Skancke, esquire, Ross, Marsh & Foster, 730 15th Street, N.W., Washington, D.C. 20005.

Project description—The project would consist of: (1) a 5-foot high by 60-foot long diversion weir; (2) a 13,500-foot long water conduit; (3) a surge tank; (4) a 2,500-foot long penstock; (5) a powerhouse to contain two Pelton-type, turbine-generating units with a total rated capacity of 13.4 MW; and (6) a 5,000-foot long, 55-kV transmission line to connect to an existing Puget Sound Power and Light Company transmission line.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks a 36-month preliminary permit to study the feasibility of constructing and operating the proposed project.

Competing Applications—This application was filed as a competing application to the Canyon Creek Project No. 4312 filed on March 10, 1981, by Water Song Resources under 18 CFR 4.33 (1980). Public notice of the filing of the initial application has already been given and the due date for filing competing applications or notices of intent has passed. Therefore, no further competing applications or notices of intent to file competing applications will be accepted for filing.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before October 27, 1981.

Filing and Service or Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTESTS", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27963 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 5193-000]

Scott Paper Co.; Notice of Application for Preliminary Permit

September 21, 1981.

Take notice that Scott Paper Company (Applicant) filed on August 7, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for Project No. 5193 to be known as the Racehorse Creek Hydroelectric Project located on Racehorse Creek in Whatcom County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Regina M. David, Esq., Scott Paper Company, Scott Plaza Two, Philadelphia, Pennsylvania 19113 with a copy to: Nancy J. Skancke, Esquire, Ross, Marsh & Foster, 750 15th Street, N.W., Washington, D.C. 20005.

Project Description—The proposed project would consist of: (1) a 5-foot high by 40-foot long reinforced concrete diversion weir; (2) a 2.5-mile long pipeline; (3) a 1-mile long penstock; (4) a powerhouse with an installed capacity of 5 MW; and (5) a 1.5-mile long, 55-kV transmission line to connect to an existing Puget Sound Power & Light Company transmission line.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks a 36-month preliminary permit to study the feasibility of constructing and operating the project. Applicant states that the field studies, tests, and other activities to be conducted under the permit would not adversely affect cultural resources or endangered species and would cause only minor alterations and disturbance of lands and waters. Applicant also indicates that any land altered or disturbed would be adequately restored.

Competing Applications—This application was filed as a competing application to the Racehorse Creek Project No. 4238 filed on February 23, 1981, by Racehorse Company under 18 C.F.R. § 4.33 (1980). Public notice of the filing of the initial application has already been given and the due date for filing competing applications or notices of intent has passed. Therefore, no further competing applications or notces of intent to file competing applications will be accepted for filing.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980).

In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before October 21, 1981.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27964 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. G-13308-000, et al.]

Shell Oil Company, et al.; Notice of Applications for Certificates, Abandonment of Service and Petitions to Amend Certificates [1]

September 21, 1981.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to Section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before October 7, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or to be represented at the hearing.

Lois D. Cashell,

Acting Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser and location	Price per 1,000 ft.[2]	Pressure base
G-13308-000, F, Oct. 24, 1975 [3]	Shell Oil Company, One Shell Plaza, P.O. Box 2463, Houston, Texas 77001.	Michigan Wisconsin Pipeline Company, Laverne Field, Hugoton-Anadarko Area, Harper County, Oklahoma.	([4])	14.65
G-7009-002, D, Sept. 9, 1981	Cities Service Company, P.O. Box 300, Tulsa, Oklahoma 74102.	Columbia Gas Transmission Corporation, Blackberry Creek Field, Pike County, Kentucky.	([5])	
G-7642-004, D, Sept. 8, 1981	Mobil Oil Corporation, Nine Greenway Plaza, Suite 2700, Houston, Texas 77046.	Northern Natural Gas Company, Panoma Council Grove Formation in the NE4 of Section 31-34S-38W, Stevens County, Kansas.	([6])	
CI61-1430-000, D, Sept. 9, 1981	Shell Oil Company, One Shell Plaza, P.O. Box 2463, Houston, Texas 77001.	El Paso Natural Gas Company, Brown Bassett Field, Terrell County, Texas.	([7])	
CI82-1512-000, D, Sept. 9, 1981	do	El Paso Natural Gas Company, Yucca Butte Field, Terrell and Pecos Counties, Texas.	([8])	
CI65-399-000, D, Sept. 9, 1981	do	El Paso Natural Gas Company, N.W. Ozona Field, Crockett County, Texas.	([9])	
CI66-897-003, D, Sept. 9, 1981	do	El Paso Natural Gas Company, J. M. Field, Crockett and Val Verde Counties, Texas.	([10])	
CI72-737-000, D, Aug. 24, 1981	ARCO Oil and Gas Company, Division of Atlantic Richfield Company, P.O. Box 2819, Dallas, Texas 75221.	Caprock Pipeline Company, Bobbitt Field, Carson County, Texas.	([11])	
CI76-52-001, C, Sept. 8, 1981	do	Transwestern Pipeline Company, South Empire Deep Unit, Eddy County, New Mexico.	([12])	14.65
CI76-73-001, C, Sept. 8, 1981	Hondo Oil & Gas Company, P.O. Box 2819, Dallas, Texas 75221.	do	([13])	14.65
CI77-518-004, C, Sept. 8, 1981	Exxon Corporation, P.O. Box 2180, Houston, Texas 77001.	Northern Natural Gas Company, East Cameron Block 335, Offshore Louisiana.	([14])	15.025
CI77-519-004, C, Sept. 8, 1981	do	Columbia Tas Transmission Corporation, East Cameron Block 335, Offshore Louisiana.	([15])	15.025
CI81-356-001, C, Sept. 8, 1981	Aminoil Development, Inc., Golden Center One, 2800 North Loop West, P.O. Box 94193, Houston, Tex 77018.	Michigan Wisconsin Pipe Line Company, Block 273, East Addition, High Island Area, South Extension, Offshore Texas.	([16])	14.65
CI81-492-000, (CI75-496), B, Sept. 8, 1981.	Sun Oil Company, P.O. Box 20, Dallas, Texas 75221	Panhandle Eastern Pipe Line Company, Northwest Eva Field, Texas County, Oklahoma.	([17])	

Docket No. and date filed	Applicant	Purchaser and location	Price per 1,000 ft.³	Pressure base
CI81-493-000, A, Sept. 8, 1981	Conoco, Inc., P.O. Box 2197, Houston, Texas 77001	Transcontinental Gas Pipe Line Corp., Galveston Area Block 223, Offshore Texas.	(13)	14.65
CI81-494-000, A, Sept. 9, 1981	McMoRan Offshore Exploration Company, P.O. Box 6800, Metairie, Louisiana 70009.	Texas Eastern Transmission Corporation, West Cameron Block 464, Offshore Louisiana.	(13)	15.025

[1] Effective August 29, 1972, Amoco Production Company assigned to Applicant acreage previously covered by Amoco's FPC G.R.S. No. 613 and Certificate authorization in Docket No. CI73-789.
[2] Applicant is filing under Gas Purchase Contract dated March 9, 1957, as amended.
[3] Cities Service Company has been purchasing gas from W. E. Burchett, Jr., et al., under Gas Purchase Agreement dated December 14, 1954 for resale to Columbia Gas Transmission Corporation. Mr. Burchett has given notice of intent to terminate the sale and has filed with the FERC an application to abandon on economic grounds of low production and low rates. Cities approves the termination.
[4] By Lease Modification Agreement dated February 9, 1981, effective January 1, 1981, Mobil released its rights to the Panoma Council Grove Formation in the NE4 of Section 31-34S-36W, Stevens County, Kansas to the lessors, Henry R. Brecheisen, et al.
[5] Shell Oil Company is no longer able to render service from the acreage involved in this application because it has no interest in the acreage.
[6] Acreage was released to lessor and ARCO no longer owns an interest in the property.
[7] Applicant is filing under Gas Purchase Agreement dated June 30, 1975, amended by Letter Agreement dated June 24, 1980.
[8] Applicant is filing under Gas Purchase Agreement dated June 30, 1975, amended by Letter Agreement dated June 23, 1980.
[9] Applicant agrees to accept a permanent Certificate of Public Convenience and Necessity covering the sale conditioned in accordance with the Natural Gas Policy Act of 1978 and the Commission's Regulations under said Act.
[10] Applicant is filing under Gas Purchase Contract dated March 26, 1981, amended by "Amendment to Gas Purchase Contract" dated July 16, 1981.
[11] Gas reserves depleted, well plugged, leases expired and gas sales contract cancelled.
[12] Applicant is filing under Gas Purchase and Sales Agreement dated August 10, 1981.
[13] Applicant agrees to accept the Certificate being applied if such Certificate authorizes the initial sale of gas thereunder at the maximum lawful price at the time of initial deliveries, provided, however, applicant reserves the right to reject same if it contains other conditions which are unacceptable, in applicant's judgment.

Filing Code: A—Initial Service. B—Abandonment. C—Amendment to add acreage. D—Amendment to delete acreage. E—Total Succession. F—Partial Succession.

[FR Doc. 81-27965 Filed 9-24-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. EF81-3041-000]

Southeastern Power Administration; Notice of Filing

September 21, 1981.

Take notice that on September 15, 1981, the Assistant Secretary for Conservation and Renewable energy of the Department of Energy by Rate Order No. SEPA-11, confirmed and approved on an interim basis, effective September 30, 1981, an extension of Rate Schedules KP-1-B and KP-2-B and confirmed and approved Rate Schedule JHK-1-C for power from southeastern Power Administration's (SEPA) Kerr-Philpott Projects. Rate Schedule JHK-1-C replaces JHK-1-B. The approval extends through September 30, 1982.

According to the Assistant Secretary, SEPA is in the process of developing a new written power marketing policy for the Kerr-Philpott Projects to be followed by negotiations to develop contracts consistent with the new policy to replace expiring contracts. The Assistant Secretary states that a complete rate approval presentation with repayment and other supporting documents will be presented to FERC in support of rates applicable to the renegotiated power contracts.

The rate schedules are submitted for confirmation and approval on a final basis pursuant to authority vested in the commission by Delegation Order No. 0204-33. The Assistant Secretary requests approval for a period ending September 30, 1982.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before October 14, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,
Acting Secretary.

[FR Doc. 81-27966 Filed 9-24-81; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. CP81-469-000]

Southern Natural Gas Co.; Notice of Application

September 18, 1981.

Take notice that on August 19, 1981, Southern Natural Gas Company (Applicant), P.O. Box 2563, Birmingham, Alabama 35303, filed in Docket No. CP81-469-000 an application pursuant to Section 7 (c) of the Natural Gas Act for permission and approval to abandon two natural gas receiving stations known as its Tantine Field receiving stations, a pipeline riser associated with one of the receiving stations, and minor appurtenant pipeline facilities, all as more fully set forth in the application which is on file with the commission and open to public inspection.

Applicant proposes to abandon its Tantine Field receiving stations located at or near the upstream terminus of its 10-inch Tantine Line in Tantine Field, Plaquemines Parish, Louisiana, and that portion of the Tantine Line including a pipeline riser, directly related to those receiving stations. Applicant states that the subject receiving stations and pipeline facilities were installed to attach natural gas reserves committed to it in the Tantine Field by predecessors in interest to Gulf Oil Corporation (Gulf).

Applicant states that pursuant to amendments to its Tantine Field gas purchase contracts with Gulf an additional point of delivery subsequently was added to the gas purchase contracts. Applicant states that the amendments also deleted one of the original receiving stations as a point of delivery and provided that the other point of delivery need not be operated if deliveries ceased at that point. Applicant states that shorty thereafter, Gulf began using the additional point of delivery for all of the deliveries from the Tantine Field. Applicant further states that the terms of a replacement contract for the sale and purchase of gas reserves from the Tantine Field only provides for the point of delivery which was added by amendement to the original gas purchase contracts. Applicant asserts that the proposed abandonment, therefore, would not affect service from Gulf or result in any termination of deliveries by Gulf to Applicant from the Tantine Field. Applicant states that it has abandoned and removed the subject facilities for safety reasons in conjunction with the removal of Gulf's platform.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 9, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordane 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. 81-27944 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-500-000]

Southwest Gas Corp.; Notice of Application

September 18, 1981.

Take notice that on September 3, 1981, Southwest Gas Corporation (Applicant), P.O. Box 15015, Las Vagas, Nevada 89114, filed in Docket No. CP81-500-000 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 two high pressure tap facilities on its Elko Lateral, 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 construct and operate two high pressure taps on its Elko Lateral. One tap, the Trease Tap in Humbolt County, Nevada, would have annual usage, peak day and average day usage of 99 Mcf, 1.5 Mcf and 0.27 Mcf, respectively. The second tap, the Ladd Tap in Pershing County, Nevada, would have annual usage, peak day and average day usage of 99 Mcf, 1.5 Mcf and 0.27 Mcf, respectively.

It is asserted that the cost of the facilities proposed herein would be approximately $900 for each tap which would be financed by an advance made by the customers.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 9, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 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. 81-27945 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 5229-000]

Tehama County Flood Control and Water Conservation District; Notice of Application for Preliminary Permit

September 18, 1981.

Take notice that Tehama County Flood Control and Water Conservation District (Applicant) filed on August 14, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for Project No. 5229 known as the Sulphur Creek Project located on Sulphur Creek in Tehama County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Lawrence A. Coleman, Director of Water Resources, Tehama County Flood Control and Water Conservation District, Route 1, Box 4, Gerber, California 96025.

Project Description—The proposed project would consist of: (1) a 10-foot high rock-and-concrete diversion structure; (2) a 7,500-foot long conduit; (3) an 880-foot long and 36-inch diameter penstock; (4) a powerhouse containing one generating unit rated at 2,950 kW; and (5) a 6-mile long transmission line. The Applicant estimates that the average annual energy output would be 9.5 million kWh.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would conduct engineering, environmental, economic, and feasibility studies, and prepare an FERC license application. No new roads would be required to conduct the studies. The cost of the work to be performed under the preliminary permit is estimated to be $80,000 to $190,000.

Competing Applications—This application was filed as a competing application to the Sulphur Creek Project No. 4156 filed on February 9, 1981, by Consolidated Hydroelectric, Inc. under 18 CFR 4.33 (1980). Public notice of the filing of the initial application has already been given and the due date for filing competing applications or notices of intent has passed. Therefore, no further competing applications or notices of intent to file competing applications will be accepted for filing.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant). If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to

take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before October 20, 1981.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS," "PROTEST," or "PETITION TO INTERVENE," as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27945 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-482-000]

Tennessee Gas Pipeline Company, a Division of Tenneco Inc.; Notice of Application

September 21, 1981.

Take notice that on August 25, 1981, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Applicant), P.O. Box 2511, Houston, Texas 77001, filed in Docket No. CP81-482-000 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 Amoco Production Company (Amoco) in southern Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Pursuant to a gas transportation agreement dated October 20, 1980, Applicant proposes to transport up to 45,000 Mcf of natural gas per day for Amoco. It is submitted that Applicant would receive such gas from Amoco at Amoco's Eugene Island Block 322 "A" platform or other points as determined by the parties and subsequently redeliver equivalent quantities at the interconnection of Applicant's facilities with those of Florida Gas Transmission Company (FGT) near Carnes, Mississippi, where Amoco would use such gas to assist in meeting its existing warranty type contract obligations with FGT and/or Florida Power and Light Company.

Applicant states that for such transportation service Amoco would pay Applicant each month a demand charge and a volume charge of 7.87 cents per Mcf of gas delivered at the Ysclosky delivery point and 11.11 cents per Mcf of gas delivered at the Carnes delivery point. It is further submitted that the October 20, 1980, agreement also provides for a minimum monthly bill. It is asserted that Amoco would also provide Applicant with volumes of natural gas equal to 2.16 percent of the volumes received at the points of receipt for transportation each day to compensate for Applicant's fuel and use requirements.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 13, 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. 81-27967 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-506-000]

Tennessee Gas Pipeline Company, a Division of Tenneco Inc.; Notice of Application

September 21, 1981

Take notice that on September 10, 1981, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Applicant), P.O. Box 2511, Houston, Texas 77001, filed in Docket No. CP81-506-000 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 the account of Trunkline Gas Company (Trunkline), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Pursuant to a transportation agreement dated October 7, 1980, Applicant proposes to transport up to 10,000 Mcf of natural gas per day for Trunkline from a point of receipt at the interconnection of Applicant's existing pipeline in East Cameron Area Block 97 and a pipeline extending from East Cameron Area Block 104, offshore Louisiana, to an existing point of delivery to Trunkline on the Kinder-Sabine line, Jefferson Davis Parish, Louisiana. Applicant states that it is currently transporting quantities of gas for Trunkline pursuant tothe provisions of Sections 284.4(b) and (g) of the Commission's Regulations.

It is asserted that Trunkline would pay Applicant a volume charge each month equal to 4.37 cents per Mcf with provision for a minimum monthly bill. It is further asseted that Trunkline would also provide Applicant 1.2 percent of the volumes received for transportation each day to compensate for fuel and use requirements. Applicant submits that it has the right but not the obligation to accept volumes in excess of 10,000 Mcf per day.

It is asserted that the proposed service would provide Trunkline with a means of acquiring and receiving into its system an additional supply of natural gas without having to construct additional facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 13, 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. 81-27968 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP81-507-000]

Tennessee Gas Pipeline Co., a Division of Tenneco Inc. and Midwestern Gas Transmission Co.; Notice of Application

September 21, 1981.

Take notice that on September 10, 1981, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), P.O. Box 2511, Houston, Texas 77001, and Midwestern Gas Transmission Company (Midwestern), 1100 Milam Building, Houston, Texas 77002, filed in Docket No. CP81-507-000 a joint application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon a transportation service for Southern Natural Gas Company (Southern), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

It is stated that by order issued January 2, 1979, Tennessee and Midwestern were authorized to transport injection volumes of up to 55,000 Mcf per day and withdrawal volumes of up to 85,000 Mcf per day during injection or withdrawal periods and up to an aggregate 15,000,000 Mcf during any injection or withdrawal period each year for a three-year term ending November 30, 1981. It is asserted that deliveries were to Mid-Continent Gas Storage Company (Mid-Continent) which provided a storage service to Southern.

It is further stated that the order of January 2, 1979, was amended on August 1, 1979, authorizing an additional point of delivery and an increase in the injection and withdrawal volumes transported. Tennessee and Southern, it is stated, further amended their transportation agreement on December 19, 1980, providing for an additional delivery and redelivery point.

Sothern, it is asserted, has informed Tennessee that Southern planned to withdraw all of its storage gas from Mid-Continent's facilities by March 31, 1981, hence Southern no longer requires Tennessee's transportation services. Tennessee states that by letter dated February 3, 1981, it agreed to terminate its limited-term transportation agreement with Southern effective as of April 1, 1981. It is further explained that Tennessee therefore informed Midwestern that it no longer requires Midwestern's transportation services beyond March 31, 1981. By letter agreement dated August 18, 1981, Midwestern states that it agreed to terminate its limited-term transportation agreement with Tennessee effective as of April 1, 1981. Tennessee and Midwestern therefore propose to abandon the subject transportation of natural gas for Southern.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 13, 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 Applicants to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27969 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. CP79-506-002]

Transcontinental Gas Pipe Line Corp.; Notice of Amendment

September 18, 1981.

Take notice that on September 2, 1981, Transcontinental Gas Pipe Line Corporation (Transco), P.O. Box 1396, Houston, Texas 77251, filed in Docket No. CP79-506-002 pursuant to Section 7(c) of the Natural Gas Act and § 157.7(b) of the Regulations thereunder (18 CFR 157.7(b)) an amendment to its petition to amend the order issued January 10, 1980, in the instant docket so as to authorize an increase in the total cost limitation for the construction of gas supply facilities, all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

Transco states that by order issued January 10, 1980, in Docket No. CP79-506 it was authorized to construct during an indefinite period commencing January 1, 1980, gas supply facilities with total annual limits of $20,000,000 and with no single onshore and offshore project to exceed $2,500,000 and $3,500,000, respectively. It is further asserted that on January 19, 1981, Transco filed to amend the order issued January 1, 1980, requesting an increase in the total cost limitation to $40,000,000 for calendar year 1981.

Transco herein proposes to amend the petition to amend filed January 19, 1981, requesting instead that the Commission authorize Transco to construct gas supply facilities during calendar year 1982 with an annual cost limitation of $40,000,000.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before October 9, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 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. 81-27947 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 5067-000]

Tule River Indian Reservation; Notice of Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

September 21, 1981.

Take notice that on July 8, 1981, Tule River Indian Reservation (Applicant) filed an application under Section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. §§ 2705 and 2708 *as amended*), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project (Project No. 5067) would be located on South Fork Tule River near Porterville, Tulare County, California. Correspondence with the Applicant should be directed to: Mr. Alex Garfield, Chairman, Tule River Tribal Council, P.O. Box 589, Porterville, California 93258.

Project Description—The project would consist of: (1) the existing 25-foot high Painted Rock Dam owned by Tule River Tribal Council; (2) an existing 15,200-foot long steel conduit which will serve as penstock; (3) a powerhouse with total installed capacity of 124 kW and (4) a 30-foot long transmission line which would connect the powerhouse to an existing California Edison Company line. The Applicant estimates that the average annual energy production would be 1.0 million kWh.

Purpose of Project—The power generated by the proposed project would be sold to the Southern California Edison Company.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the California Department of Fish and Game are requested, for the purposes set forth in Section 408 of the Act, to submit on or before October 26, 1981, appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Application—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before November 5, 1981, either the competing license application that proposes to develop at least 7.5 megawatts in that project, or notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 C.F.R. § 4.33 (b) and (c) (1980). A competing license application must conform with the requirements of 18 C.F.R. § 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of its Rules of Practice and Procedure, 18 C.F.R. § 1.8 or § 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before November 5, 1981.

Filing and Service of Responsive Documents—Any filings, must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB, 825 North Capitol Street, N.E., Washington, D.C. 20426. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27970 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 5037-000]

Utah Power & Light Co.; Notice of Application for Preliminary Permit

September 21, 1981.

Take notice that Utah Power & Light Company (Applicant) filed on June 30, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)-825(r)] for Project No. 5037 known as the Long Park Project located on Sheep Creek near the Town of Manila in Daggett County, Utah. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Sidney G. Baucom, Vice President & General Counsel, 1407 West North Temple, Salt Lake City, Utah 84116.

Project Description—The proposed project would consist of: (1) an existing earthfilled dam, owned by the Sheep Creek Irrigation Company and the Utah Board of Water Resources, 110 feet high and 790 feet long; (2) a reservoir having

a surface area of 400 acres and a storage capacity of 13,700 acre-feet at a normal water surface elevation of approximately 8,600 msl; (3) a new 42-inch conduit connected to an existing 42-inch pipe; (4) a new powerhouse containing one 7.0-mW turbine/generator unit; (5) a new 12.5-mile long, 69-kV transmission line; and (6) appurtenant facilities. The average annual generation of 21 million kWh would be used by the Applicant to serve its service area.

Approximately 300 acres of the Ashley National Forest would be included in the project boundary.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of three years, during which time it would perform surveys and geological investigations, determine the economic feasibility of the project, reach final agreement on sale of project power, secure financing commitments, consult with Federal, State, and local government agencies concerning the potential environmental effects of the project, and prepare an application for FERC license, including an environmental report. Applicant estimates the cost of studies under the permit would be $30,000.

Competing Applications—This application was filed as a competing application to the application for preliminary permit for Project No. 4856 filed on June 11, 1981, by the Utah Board of Water Resources under 18 CFR 4.33 (1980). Public notice of the filing of the initial application has already been given and the due date for filing competing applications or notices of intent has passed. Therefore, no further competing applications or notices of intent to file competing applications will be accepted for filing.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant). If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before October 27, 1981.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27971 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 5242-000]

Anvil Power, Inc.; Application for Preliminary Permit

September 18, 1981.

Take notice that Anvil Power, Inc. (Applicant) filed on August 18, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)–825(r)] for Project No. 5242 to be known as the Warm Creek Project located on Warm Creek in Whatcom County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: G. A. Jones, Anvil Power, Inc., 1675 W. Bakerview Road, Bellingham, Washington 98226.

Project Description—The proposed project would consist of: (1) a concrete diversion weir: (2) a one-mile long pipeline; (3) a 2,500-foot long penstock; (4) a powerhouse containing one generating unit rated at 3,200 kW; and (5) and 8-mile long transmission line. The average annual energy production is estimated to be 13 million kWh.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of 24 months, during which time it would conduct engineering, economic, environmental and feasibility studies, and prepare an FERC license application. No new roads would be required to conduct the studies. The cost of the work to be performed under the preliminary permit is estimated to be $150,000.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before Dec. 2, 1981, either the competing application itself [See 18 CFR 4.33(a) and (d) (1980)] or a notice of intent [See 18 CFR 4.33(b) and (c) (1980)] to file a competing application. Submission of a timely notice of intent allows and interested person to file an acceptable competing application no later than the time specified in section 4.33(c).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before December 2, 1981.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice on intent, competing application, or petition to intervene must also be served upon each representative

of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27988 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-760-000]

Boston Edison Co.; Filing

September 21, 1981.

The filing Company submits the following:

Take notice that Boston Edison Company (Boston), on September 9, 1981, tendered for filing a rate schedule an Agreement between Boston and the Braintree Massachusetts Electric Light Department (Braintree) for the sale of from 16 mw to 60 mw of system capacity.

Boston requests waiver of the Commission's notice requirements to allow for an effective date of April 25, 1981.

Copies of the filing were served on Braintree and the Massachusetts Department of Public Utilities.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 9, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27973 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. RA81-69-000]

Chevron, U.S.A. Inc; Filing of Petition for Review Under 42 U.S.C. 7194

September 21, 1981.

Take notice that Chevron U.S.A. Inc. on August 18, 1981 filed a Petition for Review under 42 U.S.C. 7194(b) (1977) Supp.) from an order of the Secretary of Energy (Secretary).

Copies of the petition for review have been served on the Secretary and all participants in prior proceedings before the Secretary.

Any person who participated in the prior proceedings before the Secretary may be a participant in the proceeding before the Commission without filing a petition to intervene. However, any such person wishing to be a participant is requested to file a notice of participation on or before Oct. 5, 1981, with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. Any other person who was denied the opportunity to participate in the prior proceedings before the Secretary or who is aggrieved or adversely affected by the contested order, and who wishes to be a participant in the Commission proceeding, must file a petition to intervene on or before October 5, 1981, in accordance with the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.40(e)(3)).

A notice of participation or petition to intervene filed with the Commission must also be served on the parties of record in this proceeding and on the Secretary of Energy through John McKenna, Office of General Counsel, Department of Energy, Room 6H-025, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

Copies of the petition for review are on file with the Commission and are available for public inspection at Room 1000, 825 North Capitol St., N.E., Washington, D.C. 20426.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27974 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 5272-000]

City of Seattle, Washington; Application for Preliminary Permit

September 18, 1981.

Take notice that City of Seattle, Washington (Applicant) filed on August 24, 1981, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(4)] for Project No. 5272 to be known as the Thornton Creek Project located on Thornton Creek in Whatcom County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: City of Seattle, City Light Department, City Light Building, 1015 Third Avenue, Seattle, Washington 98104.

Project Description—The proposed project would consist of: (1) a 4-foot high and 100-foot long diversion dam; (2) a 2,000-foot long pipeline; (3) a 2,800-foot long steel penstock; (4) a powerhouse containing one generating unit rated at 2.1 MW; and (5) an access road. The Applicant estimates the average annual energy generation to be 10.4 GWh.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would conduct engineering, environmental, and feasibility studies, and prepare an FERC license application. Ground disturbing activities would include instream studies, test borings, clearing for surveys and geologic mapping, and possibly short access roads. All areas would be restored and surveyed by the State Historic Preservation Officer. The cost of the work to be performed under the preliminary permit is $250,000.

Competing Applications—This application was filed as a competing application to the Thornton Creek Project No. 4412 filed on March 24, 1981, by Thornton Lake Resource Company under 18 CFR 4.33 (1980). Public notice of the filing of the initial application has already been given and the due date for filing competing applications or notices of intent has passed. Therefore, no further competing applications or notices of intent to file competing applications will be accepted for filing.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant). If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protest, or petition to intervene must be received on or before October 20, 1981.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street,

NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 81-27980 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-550-000]

Duke Power Co.; Filing

September 17, 1981.

The filing company submits the following:

Take notice that on September 11, 1981, Duke Power Company (Duke) tendered for filing a revision of its filing of June 16, 1981, in Docket No. ER81-550-000, which proposed a change in the rate level of its electric resale schedules on file with the Commission. Duke has proposed to put into effect for both North Carolina and South Carolina retail customers a portion of the suspended rate applications presently being considered by both state regulatory commissions. For service rendered on and after October 18, 1981, Duke has proposed to increase its presently effective retail rates by about 9%, subject to refund.

By the instant filing, Duke proposes to place into effect for its wholesale customers this same increase (9%) at the time mentioned above.

Duke's revised filing consists of rate schedules 10, 11 and Yadkin Schedule F which will increase bills of customers on those schedules by about 9%. Duke requests the Commission's authority to put these schedules into effect rather than the interim or proposed rates included in the June 16, 1981 filing. The interim schedules are, therefore, withdrawn. Duke also requests that the proposed rates set forth in its June 16, 1981 application be allowed to become effective at such time as the North Carolina Utilities Commission issues an order which includes Unit I of the McGuire Nuclear Station in Duke's rate base. Duke anticipates that Unit I will be commercial and, therefore, included in rate base before the end of 1981, well within the test period being used in the instant docket.

Duke requests waiver of the notice requirements.

A copy of the filing has been served upon all parties.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before September 30, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27990 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-754-000]

Edison Sault Electric Co.; Filing

September 21, 1981.

The filing Company submits the following:

Take notice that Edison Sault Electric Company (Edison) on September 9, 1981, tendered for filing a Supplemental Agreement No. 6, between Edison and Cloverland Electric Cooperative, Inc. (Cloverland), dated November 1, 1981, which agreement will supplement an existing Contract for Electric Service, dated February 1, 1977, between the same two parties. The contract between the parties, dated February 1, 1977, has been designated Rate Schedule FERC No. 8 (Docket No. ER77-477). The proposed supplemental agreement provides for a change in the wheeling rate schedule as provided in the contract, dated February 1, 1977, under subsection (d) wheeling change, Section 5, Rate.

Edison proposes an effective date of November 1, 1981.

Copies of the filing were served upon Cloverland Electric Cooperative, Inc. and the Michigan Public Service Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 9, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27975 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. CI70-63, et al.]

Exxon Corporation, et al.; Applications for Certificates, Abandonment of Service and Petitions to Amend Certificates [1]

September 18, 1981.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to Section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 10 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before September 25, 1981, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Act and the Commission's Rules of Practice and Procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or to be represented at the hearing.

Lois D. Cashell,

Acting Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per 1,000 ft³	Pressure base
CI70-63, D, July 3, 1978	Exxon Corporation, P.O. Box 2180, Houston, Texas 77001.	Trunkline Gas Company, Block 173, Lease OCS-G-1257, South Timbalier Block 172 Field, Offshore Louisiana.	(1)	
CI78-45, D, Mar. 20, 1981	Union Oil Company of California, Union Oil Center, Room 904, P.O. Box 7600, Los Angeles, California 90051.	Northern Natural Gas Company, Section 196, Block 42, H & TC Ry. Co. Survey, Roberts County, Texas.	(2)	

Filing Code: A—Initial Service; B—Abandonment; C—Amendment to add acreage; D—Amendment to delete acreage; E—Total Succession; F—Partial Succession.
[1] South Timbalier Block 173, Lease OCS-G-1257, has been released and no longer held by Exxon.
[2] Union assigned interests to Baker & Taylor Drilling Company which has a small producer certificate in Docket No. CS76-794.

[FR Doc. 81-27976 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-755-000]

Florida Power & Light Co.; Filing

September 21, 1981.

The filing Company submits the following:

Take notice that Florida Power & Light Company (FPL), on September 10, 1981, tendered for filing a Supplementary Agreement entitled "Supplementary Agreement Number One To Contract Between Florida Power & Light Company And Jacksonville Electric Authority For The Transmission Of Power And Energy In The Implementation Of The Power Sale Agreement Between Jacksonville Electric Authority And Alabama Power Company, Georgia Power Company, Gulf Power Company, Mississippi Power Company, And Southern Company Services, Inc."

FPL states that under the Supplementary Agreement, it will provide for additional transmission service during a special limited test period scheduled to commence September 1, 1981, to Jacksonville Electric Authority in the implementation of its Power Sale Agreement with Alabama Power Company, Georgia Power Company, Gulf Power Company, Mississippi Power Company, and Southern Company Services, Inc.

FPL requests waiver of the Commission's Regulations to the extent necessary to permit the Supplementary Agreement to become effective September 1, 1981. According to FPL, copies of the filing were served on the Managing Director of the Jacksonville Electric Authority.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before October 9, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27977 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-731-000]

Georgia Power Co.; Filing

September 21, 1981.

Take notice that Georgia Power Company ("Georgia Power"), on September 1, 1981, tendered for filing proposed changes in its FERC Electric Tariff, Original Volume No. 1 (full requirements service). Based on the twelve-month period ended November 30, 1982, the proposed changes would increase revenues for jurisdictional full requirements service by $290,000. The filing contains proposed Rate Schedule FR-4 which would replace Rate Schedule FR-3 (full requirements). Georgia Power has stated an effective date of November 1, 1981 for the changes.

Georgia Power asserts that its costs have escalated steadily since the filing of its FR-3 rates, resulting in a large increase in the revenue required from wholesale serrvice. The data submitted with Georgia Power's filing allegedly demonstrate that FR-3 rates do not provide a fair return on Georgia Power's wholesale service.

Georgia Power states that copies of the filings were served upon all of its jurisdictional customers.

Any person desiring to be heard or to protest said application should file a Petition to Intervene or Protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 5, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a Petition to Intervene. Copies of this application are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27978 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-758-000]

Iowa Public Service Co.; Filing

September 21, 1981.

The filing Company submits the following:

Take notice that on September 9, 1981, Iowa Public Service Company (Iowa) tendered for filing the Operating Agreement between Iowa and the Board

of Trustees of Municipal Electric Utility of Algona, Iowa, dated July 1, 1981.

Iowa states that the Agreement provides for the coordinated planning and operation of the parties' respective generation and transmission facilities and that the rates charged for services rendered thereunder shall be in accordance with the Mid-Continent Area Power Pool Agreement on file with the Commission, or as otherwise agreed by the parties.

Iowa requests an effective date of July 1, 1981 and therefore requests waiver of the Commission's notice requirements.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 9, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27979 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-674-000]

Kentucky Utilities Co.; Filing

September 21, 1981

The filing company submits the following:

Take notice that on August 10, 1981, Kentucky Utilities Company (KU) tendered for filing a Fourth Supplemental Agreement dated July 1, 1981, which modifies the Interconnection Agreement between KU and Ohio Power Company (OP) dated January 17, 1950. The Fourth Supplement, in effect, changes the demand rate from $0.45 per KW per week to $1.05 per KW per week in Service Schedule C of the Agreement.

KU requests that the Commission waive its notice requirements and permit an effective date of July 1, 1981.

Copies of this filing have been sent to American Electric Power Company (for OP), the Kentucky Public service Commission and the Ohio Public Utilities Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such peititions or protests should be filed on or before October 9, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27980 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-560-000]

Lockhart Power Co.; Filing

September 17, 1981.

The filing company submits the following:

Take notice that on September 15, 1981, Lockhart Power Company (Lockhart) tendered for filing revised "Interim A" tariff sheets. On June 18, 1981, Lockhart filed a proposed two-step increase in its wholesale electric rates to its sole wholesale customer, the City of Union, South Carolina. This rate increase was a "piggy back" filing necessary to reflect the "interim" and "proposed" rate increases filed on June 16, 1981 in Docket No. ER81-550-000 by Duke Power Company (Duke), from which Lockhart purchases more than 70% of its power and energy requirements. Lockhart accordingly proposed that the effectiveness of its rate increases be made precisely coincident with those proposed by Duke.

The Commission notified Duke that its filing was deficient. Subsequently Duke made a series of submissions which presumably have cured the deficiencies. By letter to the Commission dated September 8, 1981, Duke now proposes to withdraw the "interim" rates filed June 16, 1981 and substitute for them an "Interim A" rate which it now seeks to make effective for service rendered on and after October 18, 1981. According to Duke, the Interim A rate is 9% above the rates presently approved and being charged to Lockhart by Duke. Under this new proposal, the ultimate "proposed" rate increase level will be the same as originally proposed by Duke on June 16, 1981. However, the new "Interim A" rates represent a reduction from the first step "interim" rates proposed by Duke on June 16, 1981 and on which the first step of Lockhart's "piggy back" rate filing was based. Accordingly, the interim rate increase required by Lockhart is correspondingly reduced. Lockhart requests that the revised "Interim A" tariff sheets be substituted for the proposed interim tariff sheets submitted by Lockhart on June 18, 1981.

Lockhart requests that the effective dates of its revised rates be made precisely coincident with the effective dates of Duke's rates. To the extent that the Commission permits the Duke rates to become effective less than 60 days after this submission, this filing should be construed as a request for waiver of the notice requirements.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8 and 1.10). All such petitions or protests should be filed on or before September 30, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27981 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

Docket No. ER81-756-000

Montaup Electric Co.; Filing

September 21, 1981

The Filing Company submits the following:

Take notice that Montaup Electric Company ("Montaup") on September 10, 1981, tendered for filing a transmission service agreement between Montaup and the Village of Northfield Electric Department. Under the transmission service agreement Montaup transmits for Northfield capacity and energy from Taunton Municipal Lighting Plant's Cleary Units Nos. 8 and 9 for the period beginning May 1, 1981 and ending upon 30 days written notice of termination.

Montaup requests waiver of the Commission's 60-day notice requirement in order to allow an effective date of May 1, 1981.

Copies of this filing have been served on Northfield and the Massachusetts Department of Public Utilities.

Any person wishing to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 9, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27981 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-757-000]

Montaup Electric Co.; Filing

September 21, 1981.

The Filing Company submits the following:

Take notice that Montaup Electric Company ("Montaup") on September 10, 1981, tendered for filing two supplements to a transmission service agreement between Montaup and the Taunton Municipal Lighting Plant ("Taunton").

The supplements provide for transmission by Montaup of Taunton's share of the Village of Northfield Electric Department's Vermont Yankee entitlement. The effective period for both supplements begins on May 1, 1981 and ends in one supplement on October 31, 1981 and in the other upon 30 days advance written notice of termination.

Montaup requests waiver of the Commission's 60-day notice requirement in order to allow an effective date of May 1, 1981 for the supplements.

Copies of this filing have been served on Taunton and the Massachusetts Department of Public Utilities.

Any person wishing to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such peititions or protests should be filed on or before October 9, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27982 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-721-000]

New England Power Co.; Filing

September 21, 1981.

The filing Company submits the following:

Take notice that on August 31, 1981, New England Power Company (NEP) tendered for filing two unit power contracts, the first with the Massachusetts Municipal Wholesale Electric Company (MMWEC) and the second with Town of Templeton's Municipal Lighting Plant (Templeton). For a three-year period beginning November 1, 1981, MMWEC will buy 150 MW, and Templeton will buy about 3 MW, of capacity and related energy from NEP's Salem Harbor units and from NEP's entitlement to Canal Unit No. 1.

NEP requests that the two contracts be made effective on November 1, 1981, the first day of the contract terms.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (1.8 and 1.10). All such petitions or protests should be filed on or before October 5, 1981. Protests will be considered by the Commission in determining the appropriate actiion to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27983 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. RE81-128-000]

New Orleans Public Service Inc.; Application for Exemption

September 21, 1981.

Take notice that New Orleans Public Service Inc. (NOPS), filed an application for exemption from certain requirements of Part 290 of the Commission's Regulations concerning collection and reporting of cost of service information under Section 133 of the Public Utility Regulatory Policies Act, Order No. 48 (44 FR 58687, October 11, 1979). Exemption is sought from the requirements to file on or before June 30, 1982, information on the costs of providing electric service as specified in § 290.403 (Load Data for Certain Customer Groups) in regard to small and large electric customer groups.

In its application for exemption, NOPS states that it should not be required to file the specified data for the following reason:

> The loan data for small electric (SE-3) and large electric (LE-3) customers is not currently being collected with sufficient accuracy. A combination of actual and estimated load data for the customer groups will be provided for the period from January 1, 1981 through October 31, 1981.

Copies of the application for exemption are on file with the Commission and are available for public inspection. Any person desiring to present written views, arguments, or other comments on the application for exemption should file such information with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, on or before November 9, 1981. Within that 45-day period such person must also serve a copy of such comments on: New Orleans Public Service Inc., 317 Baronne St., New Orleans, LA 70112.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27984 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. TA 82-1-40-000 (PGA 82-1)]

Raton Natural Gas Co.; Change in Rates

September 17, 1981.

Take notice that Raton Natural Gas Company (Raton), on September 1, 1981, tendered for filing, proposed changes in its FERC Gas Tariff, Volume No. 1, consisting of Twenty-fifth Revised Sheet No. 3a. The change in rates is for jurisdictional gas service. The proposed effective date is October 1, 1981.

Raton states that the instant notice of change in rates is occasioned solely for increase in the cost of gas purchased from Colorado Interstate Gas Company (CIG). The tracking of CIG Gas Cost Increase results in increase in Demand Rate from $1.79 to $2.39 and increase in Commodity Rate from 302.84¢ to 341.95¢ per MCF. The annual revenue increase,

by reason of the tracking, amounts to $359,250.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commision, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.9 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.9, 1.10). All such petitions or protests should be filed on or before September 22, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceding. Any person wishing to become a party must file a petition to intervene.

Copies of this filing are on file with the Commission and are available for inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27983 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. QF81-59-000]

U.S.S. Agri-Chemicals; Application for Commission Certification of Qualifying Status of a Cogeneration Facility

September 21, 1981.

On August 27, 1981, U.S.S. Agri-Chemicals, of Bartow, Florida filed with the Federal Energy Regulatory Commission (Commission) an application for certification of a facility as a qualifying cogeneration facility pursuant to § 292.207 of the Commission's rules.

The facility is a topping-cycle cogeneration facility to be located at Fort Meade, Florida, which uses waste heat from chemical process reactions as its primary energy source. The power production capacity of the facility is 32.0 megawatts. The waste heat is made available as high pressure steam which is passed through a turbogenerator to produce electric power. Extraction steam from the turbine is used to provide thermal energy for use in other plants in the industrial complex. Installation of the facility began in July, 1981. Less than 50 percent of the facility is owned by an electric utility, electric utility holding company or any combination thereof.

Any person desiring to be heard or objecting to the granting of qualifying status should file a petition to intervene or protest with the Federal Energy regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure. All such peititions or protests must be filed on or before October 26, 1981 and must be served on the applicant. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27985 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. ER81-753-000]

The Washington Water Power Co.; Filing

September 21, 1981.

The filing Company submits the following:

Take notice that on September 8, 1981, The Washington Water Power Company (Washington) tendered for filing copies of a service schedule applicable to what Washington refers to as a Transmission Agreement dated October 31, 1980, between Washington and Pacific Power & Light Company (Pacific).

In this agreement Pacific is providing a transmission service to Washington through Pacific's Wyoming system and Washington is providing transmission service to Pacific over the Walla Walla-Lolo line.

Washington requests that the requirements of prior notice be waived and the effective date be made retroactive to November 1, 1980, adding that there would be no effect upon purchasers under other rate schedules.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 9, 1981. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 81-27986 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-85-M

Office of Hearings and Appeals

Notice of Issuance of Proposed Decision and Order; Week of August 17 Through August 21, 1981

During the week of August 17 through August 21, 1981, the proposed decision and order summarized below was issued by the Office of Hearings and Appeals of the Department of Energy with regard to an application for exception.

Under the procedural regulations that apply to exception proceedings (10 CFR Part 205, Subpart D), any person who will be aggrieved by the issuance of a proposed decision and order in final form may file a written notice of objection within ten days of service. For purposes of the procedural regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date an aggrieved person receives actual notice, whichever occurs first.

The procedural regulations provide that an aggrieved party who fails to file a Notice of Objection within the time period specified in the regulations will be deemed to consent to the issuance of the proposed decision and order in final form. An aggrieved party who wishes to contest a determination made in a proposed decision and order must also file a detailed statement of objections within 30 days of the date of service of the proposed decision and order. In the statement of objections, the aggrieved party must specify each issue of fact or law that it intends to contest in any further proceeding involving the exception matter.

Copies of the full text of this proposed decision and order are available in the Public Docket Room of the Office of Hearings and Appeals, Room B-120, 2000 M Street, N.W., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays.

George B. Breznay,

Director, Office of Hearings and Appeals.

September 21, 1981.

Gulf States Oil & Refining Co., Washington, D.C., BEE-1618

On January 28, 1981 Gulf States Oil & Refining Co. (Gulf States) filed an Application for Exception from the provisions of 10 CFR 211.67. The exception request, if

granted, would permit Gulf States to sell entitlements for crude oil which the firm purchased to establish an initial, or starting inventory for its new refinery. On August 17, 1981, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be granted in part.

[FR Doc. 81-27823 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-01-M

Western Area Power Administration

Publication of Final Allocation Criteria for Marketing of Additional Power; Application Format for Requesting an Allocation, and Decision Regarding the Renewal of Contracts Expiring Prior to 1986; Corrections

AGENCY: Western Area Power Administration, DOE.

ACTION: Final notice; corrections.

SUMMARY: This document corrects several errors found in the Federal Register of August 17, 1981 (46 FR 41547), and further presents pertinent dates relative to the power marketing plan.

DATES: The filing deadline for applications for power from eligible preference agencies was September 15, 1981; applications had to have been received in the Sacramento Area Office no later than 5 p.m., Pacific daylight time, to ensure consideration.

Proposed power allocations will be announced in late September or early October. The comment forum on the proposed power allocations previously scheduled for October 8 has been rescheduled for October 15. The forum will begin at 9:30 a.m. in the Mariposa/Sonora Rooms, Holiday Inn—Holidome, 5321 Date Avenue, Sacramento, California.

Final power allocations will be announced on or about November 2, 1981. The allocations will be published in the Federal Register as well as the following newspapers: The San Francisco Chronicle, the Sacramento Bee, the Reno Gazette, the Las Vegas Review Journal, and the Los Angeles Times.

ADDRESS: For further information concerning the corrections contact: Mr. David G. Coleman, Area Manager, Sacramento Area Office, Western Area Power Administration, 2800 Cottage Way, Sacramento, CA 95825 (916) 484-4251.

SUPPLEMENTARY INFORMATION: The following are the corrections to the August 17, 1981, Federal Register.

1. Page 41548, section: Supplementary Information, first paragraph. The second to the last sentence beginning "Final allocation No. 8 * * * " is corrected to read "Final Criterion No. 7 was separated from proposed Criterion No. 5 so that it would stand alone."

2. Page 41549, section: Renewal of Contracts Expiring Prior to 1986, first paragraph. The second sentence is corrected to read "The 40-percent load factor energy limitation proposed previously will not be applied."

3. Page 41551, section: Responses to Comments on Proposed Allocation Criteria, subsection: Decision to Allocate 102 MW, first paragraph, first sentence. Replace "impliedly" with "implicitly."

4. Page 41551, section: Responses to Comments on Proposed Allocation Criteria, subsection: Reclamation Law Issues Regarding Irrigator Customers, first paragraph, fifth sentence. Change "early" to "earlier."

5. Page 41552, section: Responses to Comments on Proposed Allocation Criteria, subsection: Reclamation Law Issues Regarding Irrigator Customers, seventh and eighth paragraphs. References to irrigation "agencies" should be changed to irrigation "entities."

6. Page 41553, section: The 40-Percent Load Factor Energy Limitation on Contract Renewals and Contracts for the 102 MW of Additional Power, first paragraph, third sentence. Correct the word "supplied" to "applied."

Availability of Information

All brochures, studies, comments, letters, memorandums, and other documents made or kept by Western Area Power Administration for the purpose of developing the power marketing plan are and will be available for inspection and copying at the Sacramento Area Office, Western Area Power Administration, 2800 Cottage Way, Sacramento, CA 95825, (916) 484-4251.

Issued at Golden, Colorado, September 17, 1981.

William H. Clagett,

Deputy Administrator.

[FR Doc. 81-27825 Filed 9-24-81; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[OPP-38502; PH-FRL 1940-6]

Aceto Agricultural Chemicals Corp.; Notice of Intent to Suspend Pesticide Registrations of Products Containing Carbophenothion

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This action is being taken because the Aceto Agricultural Chemicals Corp. has failed to provide evidence that it is taking appropriate steps to secure certain chronic toxicology data required by a February 2, 1981 Data Call In Notice issued under authority of section 3(c)(2)(B) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136a(c)(2)(B).

DATE: Persons who would be adversely affected by the intended suspension may contest the intent to suspend by requesting a hearing on or before October 26, 1981, the effective date of the suspension.

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

FOR FURTHER INFORMATION CONTACT: David Alexander or Geraldine Werdig, Special Pesticide Review Division (TS-791), Office of Pesticide Programs, Environmental Protection Agency, Rm. 728, CM #2, 1921 Jefferson Davis Highway, Arlington VA 22202 (703-557-7460).

SUPPLEMENTARY INFORMATION: EPA is issuing this notice of intent to suspend the registrations of pesticide products of the Aceto Agricultural Chemicals Corp. (Aceto) which contain the pesticide carbophenothion under FIFRA section 3(c)(2)(B)(iv).

Aceto has failed to respond or to take any appropriate steps to comply with the Data Call In Notice issued to Aceto on February 2, 1981, and received by Aceto on February 6, 1981.

Accordingly, Aceto is in violation of FIFRA section 3(c)(2)(B) and the Agency has determined to issue this notice of intent to suspend the affected registrations. Aceto will be permitted to sell existing stocks of products containing carbophenothion for 120 days after its receipt of the notice of intent to suspend the registrations of its pesticide products containing carbophenothion.

Any person adversely affected by this action may request a hearing within 30 days of receipt of notice of this action to show that Aceto has not failed to take the required steps to secure data or to show that the intended provisions for the disposition of existing stocks is inconsistent with the Act. A request for a hearing should be submitted in quintuplicate and should state the issues for the hearing and set forth the supporting facts.

If such a hearing is requested, Aceto's affected registrations will not be suspended until completion of the hearing. As provided in FIFRA section 3, a hearing shall be held and determination made within 75 days after receipt of a request for a hearing.

This action will not become final and effective or will be rescinded if or when the Aceto Agricultural Chemicals Corp. complies fully with the requirements which serve as a basis for this action.

Dated: September 16, 1981.

James M. Conlon,

Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 81-27879 Filed 9-24-81; 8:45 am]

BILLING CODE 6560-32-M

[OPP-38503; PH-FRL 1940-5]

Aceto Agricultural Chemicals Corp.; Notice of Intent To Suspend Pesticide Registrations of Products Containing Disulfoton

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This action is being taken because the Aceto Agricultural Chemicals Corp. has either failed to take appropriate steps within the time required to secure certain chronic toxicology data required by a February 27, 1981 Data Call In Notice issued under authority of section 3(c)(2)(B) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136a(c)(2)(B) or has failed to participate in a procedure for reaching agreement concerning a joint data development arrangement for the production of the same data.

DATE: Persons who would be adversely affected by the intended suspension may contest the intent to suspend by requesting a hearing on or before October 26, 1981, the effective date of the suspension.

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

FOR FURTHER INFORMATION CONTACT: David Alexander or Geraldine Werdig, Special Pesticide Review Division (TS-791), Office of Pesticide Programs, Environmental Protection Agency, Rm. 728, CM#2, 1921 Jefferson Davis Highway, Arlington, VA 22202 (703-557-7460).

SUPPLEMENTARY INFORMATION: EPA is issuing this notice of intent to suspend the registrations of pesticide products of the Aceto Agricultural Chemicals Corp. (Aceto) which contain the pesticide disulfoton under FIFRA section 3(c)(2)(B)(iv).

Aceto advised the Agency that it would not take steps to comply with the Data Call In Notice issued to Aceto on February 27, 1981. Aceto also rescinded its prior indication that it would comply with data requirements by developing the data jointly with the registrant who will produce the data.

Therefore, Aceto is in violation of FIFRA section 3(c)(2)(B) and the Agency has determined to issue this notice of intent to suspend the affected registrations. Aceto will be permitted to sell existing stocks of products containing disulfoton for 120 days after its receipt of the notice of intent to suspend its registrations of pesticide products containing disulfoton.

Any person adversely affected by this action may request a hearing within 30 days of receipt of notice of this action to show that Aceto has not failed to take the required steps to secure data or to show that the intended provision for the disposition of existing stocks is inconsistent with the Act. A request for a hearing should be submitted in quintuplicate and should state the issues for the hearing and set forth the supporting facts.

If such a hearing is requested, Aceto's affected registrations will not be suspended until completion of the hearing. As provided in FIFRA section 3, a hearing shall be held and determination made within 75 days after receipt of a request for a hearing.

This action will not become final and effective or will be rescinded if or when the Aceto Agricultural Chemicals Corp. complies fully with the requirements which serve as a basis for this action.

Dated: September 16, 1981.

James M. Conlon,

Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 81-27880 Filed 9-24-81; 8:45 am]

BILLING CODE 6560-32-M

[PP OG2396/T319; PH-FRL 1940-2]

BASF Wyandotte Corp.; Establishment of Temporary Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Temporary tolerances have been established for the combined residues of the herbicide 2-[1-(ethoxyimino)-butyl]-5-[2-(ethylothio)propyl]-3-hydroxy-2-cyclohexen-1-one and its metabolites containing the 5-[2-(ethylthio)propyl]-1, 3-cyclohexanedione moiety and its several thioxidation products (calculated as the herbicide) in or on the raw agricultural commodities soybeans at 0.50 parts per million (ppm); meat, fat, and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep; milk and eggs at 0.05 ppm.

DATE: This temporary tolerance expires May 27, 1982.

FOR FURTHER INFORMATION CONTACT: Robert J. Taylor, Product Manager (PM) 25, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 412E, CM #2, 1921 Jefferson Davis Highway, Arlington, VA 22202 (703-557-7066).

SUPPLEMENTARY INFORMATION: BASF Wyandotte Corp., Agricultural Chemicals Div., 100 Cherry Hill Road, Parsippany, NJ 07054, has submitted a request with the EPA to establish tolerances for the combined residues of the herbicide 2-[1-(ethoxyimino)-butyl]-5-[2-(ethylthio)propyl]-3-hydroxy-2-cyclohexen-1-one and its metabolites containing the 5-[2-(ethylthio)propyl]-1, 3-cyclohexanedione moiety and its several thioxidation products (calculated as the herbicide) in or on the raw agricultural commodities soybeans at 0.50 parts per million (ppm); meat, fat, and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep; milk and eggs at 0.05 ppm.

These temporary tolerances will permit the marketing of the above raw agricultural commodities when treated in accordance with an experimental use permit (7969-EUP-14) which is being issued under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended (92 Stat. 816; 7 U.S.C. 136).

The scientific data reported and other relevant material have been evaluated and it has been determined that establishment of the temporary tolerances will protect the public health. Therefore, the temporary tolerances are established on the condition that the pesticide be used in accordance with the experimental use permit with the following provisions:

1. The amount of the pesticide to be used will not exceed the amount authorized in the experimental use permit.

2. BASF Wyandotte Corp. will immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The compnay will also keep records of production, distribution, and performance, and on request make these records available to any authorized officer or employee of

the EPA or the Food and Drug Administration.

These temporary tolerances expire May 27, 1982. Residues remaining in or on the raw agricultural commodities after the expiration date will not be considered actionable if the pesticide is legally applied during the term of and in accordance with the provisions of the experimental use permit and temporary tolerances. These temporary tolerances may be revoked if the experimental use permit is revoked or if any scientific data or experience with the pesticide indicates such revocation is necessary to protect the public health.

As required by Executive Order 12291, EPA has determined that this temporary tolerance is not a "Major" rule and therefore does not require a Regulatory Impact Analysis. In addition, the Office of Management and Budget (OMB) has exempted this temporary tolerance from the OMB review requirements of Executive Order 12291, pursuant to section 8(b) of that Order.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-534, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 24950).

(Sec. 408(j), 68 Stat. 516, (21 U.S.C. 346a(j)))

Dated: September 15, 1981.

Douglas D. Campt,

Director, Registration Division, Office Pesticide Programs.

[FR Doc. 81-27681 Filed 9-24-81; 8:45 am]

BILLING CODE 6560-32-M

[OPTS-51319; TSH-FRL 1940-7]

Certain Chemicals; Premanufacture Notices

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for section 5(a)(1) premanufacture notices are discussed in EPA statements of interim policy published in the Federal Register of May 15, 1979 (44 FR 28558) and November 7, 1980 (45 FR 74378). This notice announces receipt of four PMM's and provides a summary of each.

DATES: Written comments by:

PMN 81-448—November 8, 1981

PMN 81-455, 81-456, and 81-457—November 12, 1981

ADDRESS: Written comments, identified by the document control number "[OPTS-51319]" and the specific PMN number should be sent to: Document Control Officer (TS-793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, Rm. E-409, 401 M St., SW., Washington, D.C. 20460 (202-755-5687).

FOR FURTHER INFORMATION CONTACT:

For PMN No.	Notice manager	Telephone	Room No.
81-448	Wendy Cleland-Hamnett	(202-426-0504)	E-229.
81-455	Rose Allison	(202-426-8815)	E-222.
81-456	George Bagley	(202-426-2601)	E-2601.
81-457	Robert Jones	(202-426-2601)	E-208.

Mail address of notice managers: Chemical Control Division (TS-794), Office of Toxic Substances, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460.

SUPPLEMENTARY INFORMATION: The following are summaries of information provided by the manufacturer on the PMN's received by EPA:

PMN-81-448

Close of Review Period. December 8, 1981.

Manufacturer's Identity. Claimed confidential business information. Organization information provided:

Annual sales—Between $100,000,000—$499,999,999.

Manufacturing site—Mid-Atlantic region.

Standard Industrial Classification Code—2891.

Specific Chemical Identity. Claimed confidential business information. Generic name provided: Epoxy modified phenolic resin.

Use. The manufacturer states that the PMN substance will be used as a curing agent.

Import Estimates

	Kilograms per year	
	Minimum	Maximum
1st year	500	3,000
2nd year	1,000	6,000
3d year	2,000	12,000

Physical/Chemical Properties. No data submitted.

Toxicity Data. No data submitted.

Exposure. The importer states that the product will initially be sold to 15 customers. No further data is available.

Environmental Release/Disposal. The importer states that waste product and containers should be disposed of in accordance with the Resource Conservation Recovery Act standards (RCRA).

PMN 81-455

Close of Review Period. December 12, 1981.

Manufacturer's Identity. Mobay Chemical Corporation, Penn Lincoln Parkway West, Pittsburgh, PA 15205.

Chemical Identity. 4-trifluoromethoxyphenylisocyanate.

Use The importer states that the PMN substance will be used as an intermediate for pesticide.

Import Estimates. Claimed confidential business information.

Physical/Chemical Properties

Boiling point—78°C.

Melting point—−29°C.

Flash point—69°C.

Ignition point—592°C.

Density @ 20°C—1.357 g/cm^3.

Lower explosive limit—1.79% by volume.

Refractive index n_D^{20} 1.4573.

Kinematic viscosity @ 20°C—1.12 centistokes.

Toxicity Data

Acute oral LD_{50} (rat)—Male/Female 1525 mg/kg.

Acute dermal LD_{50} (rat)—Male/Female 200/500 uL/kg.

Acute inhalation (vapor) (rat)—10 min. exposure, no survivors; 3 min. exposure, males survived, 20% females died.

Skin irritation (rabbit)—Severe irritation.

Eye irritation (rabbit)—Corrosive to cornea.

Sensitization effect test (guinea pig)—Sensitizing effect.

Ames salmonella—Non-mutagenic.

Micronucleus test—Non-mutagenic.

Exposure. The importer states that during processing 2 workers may experience dermal and inhalation exposure 0.2 day/yr. Exposure may occur during the unloading of shipping containers to a storage tank.

Environmental Release/Disposal. The importer states that less than 10 kg/yr may be released to the air 0.2 day/yr.

PMN 81-456

Close of Review Period. December 12, 1981.

Manufacturer's Identity. The Sherwin-Williams Company, P.O. Box 6520, Cleveland, OH 44101.

Specific Chemical Indentity. 2-carbomethoxybenzene sulfonyl chloride.

Use. The manufacturer states that the PMN substance will be used as a reagent chemical.

Production Estimates

	Kilograms per year	
	Minimum	Maximum
1st year	1,000	20,000
2d year	20,000	100,000
3d year	100,000	300,000

Physical/Chemical Properties

Appearance—White, crystalline solid.

Bulk density—0.76 gm/cc.

Solubility in water—Insoluble.

Melting point—61–62°

Hydrolysis—Water forming HCl.

Toxicity Data

Acute oral LD_{50} (rat)—5 gm/kg.

Acute dermal LD_{50} (rabbit)—4 gm/kg.

Skin corrosivity (rabbit)—Noncorrosive.

Skin irritation (rabbit)—Irritating.

Ocular irritation (rabbit)—Irritating.

Exposure. The manufacturer states that during manufacture a maximum of 2 workers may have dermal exposure 8 hrs/day, 100 days/yr.

Environmental Release/Disposal. The manufacturer states that from 10 to 100 kg/yr of the new substance will be released to a publicly owned treatment works (POTW).

PMN 81–457

Close of Review Period. December 12, 1981.

Manufacturer's Identity. Claimed confidential business information. Organization information provided:

Annual sales—Between $100,000,000 and $499,999,999.

Manufacturing site—East North Central.

Standard Industrial Classification Code—285.

Specific Chemical Identity. Claimed confidential business information. Generic name provided: Polymer of unsaturated fatty acid, dimer fatty acid, unsubstituted anhydride, aromatic dicarboxylic acid, aliphatic diol and hydroxy functional resins.

Use. The manufacturer states that the PMN substance will be used as a thermoset polymer for coating paper surfaces.

Production Estimates

	Kilograms per year	
	Minimum	Maximum
1st year	4,000	8,000
2d year	8,000	16,000
3d year	16,000	32,000

Physical/Chemical Properties

Appearence—Semi-solid. Polymeric material at room temperature.

Solubility—Soluble in cellosolve acetate.

Vapor pressure (polymer)—Negligible.

Viscosity (polymer)—Z–1 (Gardner-Holdt).

Color (polymer)—7 (Gardner).

% solid (polymer solution in xylene)—90%.

Toxicity Data. No data were submitted..

Exposure. The manufacturer states that during manufacture, processing, and disposal a total of 5 workers may experience dermal exposure 14 hrs/day, 51 days/yr.

Environmental Release/Disposal. The manufacturer states that 10–100 kg/yr may be released to land. Water from esterification and solid residue is disposed of by landfill.

Dated: September 16, 1981.

Woodson W. Bercaw,

Acting Director for Management Support Division.

[FR Doc. 81-27878 Filed 9-24-81; 8:45 am]

BILLING CODE 6560-31-M

[OPP-50544; PH-FRL-1939-7]

Extension of Experimental Use Permits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted experimental use permits to the following applicants. These permits are in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

FOR FURTHER INFORMATION CONTACT: The product manager cited in each experimental use permit at the address below: Registration Division (TS–767C), Office of Pesticide Programs, Environmental Protection Agency, 1921 Jefferson Davis Highway, Arlington, VA 22202.

SUPPLEMENTARY INFORMATION: EPA has issued the following experimental use permits:

239–EUP–78. Chevron Chemical Co., 940 Hensley St., Richmond, CA 94804. This experimental use permit allows the use of 4,000 pounds of the herbicide thiobencarb on rice to evaluate control of watergrass and sprangletop weeds. A total of 1,000 acres are involved. The program is authorized only in the States of Louisiana and Texas. The experimental use permit is effective from June 30, 1981 to June 30, 1982. A temporary tolerance for residues of the active ingredient and its metabolite 4-chlorobenzyl methylsulfone in or on rice grain has been established. (Richard Mountfort, PM 23, Rm. 412D, CM #2 (703–557–7070))

44544–EUP–1. DMB Packing Corporation, Box 517, Fresno & N St., Newman, CA 95360. This experimental use permit allows the use of 10,000 pounds of the growth regulator isobutyric acid on grapes to evaluate the increased yield per acre. A total of 1,000 acres are involved. The program is authorized only in the State of California. The experimental use permit is effective from June 6, 1981 to June 6, 1982. A temporary exemption from the requirement of a tolerance for residues of the active ingredient in or on grapes has been established. (Robert Taylor, PM 25, Rm. 412, CM #2, (703–557–7066))

20954–EUP–13. Zoecon Corporation, 975 California Avenue, Palo Alto, CA 94303. This experimental use permit allows the use of the remaining supply of 281 pounds (420 pounds had been originally authorized) of the insecticide *N*-[2-chloro-4-(trifluoromethyl)phenyl]-*DL*-valine (T¹±)-cyano(3-phenoxyphenyl)methyl ester on alfalfa, celery, cole crops, cotton, lettuce, potatoes, sweet corn, tobacco, and tomatoes to evaluate control of various insects. A total of 531 acres are involved. The program is authorized only in the States of Alabama, Arizona, Arkansas, California, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, Nevada, New Mexico, New York, North Carolina, Oklahoma, Oregon, South Carolina, Tennessee, Texas, Virginia, and Washington. The experimental use permit is effective from May 16, 1981 to May 16, 1982. This permit is being issued with the limitation that all treated crops will be destroyed or used for research purposes only. (Franklin Gee, PM 17, Rm. 401, CM #2, (703–557–7028))

Persons wishing to review these experimental use permits are referred to the designated product managers. Inquiries concerning these permits should be directed to the persons cited above. It is suggested that interested persons call before visiting the EPA Headquarters Office, so that the appropriate file may be made available for inspection purposes from 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.

(Sec. 5, 92 Stat. 819, as amended, (7 U.S.C. 136))

Dated: September 16, 1981.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 81-27582 Filed 9-24-81; 8:45 am]

BILLING CODE 6560-32-M

[OPP-50551; PH-FRL-1940-8]

Extension of Experimental Use Permits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted experimental use permits to the following applicants. These permits are in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

FOR FURTHER INFORMATION CONTACT: The product manager cited in each experimental use permit at the address below: Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 1921 Jefferson Davis Highway, Arlington, VA 22202.

SUPPLEMENTARY INFORMATION: EPA has issued the following experimental use permits:

241-EUP-94. American Cyanamid Co., P.O. Box 400, Princeton, NJ 08540. This experimental use permit allows the use of 4352.4 pounds of the insecticide (±)cyano(3-phenoxyphenyl)methyl(+)-4-(difluoromethoxy)-α-(1-methylethyl) benzeneacetate on cotton to evaluate control of various cotton insects. A total of 13,025 acres are involved. The program is authorized only in the States of Alabama, Arizona, Arkansas, California, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, and Texas. The experimental use permit is effective from April 10, 1981 to April 10, 1982. A temporary tolerance for residues of the active ingredient in or on cottonseed and a food additive regulation for residues of the active ingredient in cottonseed oil have been established. (Franklen Gee, PM 17, Rm. 401, CM#2 (703-557-7028))

2139-EUP-23. NOR-AM Agricultural Products, Inc., 350 West Shuman Boulevard, Naperville, IL 60566. This experimental use permit allows the use of 1,530 pounds of the herbicide thidiazuron on cotton to evaluate its use as a defoliant. A total of 7,650 acres are involved. The program is authorized only in the States of Alabama, Arizona, Arkansas, California, Georgia, Louisiana, Mississippi, South Carolina, Tennessee, and Texas. The experimental use permit is effective from May 13, 1981 to July 1, 1982. Temporary tolerances for the residues of the active ingredient in or on cottonseed, eggs, milk, and the meat, fat and meat byproducts of cattle, goats, hods, horses, poultry, and sheep have been established. A feed additive regulation for residues of the active ingredient and its aniline-containing metabolites in or on cottonseed hulls has been established. (Richard F. Mountfort, PM 23, Rm. 412D (703-557-7070))

Persons wishing to review these experimental use permits are referred to the designated product managers. Inquiries concerning these permits should be directed to the persons cited above. It is suggested that interested persons call before visiting the EPA Headquarters Office, so that the appropriate file may be made available for inspection purposes from 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.

(Sec. 5, 92 Stat. 819, as amended (7 U.S.C. 136))

Dated: September 14, 1981.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 81-27677 Filed 9-24-81; 8:45 am]

BILLING CODE 6560-32-M

[OPP-50552; PH-FRL 19411]

Renewal of Experimental Use Permits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted experimental use permits to the following applicants. These permits are in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes.

FOR FURTHER INFORMATION CONTACT: The product manager cited in each experimental use permit at the address below: Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 1921 Jefferson Davis Highway, Arlington, VA 22202.

SUPPLEMENTARY INFORMATION: EPA has issued the following experimental use permits:

524-EUP-29. Monsanto Company, 1101 17th St., NW., Washington, D.C. 20036. This experimental use permit allows the use of 1,030 pounds of the remaining supply (2,361.8 pounds originally authorized) of the herbicide glyphosate in drainage systems, irrigation systems, and small water impoundments such as farm ponds to evaluate the control of weeds. A total of 323 acres are involved. The program is authorized only in the States of Alabama, Arkansas, Delaware, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Texas. The permit was previously effective from January 1, 1980 to January 1, 1981. It is now effective from June 12, 1981 to January 1, 1983. Temporary tolerances for residues of the active ingredient in or on the crop groupings cucurbits, forage legumes, fruiting vegetables, and the individual raw agricultural commodities hops and fish have been established. A food additive regulation for residues of the active ingredient for potable water has been established. (Robert Taylor, PM 25, Rm. 412, CM#2, (703-557-7066))

20954-EUP-14. Zoecon Corporation, 975 California Ave., Palo Alto, CA 94304. This experimental use permit allows the use of 0.03 pound of the insect growth regulator methoprene in small volumes of water to evaluate the control of adult mosquitoes. A total of 200 sites are involved. The program is authorized only in the States of California and Louisiana. The permit was previously effective from March 4, 1980 to March 4, 1981. It is now effective from May 15, 1981 to May 15, 1982. A permanent exemption from the requirement of a tolerance for residues of the active ingredient in potable and rain water has been established (21 CFR 193.285 and 40 CFR 180.359)). (Franklin Gee, PM 17, Rm. 410, CM#2, (703-557-7028))

Persons wishing to review these experimental use permits are referred to the designated product managers. Inquiries concerning these permits should be directed to the persons cited above. It is suggested that interested persons call before visiting the EPA Headquarters Office, so that the appropriate file may be made available for inspection purpose from 8:00 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.

(Sec. 5, 92 Stat. 819, as amended, (7 U.S.C. 136))

Dated: September 14, 1981.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 81-27676 Filed 9-24-81; 8:45 am]

BILLING CODE 6560-32-M

[ER-FRL-1943-2]

Availability of Environmental Impact Statements

AGENCY: Office of Federal Activities (A-104) U.S. Environmental Protection Agency.

PURPOSE: This notice lists the Environmental Impact Statements (EIS's) which have been officially filed with the EPA and distributed to Federal agencies and interested groups, organizations and individuals for review pursuant to the Council on Environmental Quality's Regulations (40 CFR Part 1506.9) during the week of September 14, 1981 to September 18, 1981.

REVIEW PERIODS: The 45-day review period for draft EIS's listed in this notice is calculated from September 25, 1981 and will end on November 9, 1981. The 30-day review period for final EIS's; as calculated from September 25, 1981 will end on October 26, 1981.

EIS AVAILABILITY: To obtain a copy of an EIS listed in this notice, you should contact the Federal agency which prepared the EIS. If a Federal agency does not have the EIS available upon request, you may contact the Office of Federal Activities, EPA, for further information. Copies of EIS's previously filed with EPA or CEQ, which are no longer available from the originating agency, are available with charge from the following source: Information Resources Press, 1700 North Moore Street, Arlington, Virginia 22209, (703) 558–8270.

FOR FURTHER INFORMATION CONTACT: Kathi L. Wilson, Office of Federal Activities, Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, (202) 245–3006.

William N. Hedeman, Jr.,

Director, Office of Federal Activities (A–104).

September 22, 1981.

Department of Agriculture

FS: Draft—Smokey Canyon Phosphate Mine, Caribou National Forest, Caribou County, Idaho (EIS Order #810769).

FS: Draft—Rocky Mountain Regional Plan, Colorado, Nebraska, Kansas, Wyoming and South Dakota (EIS Order #810772).

REA: Draft—Elm Mott/Whitney 345 kV Transmission Line, McLennan, Bosque and Hill Counties, Texas (EIS Order #810778).

Army Corps of Engineers

Draft—Lower Colorado River, General Project Permit, California, Nevada and Arizona; the review period for this EIS has been extended until November 14, 1981 (EIS Order #810765).

Draft—Tug Fork Valley Flood Damage Reduction Plan, West Virginia, Kentucky and Virginia (EIS Order #810774).

Final—Merced County Streams Flood Control Plan, Merced and Maricopa Counties, California (EIS Order #810755).

Final—AB Brown Generating Station Units 2, 3 and 4, Permit, Posey County, Indiana (EIS Order #810760).

Final—Sepulveda Basin Master Plan, Los Angeles County, California (EIS Order #810761).

Reestablishment of EIS Availability Date: Draft—Indiana Dunes National Lakeshore Erosion, Porter and LaPorte Counties, Indiana—published in the Federal Register September 18, 1981—based on the actual availability of this EIS, EPA has reestablished the date filed as September 18, 1981 and the end of the review period as November 9, 1981 (EIS Order #810746).

Department of the Army

Draft—Binary Chemical Munitions Program, Pine Bluff Arsenal, Arkansas (EIS Order #810782).

Department of Commerce

NOAA: Final—Deep Seabed Mining Program (EIS Order #810762).

Department of Energy

Withdrawal: Draft—Anvil Points Oil Shale Facility, Garfield County, Colorado—published FR August 29, 1981—this EIS has been officially withdrawn by the Department of Energy (EIS Order #800629).

Department of Housing and Urban Development

Draft—Kildaire Farms Development, Mortgage Insurance, Wake County, North Carolina (EIS Order #810764).

Draft—Countryside Development, Mortgage Insurance, Pennington County, South Dakota (EIS Order #810759).

Final—Landmark Development, Mortgage Insurance, Kendall and Kane Counties, Illinois (EIS Order #810785).

Final—West Lake Housing Development, Mortgage Insurance, Salt Lake County, Utah (EIS Order #810766).

Reestablishment of EIS Availability Date: HUD: Final—Montclair Planned Residential Community, Prince William County, Virginia—published in the Federal Register September 11, 1981—based on the actual availability of this EIS, EPA has reestablished the date filed as September 15, 1981 and the end of the review period as October 26, 1981 (EIS Order #810732).

Department of Transportation

FHWA: Draft—US 50 Improvement, Cimarron to Windy Point, Montrose and Gunnison Counties, Colorado (EIS Order #810775).

FHWA: Draft—IN–129 Extension, IN–48 to IN–46, Ripley County, Indiana (EIS Order #810752).

FHWA: Draft—Greenfield Pike Bridge Over Stoney Creek, Hamilton County, Indiana (EIS Order #810763).

FHWA: Final—Clairmont Road Extension, DeKalb County, Georgia (EIS Order #810767).

FAA: Final Supplement—Metropolitan Washington Airports Policy (EIS Order #810786).

Extension: FHWA: Draft—Pio Nono Avenue Widening, Bibb County, Georgia—published in the Federal Register August 28, 1981—the review period for this EIS has been extended until October 30, 1981 (EIS Order #810665).

Environmental Protection Agency

EPA2: Final Supplement—Manasquan River Region Wastewater Facilities Plan, Grant, Monmouth County, New Jersey; the review period for this EIS has been granted a waiver (EIS Order #810787).

EPA4: Draft—Tallahassee-Leon County Wastewater Treatment Facilities Management Plan, Leon County, Florida; the review period for this EIS has been extended until November 20, 1981 (EIS Order #810771).

EPA4: Draft—Southern Region Area Wastewater Treatment Facilities, Palm Beach, Florida; the review period for this EIS has been extended until November 30, 1981 (EIS Order #810780).

EPA4: Draft—Mill Creek Area Wastewater Facilities, Jefferson County, Kentucky; the review period for this EIS has been extended until December 4, 1981 (EIS Order #810773).

EPA4: Draft—Hancock County Generating Stations Units 1 and 2, Hancock County, Kentucky; the review period for this EIS has been extended until November 13, 1981 (EIS Order #810781).

General Services Administration

Draft—Chula Vista Border Patrol Station Renovation, San Diego County, California (EIS Order #810758).

Nuclear Regulatory Commission

Draft—Edgemont Uranium Mill Decommissioning, Fall River and Custer Counties, South Dakota (EIS Order #810776).

Department of the Interior

BLM: Draft—1982 OCS Oil and Gas Lease Sale No. 52, Atlantic Ocean, Massachusetts, Rhode Island, New York, New Jersey and Pennsylvania; the review period for this EIS has been extended until November 23, 1981 (EIS Order #810783).

BLM: Final—Benton-Owens Valley Livestock Grazing Management Plan, Inyo and Mono Counties, California (EIS Order #810753).

BLM: Final—Southern Rio Grande Grazing Management Plan, New Mexico (EIS Order #810784).

BLM: Final—Paradise-Denio Livestock Grazing Management Program, Humboldt and Pershing Counties, Nevada (EIS Order #810757).

BLM: Final—Sonoma-Gerlach Livestock Grazing Management Plan, Nevada (EIS Order #810757).

BR: Draft—Anderson Ranch Powerplant, Unit 3, Elmore County, Idaho; the review period for this EIS has been extended until December 16, 1981 (EIS Order #810768).

BR: Draft—Minidoka Powerplant, Rehabilitation and Enlargement, Minidoka County, Idaho; the review period for this EIS has been extended until December 17, 1981 (EIS Order #810777).

GS: Draft—Smokey Canyon Phosphate Mine, Caribou County, Idaho (EIS Order #810770).

NPS: Draft—US 101 Bypass, Redwood National Forest, Humboldt and Del Norte Counties, California (EIS Order #810779).

[FR Doc. 81-28000 Filed 9-24-81; 8:45 am]

BILLING CODE 6560-37-M

[ER-FRL-1943-1]

Comments on Environmental Impact Statements and Other Actions Impacting the Environment; Availability of Report

AGENCY: Office of Federal Activities (A-104), Environmental Protection Agency.

PURPOSE: Pursuant to the requirements of section 102(2)(c) of the National Environmental Policy Act of 1969, and section 309 of the Clean Air Act, as amended, the Environmental Protection Agency (EPA) has reviewed and commented in writing on Federal agency actions impacting the environment.

SUMMARY OF NOTICE: A report which identifies EPA's comments on EIS's and other actions impacting the environment which were released during August 1981 has been prepared and is available upon request. To obtain a copy of this report you should contact: Ms. Kathi L. Wilson, Office of Federal Activities (A-104), U.S. Environmental Protection Agency, Washington, D.C. 20460.

CONTENTS OF REPORT: The report contains the type and title of the document reviewed by EPA, the agency responsible for preparing the document, the EPA review control number, the classification of the nature of EPA's comments for draft EIS's and a summary of the EPA's comments is given for final EIS's and other actions.

William N. Hedeman, Jr.,

Director, Office of Federal Activities.

September 22, 1981.

[FR Doc. 81-28001 Filed 9-24-81; 8:45 am]

BILLING CODE 6560-37-M

[EN-FRL-1942-8]

Extension of Time To Consider Application for a Fuel Waiver

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: This notice extends, by 10 days, the time for the Administrator to act on an application for a fuel waiver submitted by Anafuel Unlimited.

FOR FURTHER INFORMATION CONTACT: Thomas E. Moore, Attorney-Advisor, Field Operations and Support Division (EN-397), Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460. Telephone number (202) 382-2664.

SUPPLEMENTARY INFORMATION: On February 20, 1981, EPA received from Anafuel Unlimited (Anafuel) an application for waiver of the prohibitions in section 211(f)(1) of the Clean Air Act (Act), 42 U.S.C. § 7545(f)(1), for "Petrocoal," a fuel consisting of unleaded gasoline, up to 12 percent (by volume) methanol, and other substances. *See* 46 FR 21695 (April 13, 1981). Under section 211(f)(4) of the Act, the 180-day period for the Administrator to grant or deny the waiver would have expired on August 19, 1981. That period was extended by 30 days, with agreement from Anafuel and EPA, to provide the Office of Management and Budget additional time to review EPA's proposed action under Executive Order 12291. *See* 46 FR 43082 (August 26, 1981).

Anafuel and EPA have agreed to extend the time period by an additional 10 days, until September 28, 1981. Anafuel's letter addressing the extension has been placed in the public docket for the application. The docket, EN-81-8, is located at the Central Docket Section (A-130) of the Environmental Protection Agency, Gallery I—West Tower, 401 M Street SW., Washington, D.C. 20460, and is available for inspection between the hours of 8:00 a.m. and 4:00 p.m. As provided in 40 CFR Part 2, a reasonable fee may be charged for copying services.

Dated: September 18, 1981.

Anne M. Gorsuch,

Administrator.

[FR Doc. 81-27894 Filed 9-24-81; 8:45 am]

BILLING CODE 6560-33-M

FEDERAL COMMUNICATIONS COMMISSION

Alaska Broadcasters Association; Briefing

September 21, 1981.

The Federal Communications Commission will hear a 90-minute briefing presented by the Alaska Broadcasters Association at 10:00 a.m., Monday, September 28, in Room 856, at 1919 M Street, NW., Washington, D.C.

The briefing will be repeated at 2:00 p.m. in the same location for the benefit of the Commission's Bureau and Office Staffs. Both the 10:00 a.m. and the 2:00 p.m. briefing are open to the public.

Subjects to be included in the briefing are:

1. Introduction to Alaska Broadcasters Association—A. G. Hiebert
2. Video tape presentation of "This Is Alaska"—Patty Harpel
3. Small Market/Rural Radio in Alaska—Tom Busch
4. Large Market/Urban Radio in Alaska—Gene Henderson
5. Alaska's Public Radio & Television—Charles Northrip
6. Military Broadcasting to Remote Arctic Sites—Bill Whipple
7. Alaska's Television Industry—Al Bramstedt, Jr.
8. Tape-Delayed Network vs. Live Cable TV Programming—Ron Moore
9. Arctic Broadcast Engineering—Unique Challenges—Henry Hove
10. Alaska's Population & Economic Profile—Duane Triplett
11. ABA and the EEO, Fairness Doctrine and the Environment—Roy Robinson
12. Questions and Answers—Patty Harpel

Issued: September 21, 1981.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 81-27901 Filed 9-24-81; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL MARITIME COMMISSION

[Agreements Nos. T-3800-B and T-3990]

Availability of Findings of No Significant Impact

Upon completion of environmental assessments, the Federal Maritime Commission's Office of Energy and Environmental Impact has determined that the Commission's decision on the proposed actions listed below will not constitute major Federal actions significantly affecting the quality of the human environment within the meaning of the National Environmental Policy

Act of 1969, 42 U.S.C. 4321 *et seq.*, and that preparation of environmental impact statements is not required.

Agreement No. T–3800–B is a terminal agreement betrween the City of Long Beach (Long Beach) and California United Terminals (CUT), which involves the rental, use and operation of two container cranes at the Port of Long Beach.

Agreement No. T–3990 is between the Port Everglades Authority (PEA) and Sea-Land Service, Inc. (Sea-Land). Under the terms of the agreement PEA will lease to Sea-Land an area of some 5.85 acres of vacant property in the City of Hollywood, Florida for cargo handling purposes.

The Findings of No Significant Impact (FONSI) will become final within 10 days of publication of this Notice in the Federal Register unless petitions for review are filed pursuant to 46 CFR 547.6(b).

The FONSI and related environmental assessments are available for inspection on request from the Office of the Secretary, Room 11101, Federal Maritime Commission, Washington, D.C. 20573, telephone (202) 523–5725.

Francis C. Hurney,

Secretary.

[FR Doc. 81–27923 Filed 9–24–81; 8:45 am]

BILLING CODE 6730–01–M

FEDERAL RESERVE SYSTEM

American National Corp.; Formation of Bank Holding Company

American National Corporation, Chicago, Illinois [a wholly-owned inactive subsidiary of Walter E. Heller International Corporation, Chicago, Illinois), has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 per cent of the voting shares, less directors' qualifying shares, of American National Bank and Trust Company of Chicago, Chicago, Illinois. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than October 15, 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, September 21, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81–27843 Filed 9–24–81; 8:45 am]

BILLING CODE 6210–01–M

Bourbon Bancshares, Inc.; Formation of Bank Holding Company

Bourbon Bancshares, Inc., Paris, Kentucky, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 per cent of the voting shares, of Bourbon Agricultural Bank and Trust Company, Paris, Kentucky. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Cleveland. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than October 21, 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, September 21, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81–27844 Filed 9–24–81; 8:45 am]

BILLING CODE 6210–01–M

Executive Banking Corp.; Formation of Bank Holding Company

Executive Banking Corporation, Miami, Florida, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 percent of the voting shares of Jefferson National Bank at Kendall, Miami, Florida. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received no later than October 21, 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, September 21, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81–27845 Filed 9–24–81; 8:45 am]

BILLING CODE 6210–01–M

First City Bancorporation of Texas, Inc.; Acquisition of Bank

First City Bancorporation of Texas, Inc., Houston, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares, less directors' qualifying shares, of Forest Hill State Bank, Fort Worth, Texas, a wholly-owned subsidiary of Forest Hill Bancshares. In addition, Applicant has applied pursuant to section 3(a)(5) of the Bank Holding Company Act (12 U.S.C. 1842(a)(5)) to merge Forest Hill Bancshares with its existing subsidiary, First Security National Corporation. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than October 21, 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, September 21, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81–27846 Filed 9–24–81; 8:45 am]

BILLING CODE 6210–01–M

First Etowah Bancorp Inc.; Formation of Bank Holding Company

First Etowah Bancorp Inc., Glencoe, Alabama, has applied for the Board's approval under section 3(a)(1) of the

Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 percent of the voting shares of the First Citizens Bank of Etowah, Glencoe, Alabama. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than October 21, 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, September 21, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-27847 Filed 9-24-81; 8:45 am]

BILLING CODE 6210-01-M

International Bancshares Corp.; Acquisition of Bank

International Bancshares Corporation, Laredo, Texas, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares, less directors' qualifying shares, of Commerce Bank, N.A., Laredo, Texas, a proposed new bank. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than October 21, 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, September 21, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-27848 Filed 9-24-81; 8:45 am]

BILLING CODE 6210-01-M

Merchants Capital Corp.; Formation of Bank Holding Company

Merchants Capital Corporation, Vicksburg, Mississippi, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 percent of the voting shares of Merchants National Bank at Vicksburg, Mississippi. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than October 21, 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, September 21, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-27849 Filed 9-24-81; 8:45 am]

BILLING CODE 6210-01-M

Peoples National Corporation, Inc.; Formation of Bank Holding Company

Peoples National Corporation, Inc., Columbus Junction, Iowa, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 80 per cent or more of the voting shares of Peoples National Bank of Columbus Junction, Columbus Junction, Iowa. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than October 21, 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, September 21, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-27850 Filed 9-24-81; 8:45 am]

BILLING CODE 6210-01-M

Rio Grande Bancorp, Inc., Formation of Bank Holding Company

Rio Grande Bancorp, Inc., Del Norte, Colorado, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 percent of the voting shares of Rio Grande County Bank, Del Norte, Colorado. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received no later than October 21, 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, September 21, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-27851 Filed 9-24-81; 8:45 am]

BILLING CODE 6210-01-M

Texas Commerce Bancshares, Inc., Acquisition of Bank

Texas Commerce Bancshares, Inc., Houston, Texas, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares, less directors' qualifying shares, of The Stone Fort National Bank of Nacogdoches, Nacogdoches, Texas. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received no later than October 21, 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, September 21, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-27852 Filed 9-24-81; 8:45 am]

BILLING CODE 6210-01-M

United National Bancorporation; Formation of Bank Holding Company

United National Bancorporation, Huntingdon, Pennsylvania, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 percent of the voting shares of Union National Bank and Trust Company of Huntingdon, Huntingdon, Pennsylvania. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Philadelphia. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than October 21, 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, September 21, 1981.

D. Michael Manies,

Assistant Secretary of the Board.

[FR Doc. 81-27853 Filed 9-24-81; 8:45 am]

BILLING CODE 6210-01-M

FEDERAL TRADE COMMISSION

Early Termination of the Waiting Period of the Premerger Notification Rules; Wendy's International, Inc.

AGENCY: Federal Trade Commission.

ACTION: Granting of request for early termination of the waiting period of the premerger notification rules.

SUMMARY: Wendy's International, Inc. is granted early termination of the waiting period provided by law and the premerger notification rules with respect to the proposed acquisition of all voting securities of Interpoint Corp. The grant was made by the Federal Trade Commission and the Assistant Attorney General in charge of the Antitrust Division of the Department of Justice in response to a request for early termination submitted by Interpoint. Neither agency intends to take any action with respect to this acquisition during the waiting period.

EFFECTIVE DATE: September 11, 1981.

FOR FURTHER INFORMATION CONTACT: Roberta Baruch, Senior Attorney, Premerger Notification Office, Bureau of Competition, Room 301, Federal Trade Commission, Washington, D.C. 20580, (202) 523-3894.

SUPPLEMENTARY INFORMATION: Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Commission and Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register.**

By direction of the Commission.

Carol M. Thomas,

Secretary.

[FR Doc. 81-27820 Filed 9-24-81; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 81F-0244]

Ciba-Geigy Corp.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces that Ciba-Geigy Corp. has filed a petition proposing that the food additive regulations be amended to provide for the safe use of calcium bis[monoethyl(3,5-di-*tert*-butyl-4-hydroxybenzyl) phosphonate] as an antioxidant and stabilizer for olefin polymers complying with 21 CFR 177.1520(c).

FOR FURTHER INFORMATION CONTACT: Garnett R. Higginbotham, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 1B3571) has been filed by Ciba-Geigy Corp., Ardsley, NY 10502, proposing that 21 CFR 178.2010(b) of the food additive regulations be amended to provide for the safe use of calcium bis[monoethyl(3,5-di-*tert*-butyl-4-hydroxybenzyl)]phosphonate] as an antioxidant and stabilizer for olefin polymers complying with 21 CFR 177.1520(c).

The agency has carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment and that an environmental impact statement is not required. The agency's finding of no significant impact and the environmental assessment may be seen in the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857, between 9 a.m. and 4 p.m., Monday through Friday.

Dated: September 14, 1981.

Sanford A. Miller,

Director, Bureau of Foods.

[FR Doc. 81-27584 Filed 9-24-81; 8:45 am]

BILLING CODE 4110-03-M

[Docket No. 81F-0261]

Protein Corp. of America; Withdrawal of Petition for Food Additive

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces the withdrawal without prejudice of the petition proposing the safe use of modified cottonseed products in food.

FOR FURTHER INFORMATION CONTACT: Garnett R. Higginbotham, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5690.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786 (21 U.S.C. 348(b))), the following notice is issued:

In accordance with § 171.1 *Petitions* (21 CFR 171.1), FDA has withdrawn the petition (FAP 3A2822) filed by Protein Corp. of America, formerly located at 1901 Ave. of the Stars, Century City, CA 90067. The notice of filing, published in the Federal Register of September 12, 1972 (37 FR 18483), proposed that the food additive regulations be amended to provide for the safe use of modified cottonseed products in food.

The petitioner was notified in a letter of May 15, 1973, that consideration of the petitioned use of modified cottonseed products would require the submission and evaluation of specific additional data to support such use. Subsequent attempts to contract the petitioner were unsuccessful. Because the required information has not been submitted, the petition is now considered by the agency to be withdrawn without prejudice in accordance with § 171.1(j) (21 CFR 171.1(j)) which requires that such requested information be submitted within 180 days after filing of the petition or it will be considered withdrawn without prejudice. Future consideration of the use of modified cottonseed products in food will require the submission of a new food additive petition.

Dated: September 15, 1981.

Sanford A. Miller,

Director, Bureau of Foods.

[FR Doc. 81-27563 Filed 9-24-81; 8:45 am]

BILLING CODE 4110-03-M

Consumer Participation; Notice of Open Meeting

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) announces a forthcoming consumer exchange meeting to be chaired by the Commissioner of Food and Drugs.

DATE: The meeting will be held at 10 a.m., Monday, October 5, 1981.

ADDRESS: The meeting will be held at the Hubert H. Humphrey Bldg. Auditorium, 200 Independence Ave., SW., Washington, DC 20201.

FOR FURTHER INFORMATION CONTACT: Alexander Grant, Associate Commissioner for Consumer Affairs (HFE-1), Food and Drug Administration, 5600 Fishers Lane, Rm. 16-85, Rockville, MD 20857, 301-443-5006.

SUPPLEMENTARY INFORMATION: The purpose of this meeting is to exchange information between FDA officials and consumer representatives, by providing an opportunity for consumer representatives to present their views directly to the Commissioner and to the top managers of FDA, by seeking solutions to any problems agreed on during this communication, and by giving the agency an opportunity to discuss and communicate vital health and policy issues to the concerned public. Proposed discussion at the meeting will focus on the Food Safety Amendments of 1981.

Dated: September 18, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-27724 Filed 9-24-81; 8:45 am]

BILLING CODE 4110-03-M

[FDA 225-81-4001]

Telecommunications Equipment; Memorandum of Understanding With the Mississippi State Board of Health

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration has executed a memorandum of understanding with the Mississippi State Board of Health. The purpose of the memorandum is to establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented ARS telecommunications equipment located at 880 Lakeland Dr., Jackson, MS 39216.

DATE: The memorandum of understanding became effective August 3, 1981.

FOR FURTHER INFORMATION CONTACT: Walter J. Kustka, Interagency and Industry Affairs Staff (HFC-50), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-1583.

SUPPLEMENTARY INFORMATION: FDA's policy is to publish in the **Federal Register** all agreements and memoranda of understanding between FDA and others (21 CFR 20.108(c)). Therefore, the agency is publishing the following memorandum of understanding:

Memorandum of Understanding Between the Mississippi State Board of Health and the Food and Drug Administration

I. Purpose

The purpose of this Memorandum of Understanding (MOU) is to establish the procedures and guidelines for the operation, maintenance, and protection of FDA-rented ARS telecommunications equipment located at 880 Lakeland Dr., Jackson, MS 39216.

II. Background

The Food and Drug Administration (FDA) has installed telecommunication transmission and receiving terminals at State agencies that regulate foods and drugs. These terminals are generally placed at the agency that has the primary responsibility for regulating foods and drugs in that State. However, there may be a number of other agencies in each State that also have regulatory responsibilities in this area. The Mississippi State Board of Health (MSBH), as the agency receiving the terminal, agrees to share the use of the terminal with other agencies in Mississippi having responsibilities for the regulation of foods and drugs.

In addition to terminal-sharing, the two agencies must assure proper security, proper operation, and necessary support for the equipment.

III. Substance of the Agreement

A. The Food and Drug Administration agrees:

1. To pay the cost of initial installation of the equipment and the relocation installation costs if the relocation is in conjunction with a move of MSBH to a new address.

2. To pay the monthly rental cost directly to GSA and Western Union.

3. To identify for MSBH those agencies in Mississippi which must be included in the terminal-sharing plan.

4. To make arrangements with Western Union for the training of terminal operators.

5. To provide an Operators' Instruction Manual.

B. The Mississippi State Board of Health agrees:

1. To provide a suitable physical location with adequate security for the equipment.

2. To provide and pay for electric power to operate the terminal (110 volts).

3. To pay for any relocation costs, except those in conjunction with a move of the MSBH to a new address.

4. To provide paper, tape, and other material necessary for the operation of the equipment.

5. To develop with other agencies in Mississippi a terminal-sharing plan that is acceptable to FDA.

6. To share the terminal with other food and drug agencies in the State according to a terminal-sharing plan agreed to by each potential user.

7. To submit a monthly traffic log to the FDA Regional Office (form to be furnished by FDA).

8. To forward promptly all messages received for the otheragencies on the terminal-sharing plan. To transmit promptly messages to FDA received from the agencies on the terminal-sharing plan.

9. To maintain operator coverage for the terminal during the normal working hours of MSBH.

10. To notify vendor (Western Union) of any breakdown of the equipment or other need for maintenance.

11. To notify FDA (Region IV or Headquarters) of periods that the equipment is out-of-service.

12. To use the system only for communication between MSBH and FDA (Regional, District, or Headquarters Offices).

IV. Name and Address of Participating Agencies

Mississippi State Board of Health, 880 Lakeland Dr., Jackson, MS 39216.

Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857.

V. Liaison Officers

For Mississippi State Board of Health

Director, Division of Food and General Sanitation, (currently Paul M. Mankin), 880 Lakeland Dr., Jackson, MS 39216, 601-982-6290.

For Food and Drug Administration

Director, Nashville District Office, (currently Hayward E. Mayfield), 297 Plus Park Blvd., Nashville, TN 37217, 615–251–5851.

VI. Period of Agreement

This agreement, when accepted by both parties, will be effective until terminated. It may be terminated by either party upon a 30-day advance written notice to the other.

Approved and accepted for the Mississippi State Board of Health.

Paul M. Rankin,

Director, Food, Vector Control and General Sanitation Branch.

Date: July 24, 1981.

Approved and accepted for Food and Drug Administration.

M. D. Kinslow,

Regional Food and Drug Director.

Date: August 3, 1981.

Effective date. this memorandum of understanding became effective August 3, 1981.

Dated: September 18, 1981.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 81-27723 Filed 9-24-81; 8:45 am]

BILLING CODE 4110-03-M

Health Services Administration

Filing of Annual Report of Interagency Committee on Emergency Medical Service

Notice is hereby given that pursuant to section 13 of Public Law 92–463, the Annual Report for the following Health Services Administration Federal Advisory Committee has been filed with the Library of Congress:

Interagency Committee on Emergency Medical Services

Copies are available to the public for inspection at the Library of Congress, Newspaper and Current Periodical Reading Room, Room 1026, Thomas Jefferson Building, Second Street and Independence Avenue, S.E., Washington, D.C., or weekdays between 9:00 a.m. and 4:30 p.m. at the Department of Health and Human Services, Department Library, North Building, Room 1436, 330 Independence Avenue, S.W., Washington, D.C. 20201. Telephone (202) 245–6791.

Dated: September 17, 1981.

William H. Aspden, Jr.,

Associate Administrator for Management.

[FR Doc. 81-27829 Filed 9-24-81; 8:45 am]

BILLING CODE 4110-84-M

National Institutes of Health

Biomedical Library Review Committee and the Subcommittee for the Review of Medical Library Resource Improvement Grant Applications; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Biomedical Library Review Committee on November 9–10, 1981, convening each day at 8:30 a.m. in the Board Room of the National Library of Medicine, 8600 Rockville Pike, Bethesda, Maryland, to adjournment on November 10, and the meeting of the Subcommittee for the Review of Medical Library Resource Improvement Grant Applications on November 11 from 9:00 a.m. to approximately 12:00 noon also in the Board Room.

The meeting on November 9 will be open to the public from 8:30 to 11:00 a.m. for the discussion of administrative reports and program developments. Attendance by the public will be limited to space available.

In accordance with provisions set forth in Section 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code, and Section 10(d) of Pub. L. 92–463, the regular meeting and the subcommittee meeting will be closed to the public for the review, discussion, and evaluation of individual grant applications, as follows: November 9 from 11:00 a.m. to 5:00 p.m., November 10 from 8:30 a.m. to adjournment; and November 11 for the subcommittee meeting from 9:00 a.m. to 12:00 noon. These applications and the discussion could reveal confidential trade secrets or commerical property, such as patentable materials, and personal information concerning individuals associated with applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Roger W. Dahlen, Executive Secretary of the Committee, and Chief, Division of Biomedical Information Support, Extramural Programs, National Library of Medicine, 8600 Rockville Pike, Bethesda, Maryland 20209, telephone number: 301–496–4191, will provide summaries of the meeting, rosters of the committee members, and other information pertaining to the meeting.

Dated: September 17, 1981.

Thomas E. Malone,

Acting Director, National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.879—Medical Library Assistance, National Institutes of Health)

Note.—NIH programs are not covered by OMB Circular A–95 because they fit the description of "programs not considered appropriate" in section 8(b) (4) and (5) of that Circular.

[FR Doc. 81-27838 Filed 9-24-81; 8:45 am]

BILLING CODE 4110-08-M

General Research Support Review Committee; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the General Research Support Review Committee, Division of Research Resources, November 12–13, 1981 at the National Institutes of Health. The meeting will be held in Conference Room 4, Building 31A, 9000 Rockville Pike, Bethesda, Maryland 20205.

This meeting will be open to the public from 9:00 a.m. to approximately 1:30 p.m. on November 12, 1981, to discuss policy matters relating to the Minority Biomedical Support Program. Attendance by the public will be limited to space available.

In accordance with provisions set forth in Sections 552b(c)(4) and 552b(c)(6), title 5, U.S. Code and Section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on November 12, 1981, from approximately 1:30 p.m. to 5:00 p.m. and on November 13 from 8:30 a.m. to adjournment for the review, discussion and evaluation of individual grant applications submitted to the Minority Biomedical Support Program. These applications and discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. James Augustine, Information Officer, Division of Research Resources, National Institutes of Health, Building 31, Room 5B13, Bethesda, Maryland 20205, telephone (301) 496–5545, will provide summaries of meeting and rosters of committee members. Dr. Sidney A. McNairy, Executive Secretary of the General Research Support Review Committee, Building 31, Room 5B29, Bethesda, Maryland 20205, telephone (301) 496–6743 will furnish substantive program information.

Dated: September 17, 1981.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

(Catalog of Federal domestic Assistance Programs No. 13,375, Minority Biomedical Support Program, National Institutes of Health)

Note.—HIH programs are not covered by OMB Circular A–95 because they fit the description of "programs not considered

appropriate" in section 8(b) (4) and (5) of that Circular.

[FR Doc. 81-27637 Filed 9-24-81; 8:45 am]

BILLING CODE 4110-08-M

Minority Access to Research Careers Review Committee; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Minority Access to Research Careers Review Committee, National Institute of General Medical Sciencies, National Institutes of Health, Building 31-C, Conference Room 9, on November 9-10, 1981, 9:00 a.m.

This meeting will be open to the public on November 9, 9:00 a.m. to 10:30 a.m. The meeting will consist of opening remarks and discussion of procedural matters. Attendance by the public will be limited to space available.

In accordance with provisions set forth in Section 552b(c)(6), Title 5, U.S. Code and Section 10(d) of Pub. L. 92-462, the meeting will be closed to the public for approximately the last six hours of the day on November 9, and until adjournment on November 10. It is estimated that this will occur from 10:30 a.m. to 5:00 p.m., on Nov. 9, and on Nov. 10 from 9:00 a.m. until adjournment, for the review, discussion, and evaluation of institutional and individual grant applications. These applications and the discussions could reveal personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of person privacy.

Ms. Ellen Casselberry, Public Information Officer, NIGMS, Westwood Building, Room 9A-10, 5333 Westbard Avenue, Bethesda, Maryland 20205, telephone (301) 496-7301, will furnish summary minutes of the meeting and a roster of committee members.

Substantive program information may be obtained from Harriet L. Gordon, M.D., Executive Secretary, Westwood Building, Room 949, Bethesda, Maryland 20205, telephone (301) 496-7585.

(Catalog of Federal Domestic Assistance Program 13.880, Minority Access to Research Careers (MARC), National Institutes of Health, Department of Health and Human Services)

Note.—NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in section 8(b) (4) and (5) of that Circular.

Dated: September 17, 1981.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 81-27640 Filed 9-24-81; 8:45 am]

BILLING CODE 4110-08-M

National Advisory Research Resources Council; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Advisory Research Resources Council, Division of Research Resources (DRR), October 15-16, 1981, Conference Room 4, Bldg. 31, National Institutes of Health, 9000 Rockville Pike, Bethesda, MD 20205.

The meeting will convene on October 15, 1981, at 9:00 a.m. in open session for the regular conduct of Council business, a report by the Acting Director, DRR; staff reports by the Directors of the Animal Resources, Biotechnology Resources, Biomedical Research Support, General Clinical Research Centers, and Minority Biomedical Support Programs; reports on the Research Resources Coordinating Committee; Models for Biomedical Research, and a review of the plan for the Shared Instrumentation Program by members of the DRR staff; a talk on the National Science Foundation Instrumentation Activities by Dr. William F. Raub, Associate Director for Extramural Research and Training, Office of the Director, NIH; and a budget report by the Executive Officer, DRR. The meeting will continue from approximately 1:00 p.m. to 3:00 p.m. as follows: Animal Resources Program Work Group, Rm. 2A52; Biotechnology Resources Program Work Group, Rm. 7A24; Biomedical Research Support Program Work Group, Rm. 8A28; General Clinical Research Centers Program Work Group, Rm. 9A51; and Minority Biomedical Support Program Work Group, Conference Rm. 4. The meeting will reconvene in open session on Friday, October 16, in Conference Room 4, at 8:30 a.m. until approximately 10:30 a.m. for Program Work Group reports and recommendations to the Council for discussion and action. Attendance by the public will be limited to space available.

In accordance with provisions set forth in Sections 552b(c)(4) and 552b(c)(6) Title 5, U.S. Code and Section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on October 15 from approximately 3:00 p.m. to recess, and on October 16 from approximately 10:30 a.m. to adjournment for the review, discussion, and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. James Augustine, Information Officer, Division of Research Resources, Rm. 5B13, Bldg. 31, National Institutes of Health, Bethesda, MD 20205, (301) 496-5545, will provide summaries of the meeting and rosters of the Council members. Dr. James F. O'Donnell, Acting Director, Division of Research Resources, Rm. 5D03, Bldg. 31, National Institutes of Health, Bethesda, MD 20205, (301) 496-6023, will furnish substantive program information and will receive any comments pertaining to this announcement.

Dated: September 17, 1981.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

(Catalog of Federal Domestic Assistance Program Nos. 13.306, Laboratory Animal Sciences and Primate Research; 13.333, Clinical Research; 13.337, Biomedical Research Support; 13.371, Biotechnology Resources; 13.375, Minority Biomedical Support; National Institutes of Health)

Note.—NIH programs are not covered by OMB Circular A-95 because they fit the description of "programs not considered appropriate" in Section 8(b) (4) and (5) of that Circular.

[FR Doc. 81-27639 Filed 9-24-81; 8:45 am]

BILLING CODE 4110-08-M

Public Health Service

National Toxicology Program; NTP Releases Cancer Bioassay Reports on Cytembena, Di(2-ethylhexyl)adipate, and Caprolactam

The National Toxicology Program (NTP) of the Department of Health and Human Services today announced the availability of Technical Reports of cancer bioassays of Cytembena, a drug; Di(2-ethylhexyl)adipate, a plasticizer; and Caprolactam, a chemical used to make synthetic fibers.

Di(2-ethylhexyl)adipate, a chemical widely used in plastic production, caused cancer in mice but was non-carcinogenic for rats in a 103 week feeding study. The chemical caused hepatocellular adenomas in male mice and hepatocellular carcinomas in females.

Cytembena, once considered a promising anti-cancer drug until proven unsuccessful in clinical trials, caused mesotheliomas in male rats and

mammary tumors in the females. Cytembena did not cause cancer in mice in a 104 week feeding study.

Caprolactam, a chemical used in manufacturing nylon and other synthetic fibers, was non-carcinogenic in a 103 week feeding study.

These carcinogenesis bioassays were conducted by the NTP's National Cancer Institute component. These tests screen chemicals for cancer-causing activity in animals. A positive result demonstrates that a test chemical is carcinogenic for animals under the conditions of the test and indicates that exposure to the chemical may pose a potential risk to humans. However, these tests cannot be used to predict the frequency at which cancers may be produced in human populations under actual exposure conditions.

Copies of these reports—*Bioassays of Cytembena for Possible Carcinogenicity* (T.R. 207), *Bioassays of Di(2-ethylhexyl)Adipate for Possible Carcinogenicity* (T.R. 212) and *Bioassays of Caprolactam for Possible Carcinogenicity* (T.R. 214) are available by writing to the Public Information Office, National Toxicology Program, MD B2-04, Box 12233, Research Triangle Park, N.C. 27709. Telephone: (919) 541-3991, FTS 629-3991.

Dated: September 21, 1981.

David P. Rall,

Director, National Toxicology Program.

[FR Doc. 81-27841 Filed 9-24-81; 8:45 am]

BILLING CODE 4110-08-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Louisiana; Application of Transcontinental Gas Pipe Line Corp.

Notice is hereby given that under Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185) as amended by the Pub. L. 93-153, Transcontinental Gas Pipe Line Corporation, has applied for a 36" natural gas pipeline right-of-way that will cross the following lands:

T. 13 S., R. 13 W.,
Secs. 4, 9, 21, 28 and 33.
T. 14 S., R. 13 W.,
Secs. 4, 9 and 17.

The pipeline will convey natural gas across 7.936 miles of the Sabine 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 within thirty (30) days and send their name and address to the Regional Director, U.S. Fish and Wildlife Service, 75 Spring Street, S.W., Atlanta, Georgia 30303.

Phillip S. Morgan,

Acting Regional Director.

September 10, 1981.

[FR Doc. 81-27834 Filed 9-24-81; 8:45 am]

BILLING CODE 4310-55-M

Bureau of Land Management

[Serial No. A 17000-F (Partial)]

Arizona; Classification of Public Lands for State Indemnity Selection

In **Federal Register** Document 81-24301 appearing on page 42356 of the issue for August 20, 1981, the following change should be made for application A 17000-F (partial):

Under *T. 14 S., R. 12 E., Section 35:* Lots 1, 2, N½NW¼, SW¼NW¼, NW¼SE¼NW¼, SW¼SE¼NW¼, W½SW¼ should be Lots 1, 2, N½NW¼, SW¼NW¼, NW¼SE¼NW¼, SW¼SE¼NW¼, N½SW¼.

Dated: September 17, 1981.

W. K. Barker,

Acting State Director.

[FR Doc. 81-27833 Filed 9-24-81; 8:45 am]

BILLING CODE 4310-84-M

[1784.71]

Montana; Lewistown District Advisory Council; Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of meeting.

SUMMARY: The Lewistown District Advisory Council will meet October 21 and October 22, 1981. The agenda will be:

October 21

8:00 a.m.
Depart Ramada Inn; Field Tour of Central Billings Resource Area
12:00 p.m.
Return to Ramada Inn
1:00 p.m.
Discussion—Define Multiple Use in Context of Billings Resource Management Plan
5:00 p.m.
Recess

October 22

8:00 a.m.
BLM Minerals Program Briefing
10:00 a.m.
Lewistown District Wilderness Study Areas and Review of Public Input
12:00 p.m.
Adjournment.

Public comment will be sought at the end of each agenda item. Members of the public wishing to join the field tour should contact the District Manager by October 12, 1981.

DATES: October 21, 8:00 a.m. to 5:00 p.m.; October 22, 1981, 8:00 a.m. to 12:00 p.m.

ADDRESS: Ramada Inn, Mullowney Lane and Interstate 90, Billings, Montana.

FOR FURTHER INFORMATION CONTACT: Glenn W. Freeman, District Manager, Bureau of Land Management, Lewistown, Montana 59457.

SUPPLEMENTAL INFORMATION: The Lewistown District Advisory Council is authorized under Section 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1739). The Council advises the District Manager concerning the planning for and management of the public lands administered within the Lewistown District.

Dated: September 18, 1981.

Glenn W. Freeman,

District Manager.

[FR Doc. 81-27831 Filed 9-24-81; 8:45 am]

BILLING CODE 4310-84-M

[1784.72]

Montana; Lewistown District Grazing Advisory Board; Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of meeting.

SUMMARY: The Lewistown District Grazing Advisory Board will meet October 22 and October 23, 1981. The agenda will be:

October 22

1:00 p.m.
New Charter
1:15 p.m.
BLM's Proposed Rangeland Management Policy
5:00 p.m.
Recess

October 23

8:00 a.m.
BLM's Proposed Rangeland Management Policy
9:30 a.m.
Prairie Potholes EIS Briefing
10:00 a.m.
Fiscal Year 1982 Range Improvement Projects
12:00 p.m.
Adjournment

Opportunity for public comment will be provided throughout the meeting.

DATES: October 22, 1981, 1:00 p.m. to 5:00 p.m.; October 23, 1981 8:00 a.m. to 12:00 noon.

ADDRESS: Ramada Inn, Mullowney Lane and Interstate 90, Billings, Montana.

FOR FURTHER INFORMATION CONTACT: Glenn W. Freeman, District Manager, Bureau of Land Management, Airport Road, Lewistown, Montana 59457.

SUPPLEMENTARY INFORMATION: The Lewistown District Grazing Advisory Board is authorized under Section 403 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1753). The Board advises the District Manager concerning the Rangeland Management Program.

Dated: September 18, 1981.

Glenn W. Freeman,

District Manager.

[FR Doc. 81-27832 Filed 9-24-81; 8:45 am]

BILLING CODE 4310-84-M

[Nev-036338, N-16095]

Nevada; Proposed Withdrawal and Reservation of Lands for Military Purposes; Correction

September 18, 1981.

In the notice published as **Federal Register** Document 79-3447, page 6529 of the issue for February 1, 1979, the following items should be corrected to read as follows:

Page 6529, under **Mount Diablo Meridian**

Line 29 should read:

Tps. 2, 3, 4, 5, 6, and 7 S., R. 51 E., (unsurveyed)

Line 31 should read:

T. 8 S., R. 51 E., (unsurveyed)

Line 40 should read:

Secs. 7 to 12, inclusive, exclusive of those portions withdrawn by PLOs 805 and 2568.

The following land is a portion of the proposed withdrawal and is included in the EIS, but in error was not included in the February 1, 1979 publication:

T. 5 S., R. 44 E., (partly unsurveyed),
Secs. 1 and 2;
Secs. 10 to 16, inclusive;
Secs. 20 to 36, inclusive.
T. 6 S., R. 44 E., (unsurveyed).
T. 7 S., R. 44 E., (unsurveyed),
Secs. 1 to 5, inclusive;
Secs. 8 to 16, inclusive;
Secs. 22 to 26, inclusive;
Secs. 35 and 36.
T. 8 S., R. 44 E., (unsurveyed),
Sec. 1.
Tps. 5 to 7 S., R. 45 E., (unsurveyed).
T. 8 S., R. 45 E., (unsurveyed),
Secs. 1 to 18, inclusive;
Secs. 20 to 27, inclusive;
Secs. 35 and 36.
Tps. 5 to 8 S., R. 46 E., (unsurveyed).
T. 9 S., R. 46 E., (unsurveyed),
Secs. 1 to 6, inclusive;
Secs. 8 to 15, inclusive;
Secs. 23 and 24.
Tps. 5 to 8 S., R. 47 E., (unsurveyed).
T. 9 S., R. 47 E., (unsurveyed),
Secs. 1 to 30, inclusive;
Secs. 33 to 36, inclusive.
T. 10 S., R. 47 E.,
Secs. 1, 2, and 12.
Tps. 5 to 9 S., R. 48 E., (unsurveyed).
T. 10 S., R. 48 E., (unsurveyed),
Secs. 1 to 17, inclusive;
Secs. 21 to 26, inclusive;
Sec. 36.
T. 16 S., R. 54 E.,
1 to 3, N½, inclusive;
Sec. 4, NE¼.
T. 16 S., R. 55 E.,
Secs. 1 to 6, N½, inclusive.
T. 16 S., R. 55½ E.,
Secs. 1 and 2, N½.
T. 16 S., R. 56 E.,
Tract 42 C.

The total acreage of the proposed withdrawal remains approximately 2,945,725 acres.

The February 1, 1979 publication allowed 30 days for comments. An additional 60 days from the date of this publication (on or before November 24, 1981) is hereby provided for comments. All correspondence in connection with this withdrawal should be directed to the Bureau of Land Management, Chief, Division of Technical Services, P.O. Box 12000, Reno, Nevada 89520-0006.

Wm. J. Malencik,

Chief, Division of Technical Services.

[FR Doc. 81-27830 Filed 9-24-81; 8:45 am]

BILLING CODE 4310-60-M

Realty Action; Exchange; Public Lands; Crook County, Oregon

September 4, 1981.

The following 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:

Crook County, Oregon

Selected lands:	
T. 16 S., R. E., Willamette Meridan	
Section:	
4: Lot 4	19.57
8: N½NW¼, SW¼NW¼, SE¼NE¼, SE¼	320
10: All	640
32: N½NE¼, SW¼NE¼, NE¼SW¼, NW¼	320
34: E½E½	160
T. 17 S., R. 23 E., Willamette Meridan	
Section:	
10: N½, W½SW¼	400
12: N½, NE¼SW¼, SE¼, S½SW¼	600
14: All	640
22: SE¼SE¼	40
T. 17 S., R. 24 E., Willamette Meridan	
Section:	
2: All	639.20
6: NE¼, E½NW¼, E½SE¼	324.50
14: W½E½, NE¼NW¼	200
18: E½W½, E½	480
22: NE¼, NE¼SE¼, W½SE¼, W½	600
30: NE¼, E½NW¼, E½SE¼	320
T. 18 S., R. 23 E., Willamette Meridan	
Section:	
2: W½W½, NE¼NW¼	188.51
10: All	640
16: All	640

Crook County, Oregon—Continued

22: All	640
Total	7,811.78

In exchange for these lands the Federal Government will acquire tracts of non-Federal land in Crook County from Bar 71 Ranch, Inc., of Paulina, Oregon, described as follows:

Crook County, Oregon

Offered lands:	
T. 17 S., R. 22 E., Willamette Meridan	
Section:	
36: SE¼SE¼	40
T. 17 S., R. 23 E., Willamette Meridan	
Section:	
8: SE¼NW¼, W½SW¼, NE¼SW¼	160
15: All	640
16: All	640
17: All	640
19: All	640
21: All	640
T. 18 S., R. 23 E., Willamette Meridan	
Section:	
1: All	623.30
2: SW¼NE¼	40
7: SE¼NW¼, S½NE¼NW¼, NE¼NE¼NW¼	70
11: All	640
13: All	640
23: All	640
T. 18 S., R. 24 E., Willamette Meridan	
Section:	
16: W½SW¼	80
20: E½, E½SW¼, NW¼SW¼, E½NW¼	520
Total	6,653.30

The purpose of the exchange is to dispose of scattered tracts of Federal land not benefiting the United States in exchange for non-Federal lands which will solidify Federal ownership and will provide increased public access to these areas. The exchange is consistent with the Bureau's planning for the lands involved.

The value of the lands to be exchanged is 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.

Detailed information concerning the exchange is available for review at the Prineville District Office, 185 E. 4th Street, Prineville, Oregon 97754.

For a period of 30 days interested parties may submit comments to the District Manager, at the above address. Any adverse comments will be evaluated by the District Manager who will, if possible, resolve identified problems. A determination that is not acceptable by an interested party(s) may be protested to the State Director within 30-days of notice of such a determination. A State Director determination may be protected to the Secretary of the Interior, whose decision becomes the final determination of the Department and may affirm, vacate or

modify this realty action and issue a determination.

James L. Hancock,

Acting District Manager.

[FR Doc. 81-28914 Filed 9-24-81; 8:45 am]

BILLING CODE 4310-84-M

Arizona; Notice of Proposed Withdrawal

On September 3, 1981, a petition was approved allowing the Fish and Wildlife Service to withdraw the following described lands from the general public land laws including the mining laws but not the mineral leasing laws, subject to valid existing rights.

Gila and Salt River Meridian

T. 1 S., R. 23 W.,

Sec. 6, that portion of the W½SE¼SE¼ lying west of Cibola Road and south of a field road, containing approximately 4.92 acres in Yuma County.

The lands will be used for headquarters and public use facilities in conjunction with the Cibola National Wildlife Refuge.

For a period of 2 years from the date of publication of this notice in the **Federal Register**, the lands will be segregated from location and entry under the mining laws as specified above unless the application is denied or canceled, or the withdrawal is approved prior to that date.

The temporary segregation of the lands in connection with a withdrawal application or proposal shall not affect administrative jurisdiction over the lands, and the segregation shall not have the effect of authorizing any use of the lands by the Fish and Wildlife Service.

All communications in connection with this proposed withdrawal should be addressed to the State Director, Bureau of Land Management, 2400 Valley Bank Center, Phoenix, Arizona 85073.

Ronald L. Kuhlman,

Acting Deputy Director.

September 3, 1981.

[FR Doc. 81-27896 Filed 9-24-81; 8:45 am]

BILLING CODE 4310-84-M

Arizona, Safford District; Grazing Advisory Board; Meeting

Notice is hereby given in accordance with Pub. L. 92-463 that a meeting of the Safford District Grazing Advisory Board will be held on Friday, October 30, 1981.

The meeting will begin at 9:30 a.m. in the conference room of the Bureau of Land Management, 425 E. 4th Street, Safford, Arizona 85546-2092.

The agenda for the meeting will include:

1. Grazing decisions, protests and appeals;
2. Rangeland monitoring program;
3. Policy on distribution and use of range betterment funds;
4. Proposed rangeland management policy;
5. Supplemental and maintenance feeding policy;
6. Policy for maintenance of rangeland improvements;
7. List of allotment management plans (AMPs) proposed for fiscal year 1982;
8. List of range improvement projects for fiscal year 1982;
9. Discussion on the Savory grazing system;
10. New Advisory Board Charter;
11. Business from the floor.

The meeting will be open to the public. Interested persons may make oral statements to the Board between 10:30 a.m. and 11:30 a.m. A written copy of the oral statement must be provided at the conclusion of the presentation. Written statements may also be filed for the Board's consideration. Anyone wishing to make an oral statement must notify the District Manager, Bureau of Land Management, 425 E. 4th Street, Safford, Arizona 85546-2092, by 4:15 p.m., October 29, 1981.

Summary minutes of the Board meeting will be maintained in the District Office and be available for public inspection and reproduction (during regular business hours) within thirty (30) days following the meeting.

Dated: September 18, 1981.

Lester K. Rosenkrance,

District Manager.

[FR Doc. 81-27898 Filed 9-24-81; 8:45 am]

BILLING CODE 4310-84-M

Craig District, Little Snake Resource Area, Colorado; Amendment to Management Framework Plan

In accordance with 43 CFR 1601 and 40 CFR 1501, the Bureau of Land Management, Craig District, Colorado, is beginning the process of amending the Vermillion and Maybell-Great Divide Management Framework Plans. The purpose of this amendment is to consider the Cross Mountain Wilderness Study Area (WSA) for designation as wilderness or for other uses. Reasonable alternative uses will be assessed in an Environmental Impact Statement (EIS), and a recommendation will be made to Congress on the suitability or non-suitability of designating the area wilderness.

The Cross Mountain WSA is a 14,081 acre tract of public land in Moffat County, Colorado, within the Little Snake Resource Area. It lies approximately 15 miles west of Maybell, Colorado.

Issues and Planning Criteria

The significant issues anticipated for the plan amendment include the following: potential conflict with a hydro-electric dam and portions of an associated reservior that have been proposed for the canyon area as part of the Juniper-Cross Mountain Project; beneficial and adverse effects on other resources of designation or non-designation as wilderness; the manageability of the area for wilderness; supplemental wilderness values for the WSA as habitat for several threatened or endangered species, and as a proposed wild and scenic river designation.

The following planning criteria will be used in determining the wilderness suitability recommendation of the WSA. These critiera were developed based on the issues anticipated for the WSA, and will be used to evaluate the alternative land uses proposed in the plan amendment. These planning criteria are subject to change as a result of comments received from the public.

1. The area must be capable of being effectively managed to preserve its wilderness character in perpetuity.
2. The area's wilderness values and all other benefits deriving from wilderness designation must offset the benefits of all other resource values and uses which could be foregone due to wilderness designation.
3. Consideration will be given to all comments received from interested and affected publics at all levels.
4. Special attention will be given to any significant local or regional socio-economic effects that would result from wilderness designation.
5. Thorough consideraton will be given to any identified or potential energy and critical mineral resources capable of contributing to domestic needs for these resources, and the extent to which wilderness management would be in the public interest.
6. Full consideration will be given to the extent to which the recommendation is consistent with officially approved and adopted resource-related plans of state and local governments.
7. Consideration will be given to the extent to which other resource values or uses would be foregone or adversely affected by wilderness designation.
8. Consideration will be given to alternative uses of the land if the area is not designated wilderness, and the extent to which wilderness values of the

area would be foregone or adversely affected as a result of these uses.

9. Consideration will be given to how the following components contribute to the overall value of the area for wilderness purposes: size, naturalness, opportunities for solitude or primitive recreation, optional wilderness characteristics, and other multiple resource values or uses which wilderness designation could ensure.

10. Consideration will be given to the extent to which the area would contribute to expanding the diversity of the National Wilderness Preservation System.

Planning Team

The plan amendment and EIS will be prepared through the use of an interdisciplinary team with experience and knowledge in the following areas: lands, minerals, hydrology, soils, range, wildlife, recreation, cultural resources, visual resources, sociology, economics, vegetation and air quality.

Possible Alternatives

The following land use alternatives will be considered in the plan amendment and EIS:

1. Wilderness Designation.
2. No Action (No Wilderness).
3. Designation of Part of the WSA as Wilderness.
4. Full Development of Other Resource Uses in the WSA.
5. Expansion of the WSA.

Public Involvement

All concerned publics are invited to participate during the planning and Environmental Impact Statement process by attending public meetings and hearings. News releases and use of the Craig District Advisory Council will supplement direct contact with interested publics.

At this time, the public is invited to submit written comments on issues to be addressed or planning criteria to be used in evaluating for wilderness suitability. In addition, the public is invited to submit any specific resource data or information about resource values in the WSA that should be considered by BLM in evaluating wilderness suitability.

Public meetings will be held to identify additional issues to be addressed in the plan amendment, to obtain comment on the planning criteria to be used, and to determine the scope of the EIS. These meetings have been scheduled as follows:

October 22, 1981—Craig, Colorado; Moffat County Courthouse Auditorium, 221 W. Victory Way, 7:00 p.m.

October 20, 1981—Denver, Colorado; Ramada Inn Foothills, 11595 W. 6th Avenue, Lakewood, 7:00 p.m.

In addition to the comments received at these meetings, written comments may be submitted to the BLM contact identified below by November 1, 1981.

BLM Contact

Comments or requests for further information should be addressed to Duane Johnson, Team Leader, Little Snake Resource Area Office, P.O. Box 1136, Craig, Colorado 81626; or telephone (303) 824–4441.

Francis E. Noll,

Acting District Manager.

[FR Doc. 81-27897 Filed 9-24-81; 8:45 am]

BILLING CODE 4310-84-M

Bureau of Reclamation

Colorado River Basin Salinity Control Advisory Council; Notice of Public Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of a meeting of the Colorado River Basin Salinity Control Advisory Council at 2:00 p.m. on October 27, 1981, at the Stardust Hotel in Yuma, Arizona.

Purpose of Meeting: Council members will be briefed on the status of salinity control activities and receive input for drafting the council's annual report.

Proposed Agenda: The Bureau of Reclamation, Soil Conservation Service, and Bureau of Land Management will each present a progress report and schedule of activities on salinity control in the Colorado River Basin. The Council will discuss Colorado River Basin salinity control activities and the consent of their annual report.

Public Participation: The meeting of the Advisory Council is open to the public.

Any member of the public may file a written statement with the Council before, during, or after the meeting in person or by mail. To the extent that time permits, the Council chairman may allow public presentation of oral statements at the meeting.

All communications regarding this meeting including requests for time to make statements should be addressed to Mr. Michael J. Clinton, Chief, Colorado River Water Quality Office, Bureau of Reclamation, Engineering and Research Center, P.O. Box 25007, Denver, Colorado 80225.

Dated: September 21, 1981.

Clifford L. Barrett,

Assistant Commissioner of Reclamation.

[FR Doc. 81-27891 Filed 9-24-81; 8:45 am]

BILLING CODE 4310-09-M

Newlands and Washoe Projects; Notice of Intent To Initiate Formal Negotiations for Settlement of Water Rights Controversy in Truckee and Carson River Basins, California/Nevada

The Department of the Interior, through the Bureau of Reclamation, intends to initiate formal negotiations with the Truckee-Carson Irrigation District, Carson-Truckee Water Conservancy District, Sierra Pacific Power Company, Pyramid Lake Paiute Tribe, and the State of Nevada in an attempt to resolve, through a negotiated settlement, the longstanding water rights controversy in the Truckee and Carson River Basins, California/Nevada. All of the parties to be involved in the negotiations are currently involved in pending litigation over water use and management of the Truckee and Carson Rivers. Additional parties may become involved in the negotiations in the future.

The recent court decision in the case of *United States* v. *Truckee-Carson Irrigation District* has significantly changed the situation regarding the water supply of the Newlands Project and the water rights of the Pyramid Lake Paiute Tribe. The Federal objectives in the negotiated settlement are to: (1) resolve the numerous lawsuits involving use of water in the Truckee River, (2) develop revised operating criteria and procedures for the Newlands Project and the Pyramid Lake fishery, and (3) develop appropriate criteria for the operation of Stampede Reservoir, Washoe Project.

The initial negotiation meeting is scheduled for September 29, 1981. The location and time of that meeting have not been determined. This meeting will be open to the general public as observers. The Department will determine on a case by case basis whether future meetings will be open to the public. Advance notice of meetings will be provided to those who furnish a written request for such notification.

The public will be invited to submit written comments on the form of the proposed settlement not later than 30 days after the completed settlement draft is declared to be available to the public. Unless significant public interest is evidenced in response to this notice, the availability of the proposed settlement draft will not be formally publicized. The Commissioner of Reclamation will review comments submitted and based on the number, source, and nature of the comments will decide whether to hold a public hearing on the proposed settlement.

For further information on scheduled negotiating sessions and the proposed settlement, please contact Ray Nelson, Project Manager, Lahontan Basin Projects Office, Post Office Box 640, Carson city, Nevada 89701, telephone (702) 882-3436.

Dated: September 18, 1981.

Clifford L. Barrett,

Acting Commissioner, Bureau of, Reclamation.

[FR Doc. 81-27892 Filed 9-24-81; 8:45 am]

BILLING CODE 4310-09-M

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. 387 (Sub-49); ICC-BN-C-0002 Supp. 1]

Burlington Northern Railroad Co., Exemption for Contract Tariff

AGENCY: Interstate Commerce Commission.

ACTION: Notice of provisional exemption.

SUMMARY: Petitioner is granted a provisional exemption under 49 U.S.C. 10505 from the notice requirements of 49 U.S.C. 10713(e). Its contemporaneously filed contract tariff may become effective on one day's notice. This exemption may be revoked if protests are filed within 15 days of publication in the **Federal Register.**

FOR FURTHER INFORMATION CONTACT: Jane F. Mackall, (202) 275-7656.

SUPPLEMENTARY INFORMATION: Burlington Northern Railroad Company petitioned on September 9, 1981, for an exemption of Supplement 1, Contract ICC-BN-C-0002, scheduled to become effective October 7, 1981. The petition is granted.

Supplement 1 amends paragraph 6(b) of the contract, changing the conditions for refunds from "where BN provides direct delivery to carloading ramps in the State of Washington" to read "where BN does not absorb switching charges of connecting lines in the State of Washington." Burlington Northern states that the change is necessary in order for such shipments not requiring absorption of connecting lines switching by Burlington Northern to qualify for the refund under the minimum volume requirement.

There is no provision for waiving the section 10713(e) requirement that contracts must be filed to become effective on not less than 30 nor more than 60 days' notice. CF. former section 10762(d)(1). However, we may address the same relief under our section 10505 exemption authority and we do so here.

We believe that the circumstances justify an exemption. The contract amendment in no way affects national transportation policy. Further, the amendment is limited in scope, affecting only the shipper's ability to qualifying for the minimum volume requirement. In these circumstances, authorization of a provisional exemption is warranted. Burlington Northern's Supplement 1 to Contract Tariff ICC BN C-0002 may become effective on one day's notice.

We will apply the following conditions which have been imposed in similar exemption proceedings:

If the Commission permits the contract to become effective on one day's notice, this fact neither shall be construed to mean that this is a Commission approved contract for purposes of 49 U.S.C. 10713(g) nor shall it serve to deprive the Commission of justification to institute a proceeding on its own initiative or on complaint, to review this contract and to disapprove it.

Subject to compliance with these conditions, under 49 U.S.C. 10505(a) we find that the 30 day notice requirement in this instance is not needed to carry out the transportation policy of 49 U.S.C. 10101a and is not needed to protect shippers from abuse of market power. Further, we will consider revoking these exemptions under 49 U.S.C. 10105(c) if protests are filed within 15 days of publication in the **Federal Register.**

This action will not significantly affect the quality of the human environment or the conservation of energy resources.

Authority: 49 U.S.C. 10505.

Decided: September 21, 1981.

By the Commission, Division 1, Commissioners Clapp, Gresham and Taylor. Commissioner Taylor did not participate.

James H. Bayne,

Acting Secretary.

[FR Doc. 81-27930 Filed 9-24-81; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 30,000; Finance Docket No. 30,000 (Sub-43)]

Union Pacific Corp. & Union Pacific Railroad Co.—Control-Missouri Pacific Corp. and Missouri Pacific Railroad Co. and Chicago & North Western Transportation Co. and Missouri Pacific Railroad Co.—Pooling Agreement

AGENCY: Interstate Commerce Commission.

ACTION: Notice of filing of application and settlement agreement.

SUMMARY: Chicago and North Western Transportation Company (CNW) and Missouri Pacific Railroad Company (MPR) have filed an application under 49 U.S.C. 11342 for approval of a pooling agreement. A settlement agreement between CNW and Union Pacific Corporation, Pacific Rail System, Inc., Union Pacific Railroad Company, Missouri Pacific Corporation and MPR (UP-MP parties) has also been filed. The Commission refers the application and settlement agreement to the Office of Hearings for handling on a consolidated basis with Finance Docket No. 30,000, *Union Pacific Corporation and Union Pacific Railroad Company-Control-Missouri Pacific Corporation and Missouri Pacific Railroad Company (Control Case).* The Commission also refers to the Office of Hearings the petition of Kansas City Southern Railway Company (KCS) relating to this pooling agreement.

DATES: Interested parties may file comments on, or protests to, the pooling application and/or settlement agreement no later than 20 days after publication of this notice in the **Federal Register.**

FOR FURTHER INFORMATION CONTACT: Ernest B. Abbott, (202) 275-3002.

ADDRESSES: An original and 10 copies of all comments or protests should be filed with: Section of Finance, Room 5414, Interstate Commerce Commission, Washington, D.C. 20423

A copy of all comments or protests should be served on applicants' attorneys at the following addresses:

Louis T. Duerinck, Stuart F. Gassner, Chicago and North Western Transportation Company, 400 West Madison Street, Chicago, IL 60606;

Fritz, R. Kahn, William C. Evans, L. John Osborn Verner, Liipfert, Bernhard and McPherson, Suite 1100, 1660 'L' Street, NW., Washington, D.C. 20036;

Mark M. Hennelly, Joseph J. Gozzoli, Missouri Pacific Railroad Company, 210 North 13th Street, St. Louis, MO 63103; M. Lauck Walton, Donovan Leisure Newton & Irvine, 30 Rockefeller Plaza, New York, NY 10020.

SUPPLEMENTARY INFORMATION: On July 31, 1981, CNW and MPR filed an application under 49 U.S.C. 11342 for approval of a pooling agreement. The agreement relates to the pooling of transportation services between Omaha, NE/Council Bluffs, IA and Kansas City, MO. The agreement is part of a settlement ending CNW's opposition to the application in the *Control Case.*

We refer the pooling application and settlement agreement to Administrative Law Judge Paul Cross (Judge) for handling on a consolidated basis with the *Control Case.*

Comments and protests should set forth with particularity the party's

position on, and interest in, the proposed pooling of transportation services and settlement agreement. After the close of the protest period, the Judge will set procedures for the submission of evidence regarding the pooling application and settlement agreement.

KCS has filed a petition, designated KCS–32, in the *Control Case* relating to the CNW UP–MP parties settlement. Primary applicants and CNW have replied. KCS contends that the settlement substantively changes the scope of the *Control Case* and that the applicants in the *Control Case* should be required to submit further evidence relating to the control application as modified by the settlement agreement.

The matters raised in KCS–32 relates to the evidence necessary for the Commission to make the statutory findings in the *Control Case* and to the procedures for submission of, and response to, the further evidence, if any, required because of the settlement agreement. We believe these matters can be best decided in the first instance by the Judge presiding over the *Control Case*. We refer KCS–32 to him for disposition. He shall determine the extent to which the receipt of additional evidence may be required and shall set procedures for the submission of additional evidence, if any, and for responses thereto. However, the Judge shall receive evidence on the questions set forth in the Appendix.

It is Ordered:

1. The pooling agreement application, Finance Docket No. 30,000 (Sub-No. 43), is referred to Administrative Law Judge Paul Cross for handling on a consolidated basis with Finance Docket No. 30,000.

2. The petition of KCS designated KCS–32 is referred to Administrative Law Judge Paul Cross for disposition.

3. The parties shall comply with all provisions as stated above.

4. This decision is effective on September 22, 1981.

Decided: September 18, 1981.

By the Commission, Chairman Taylor, Vice Chairman Clapp, Commissioners Gresham and Gilliam.

James H. Bayne,

Acting Secretary.

Appendix

(1) Would the UP–MP applicants maintain existing rates even though increasing efficiencies resulting from the merger would permit them to lower rates?

(2) Is five years necessary to permit CNW to adjust to the new competitive situation created by the merger? Would a shorter or longer period be more appropriate?

(3) If the Commission declined to approve the proposed agreement, what adjustments would CNW make vis-a-vis the new merged system to protect its traffic and competitive position?

(4) What type and volume of traffic now handled by CNW would be affected by the proposed agreement. Would traffic moving under contract rates be affected?

(5) To what extent would the proposed agreement, if imposed, have an adverse or beneficial effect on shippers (through elimination or creation of competitive routings or prices) or other railroads?

[FR Doc. 81–27924 Filed 9–24–81; 8:45 am]

BILLING CODE 7035–01–M

Motor Carriers; Finance Applications; Decision-Notice

The following applications, filed on or after July 3, 1980, seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control of motor carriers pursuant to 49 U.S.C. 11343 or 11344. Also, applications directly related to these motor finance applications (such as conversions, gateway eliminations, and securities issuances) may be involved.

The applications are governed by Special Rule 240 of the Commission's Rules of Practice (49 CFR § 1100.240). See Ex Parte 55 (Sub-No. 44), *Rules Governing Applications Filed By Motor Carriers Under 49 U.S.C. 11344 and 11349*, 363 I.C.C. 740 (1981). These rules provide among other things, that opposition to the granting of an application must be filed with the Commission in the form of verified statements within 45 days after the date of notice of filing of the application is published in the **Federal Register**. Failure seasonably to oppose will be construed as a waiver of opposition and participation in the proceeding. If the protest includes a request for oral hearing, the request shall meet the requirements of Rule 242 of the special rules and shall include the certification required.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.241. A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00, in accordance with 49 CFR 1100.241(d).

Amendments to the request for authority will not be accepted after the date of this publication. However, the Commission may modify the operating authority involved in the application to conform to the Commission's policy of simplifying grants of operating authority.

We find, with the exception of those applications involving impediments (e.g., jurisdictional problems, unresolved fitness questions, questions involving possible unlawful control, or improper divisions of operating rights) that each applicant has demonstrated, in accordance with the applicable provisions of 49 U.S.C. 11301, 11302, 11343, 11344, and 11349, and with the Commission's rules and regulations, that the proposed transaction should be authorized as stated below. Except where specifically noted this decision is neither a major Federal action significantly affecting the quality of the human environment nor does it appear to qualify as a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests as to the finance application *or* to any application directly related thereto filed within 45 days of publication (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (unless the application involves impediments) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. To the extent that the authority sought below may duplicate an applicant's existing authority, the duplication shall not be construed as conferring more than a single operating right.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice of effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

Dated: September 18, 1981.

By the Commission, Review Board Number 3, Members Krock, Joyce, and Dowell.

MC–F–14688, filed September 1, 1981. CROUSE CARTAGE COMPANY (Crouse) (P.O. Box 151, Carroll, IA 51401)—Control—YOUNG & HAY TRANSPORTATION COMPANY (Young) (Route 3, Box 58, Worthington, MN 56187). Representative: William S. Rosen, 630 Osborn Building, St. Paul, MN 55102. Crouse seeks authority to acquire control of Young through the purchase of all of Young's issued and outstanding capital stock, and, in turn, CC Investment Corporation, a non-carrier (P.O. Box 151, Carroll, IA 51401), which controls Crouse through sole stock ownership, and Paul E. Crouse who controls CC Investment Corporation through majority ownership of voting preferred stock, seek approval and to acquire control of Young through the transaction. The interstate operating rights sought to be controlled by Crouse are contained in Young's certificates in Nos. MC–74195 and MC–74195 (Sub-No.

5) which authorize the transportation, as a common carrier, (a) of *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), over regular routes (1) between Schuyler, NE, and Omaha, NE, serving the intermediate points of Rogers and North Bend, NE, and the off-route point of Octavia, NE: from Schuyler over U.S. Highway 30 to junction U.S. Highway 275, thence over U.S. Highway 275 to junction Alternate U.S. Highway 30, thence over Alternate U.S. Highway 30 to Omaha, and return over the same route; and (2) between Schuyler and Lincoln, NE, serving the intermediate point of Octavia: from Schuyler over Nebraska Highway 15 to junction U.S. Highway 34, thence over U.S. Highway 34 to Lincoln, and return over the same route; and (b) of *general commodities* (except those of unusual value, classes A and B explosives, and those requiring special equipment), (1) over regular routes between Genoa, NE and Omaha, serving the intermediate point of Fremont, Colombus, Monroe, Schuyler, Valley, Rogers, Richland, Ames, and North Bend, NE, and the off-route points of Tarnov, Platte Center and Octavia, NE: from Genoa over Nebraska Highway 22 to Columbus, NE, thence over U.S. Highway 30 to Fremont, NE, thence over U.S. Highway 275 to Omaha, and return over the same route; and (2) over irregular routes (i) between Genoa, Duncan, Fullerton, St. Edward, Platte Center, and Silver Creek, NE; (ii) between Genoa, Duncan, Fullerton, St. Edward, Platte Center, and Silver Creek, on the one hand, and on the other, points in Nebraska, (iii) between points in Colfax and Butler Counties, NE; and (iv) between points in Colfax and Butler Counties, on the one hand, and, on the other, points in Nebraska. Crouse is a motor carrier operating in interstate or foreign commerce, under authority issued in No. MC–123389 and subnumbers thereunder throughout the United States, including authority to transport, in Sub-No. 55, shipments weighing 100 pounds or less, if transported in motor vehicles in which no one package exceeds 100 pounds, between points in the United States; in Sub-No. 56, general commodities between points in the United States for the United States Government; in Sub-No. 62, food and related products between points in Nebraska, on the one hand, and, on the other, points in the United States; in Sub-Nos. 12, 13, 14, and 43, meat and meat products originating at specified plantsites, from or to points in Nebraska; in Sub-No. 52, general commodities between the facilities of Proctor & Gamble Distributing Company at or near Chicago, IL, on the one hand, and, on the other, points in Nebraska; in Sub-Nos. 1, 30, and 37, general commodities, over regular or irregular routes between Omaha, NE, and described points in Iowa, and in Sub-No. 28, equipment and supplies and contractors' outfits used in construction of concrete silos between a certain shipper's facilities at Akron, IA, on the one hand, and, on the other, points in Nebraska. Crouse presently controls Lawson Truck Line, Inc., a motor carrier operating in interstate or foreign commerce, within Missouri and Kansas, under authority issued in No. MC–54291. Said control was approved in No. MC–F–11869. Impediment: Approval and authorization of this transaction is conditioned upon the prior submission by applicants of an affidavit complying with the Commission's regulations at 49 CFR 1134.51. Crouse and Young appear to hold duplicating operating rights. In order to allow this duplication to continue to exist, applicants must submit (1) cogent and acceptable reasons why such duplications should be permitted to exist by commonly controlled carrers or (2) a plan for the elimination of such duplications. (Hearing site: Washington, DC).

Note.—Application has been filed for temporary authority under section 11349.

MC–F–14695, filed September 9, 1981. DAVID M. SHEPHERD (726 West Cowles Street, Long Beach, CA 90813) and CLYDE M. FULLER (2931 South Market Street, Chattanooga, TN 37410) (Individuals)=–Control—COUNTRY WIDE TRUCK SERVICE, INC. (Country Wide) and R.F. BOX, INC. (Box) (both of 1110 South Reservoir Street, Pomona, CA 91766). Representative: Patrick E. Quinn, P.O. Box 9596, Chattanooga, TN 37412. The Individuals seek authority to acquire control of Country Wide and its subsidiary, Box. Country Wide holds interstate motor common carrier authority under MC–150434 and sub-numbers thereunder and motor contract carrier authority under MC–138941 and sub-numbers thereunder, which authorize the transportation of specified commodities for named shippers as well as general commodities between points in the United States. Box is a motor contract carrier holding permits under MC–136989 and sub-numbers thereunder which authorize the transportation of specified commodities for named contract shippers. David M. Shepherd is president and the sole stockholder of Z and S Enterprises, Inc., d.b.a USC Freight forwarder (FF–525). Clyde M. Fuller is an officer and 50 percent stockholder of Southwest Equipment Rental, Inc., d.b.a. Southwest Motor Freight, a motor common carrier under MC–138157 and a motor contract carrier under MC–134150. Impediment: David M. Shepherd is the sole stockholder of a freight forwarder. Therefore, the acquisition of control of Country Wide and Box by David M. Shepherd is in violation of 49 U.S.C. 11323(a). Final approval of this transaction will be withheld until applicants eliminate the unlawful aspects of the control of these entities. Impediment: The operating rights of Country Wide duplicate the operating rights of Southwest Equipment Rental, Inc., d/b/a Southwest Motor Freight. Approval and authorization of this transaction is, therefore, conditioned upon applicants setting forth all duplications and a plan for the elimination of such duplications. See Commission regulations at 49 CFR 1134.51. MONTANA CONSULTANTS, INC., d.b.a. TOMAHAWK TRANSPORTATION, INC. (Tomahawk) (5400 Laurel Road, Billings, MT 59101)—purchase (portion)—MID MONTANA, INC. (Mid Montana) (1010 North Rouse, P.O. Box 1131, Bozeman, MT 59715). Representatives: David A. Sutherlund, 1150 Connecticut Ave., NW, Suite 400, Washington, DC 20036; and Jerome Anderson, 100 Transwestern Bldg., Billings, MT 59101. Tomahawk seeks authority to purchase a portion of the interstate operating rights of Mid Montana. T. M. O'Neill, Charles E. Cornett, and Myra E. Cornett, are the stockholders and persons in control of Tomahawk. Therefore, as a condition to approval of this application, they will be required to join in this application as persons in control of transferee. Tomahawk is purchasing Permit No. MC–148530 (Sub-No. 4F), which authorizes the transportation, as a motor contract corrier, over irregular routes, of *general commodities* (except household goods as defined by the Commission and classes A and B explosives), between points in the United States, under continuing contract(s) with Parker Montana Co., of Billings, MT, and Parker Dakota Company, of Minot, ND. Condition: Authorization and approval of this transaction is conditioned upon the prior receipt by the Commission of an affidavit signed by T. M. O'Neill, Charles E. Cornett, and Myra E. Cornett, stating that they are the stockholders and persons in control of transferee and that they join in this application.

Notes.—(1) Application for TA has been filed. (2) T. M. O'Neill, 50 percent stockholder of transferee, has entered into a management

agreement to operate Tomahawk Trucking, Inc., a motor common carrier operating under MC–115092 and sub-numbers thereunder. (3) Transferee does not hold any authority from this Commission.

James H. Bayne,

Acting Secretary.

[FR Doc. 81–27926 Filed 9–24–81; 8:45 am]

BILLING CODE 7035–01–M

Motor Carriers; Finance Applications; Decision-Notice

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10926, 10931 and 10932.

We find:

Each transaction is exempt from section 11343 (formerly section 5) of the Interstate Commerce Act, and complies with the appropriate transfer rules.

This decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

Petitions seeking reconsideration must be filed within 20 days from the date of this publication. Replies must be filed within 20 days after the final date for filing petitions for reconsiderations; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 40 CFR 1132.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will indicate that consummation of the transfer will be presumed to occur on the 20th day following service of the notice, unless either applicant has advised the Commission that the transfer will not be consummated or that an extension of time for consummation is needed. The notice will also recite the compliance requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 30 days after publication, or within any approved extension period. Otherwise, the decision-notice shall have no further effect.

It is Ordered:

The following applications are approved, subject to the conditions stated in the publication, and further subject to the administrative requirements stated in the effective notice to be issued hereafter.

By the Commission, Review Board Number 3, Krock, Joyce, and Dowell.

MC–FC–78943. (Supplemental Publication). By decision of 7/13/81 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to MID-ATLANTIC FREIGHT CARRIERS, INC. of Harrisonburg, VA of Cetificate No. MC–134875 (Sub-No. 10F) issued to JOHN W. SMOOT of Jackson, VA on June 17, 1981 authorizing: To operate as a common carrier by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *apple products and juices*, from points in Timberville, Winchester, Roanoke, and Shenandoah Counties, VA and Martinsburg, WV, to points in TX, OK, AR, AL, MS, TN, and LA. This notice has been published to transfer the above authority which was granted to Transferor by Decision served May 20, 1981. Since the authority had not been granted at the time of filing the transfer application, it was not included in the original publication. Condition: Since there is no indication that a certificate in No. MC–134875 (Sub-No. 10F) has been issued to John W. Smoot, our approval herein is conditioned upon the issuance of said certificate or upon compliance by John W. Smoot with the requirements leading to the issuance of said certificate. Representative: Edward N. Button, 580 Northern Avenue, Hagerstown, MD 21740. TA lease is not sought. Transferee is/is not a carrier.

MC–FC–79046. By decision of March 12, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to Horton Burr Oak Farm, Inc., of Jamesville, WI of Certificate No. MC–143690 (Sub-No. 1), issued August 14, 1978 to R. J. Schmitt Agri-Business, Inc., of Sun Prairie, WI, authorizing the transportation of (1) *Feed and feed ingredients, animal health supplies, and insecticides, and (2) materials, equipment, and supplies used in the manufacture of the above commodities*, between Columbus, Madison, and Fountain Prairie Township (Columbia County) WI, on the one hand, and, on the other, points in IL, IN, IA, MI, and MN. Representative is: Wayne W. Wilson, 150 E. Gilman St., Madison, WI 53703. TA lease is sought. Transferee holds no authority.

MC–FC–79124. By decision of 7/9/81 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132, Review Board Number 3 approved the transfer to SCENIC MINNESOTA LINES CO. of Certificate No. MC–147441F issued May 15, 1981 to SCENIC MINNESOTA LINES, INC. authorizing the transportation of *passengers and their baggage, and express, newspapers and mail* in the same vehicles as passengers, between Mora, MN and Minneapolis, MN over MN Hwy 65, serving all intermediate points. Representative: Andrew R. Clark, Esq., 1600 TCF Tower, Minneapolis, MN 55402.

MC–FC–79154. By decision of 7/10/81 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. Part 1132, Review Board Number 5 approved the transfer to LEWIS R. KNOPFEL, JR. of Permit No. MC–88273 issued January 9, 1940 to LEWIS KNOPFEL authorizing the transportation of *Such merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, and in connection therewith, *equipment, materials and supplies* used in the conduct of such business, between points and places in the territory bounded by a line beginning at Lock Haven, PA, and extending in a southeasterly direction through Middleburg, PA, to Selinsgrove, PA, thence in a southwesterly direction through Newport and McConnellsburg, PA, to Hancock, MD thence in a southerly direction to Winchester, VA, thence in a westerly direction through Davis, WV, to Clarksburg, WV, thence in a northerly direction to New Castle, PA, thence in a northeasterly direction through Franklin, PA, to Kane, PA, and thence in a southeasterly direction through Revovo, PA, to Lock Haven, including points and places on the above-specified boundary line. Representative is: Sallay A. Davoren, Attorney, Pillar & Mulroy, 150 Bank Tower, 307 Fourth Ave., Pittsburgh, PA 15222.

MC–FC–79206. By decision of 7/8/81 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1121, Review Board Number 3 approved the transfer to TRUCK ONE, INC. of P.O. Box 49, Newcomerstown, OH 43832 of Certificate No. MC–123255 (Sub-No. 223F) issued to B&L MOTOR FREIGHT, INC. of 1984 Coffman Road, Newark, OH 43055 authorizing the transportation of *general commodities* (except Classes A and B explosives), between points in IL, IN, KY, MI, OH, PA, WV and WI. Condition: Truck One, Inc., and B&L Motor Freight, Inc., are both controlled by The Capitol Corp. To the extent that the operating rights being transferred to Truck One, Inc., herein, and those being retained by B&L Motor Freight, Inc., are duplicative, they may not be hereafter reversed by sale or otherwise. Representative: A. Charles Tell, Suite 1800, 100 East Broad St., Columbus, OH

43215. TA lease is sought. Transferee is not a carrier.

MC-FC-79208. By decision of 7/10/81 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. Part 1132, Review Board Number 3 approved the transfer to NEVADA-CENTRAL EXPRESS, INC. of Phoenix, AZ of Certificate No. MC-142941 (Sub-Nos. 72, 73, 86, and 79) issued April 23, 1981, March 12, 1981, March 26, 1981, and May 5, 1981, respectively, to SCARBOROUGH TRUCK LINES, INC., of Phoenix, AZ authorizing the transportation, by irregular routes, of (1) *such commodities as are dealt in by food and department stores* (except commodities in bulk) between Chicago, IL, on the one hand, and, on the other, those points in the United States in and west of LA, AR, MO, IA, and WI and *food and related products* between New Hampton, IA, on the one hand, and, on the other, points in CO, ID, MT, OR, TX, UT, WA, and WY; (2) *alcoholic beverages* (except commodities in bulk) between points in AZ, CA, and NV, on the one hand, and, on the other, points in IL, IN, KY, MD, MI, MO, NJ, NY, OH, OK, PA, and TN; (3) *alcoholic beverages,* between points in AR, AZ, CA, LA, and NV; and (4) *such commodities as are dealt in or used by manufacturers and distributors of toilet preparations* between points in AZ, CA, FL, IL, IN, MA, MO, NJ, OK, OH, TX, and WY and between points in AZ, CA, FL, IL, IN, MA, MO, NJ, OK, OH, TX, and WI, on the one hand, and, on the other, points in AL, CO, ID, KS, KY, LA, MI, MT, NM, NV, OR, UT, VA, and WY. Representative: Scott E. Daniel, 800 Nebraska Savings Building, 1623 Farnam, Omaha, NE 68102.

Republication

MC-FC-79244. By decision of July 8, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132, Review Board Number 3 approved the transfer to GALEN O. KING, d.b.a. G.O.K. TRUCKING of certificate Nos. MC-135696 and No. MC-135696 (Sub-Nos. (1), (4) and (6)) issued to LAKEPORT TRUCKING AND LEASING, INC. and authorizing the transportation of: No. MC-135696 *Alfalfa products* From Oak Harbor and Toledo, OH, to points in Michigan, Indiana, Kentucky and Pennsylvania. *Beet pulp* from Findlay and Fremont, OH to points in Michigan, Indiana, Kentucky and Pennsylvania. No. MC-135696 (Sub-No. 1) *Feed and feed ingredients* in bags from N. Baltimore, OH to points in Michigan, Indiana, Kentucky, Pennsylvania, West Virginia and New York. No. MC-135696 (Sub-No. 4) *Beet pulp* from Findlay and Fremont, OH to Huron and Toledo, OH, restricted to shipments in foreign commerce). No. MC-135696 (Sub-No. 6) *Alfalfa products* from Blissfield, MI and Holyville, OH to points in Michigan, Ohio, and Pennsylvania and points in Augusta and Rockingham Counties, VA, from Toledo, OH to points in New York and Virginia. Subject to the following conditions: If any. Representative: Richard H. Brandon, Attorney-At-Law, 220 West Bridge Street, P.O. Box 97, Dublin, OH 43017.

MC-FC-79266. By decision of 7/13/81 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. Part 1132, Review Board Number 3 approved the transfer to DICK JONES TRUCKING, INC. of Permit No. MC-150552F issued March 11, 1981 to RICHARD B. JONES doing business as DICK JONES TRUCKING authorizing the transportation of *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special handling), between points in New York and Vermont, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii) under continuing contract(s) with Champlain Valley International Shippers & Receivers Association, Inc., of Ravses Point, NY. Representative is: Charles H. Kenyon, 21 Merchants Row, P.O. Box 136, Swanton, VT 05488.

Note.—Transferor has applied for authority in No. MC-150552 (Sub-No. 11) to remove certain restrictions and to amend the territorial description. Because this application is still pending, applicants are advised to file a petition for substitution of transferee in the pending application.

MC-FC-79274. By decision of July 17, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. 1132, Review Board Number 3 approved the transfer to ADVANCED PICKUP & DELIVERY SERVICE, INC. of Certificate No. MC-133864 issued March 18, 1980 to DEGROSA TRUCKING, INCORPORATED authorizing the transportation of (1) *rubber articles,* from the plant sites of Delford Industries Inc., at Middleton, NY, and Minisink Rubber Co., Inc., at Unionville, NY, to Philadelphia and Allentown, PA, Flemington, NJ, New York, NY, points in Montgomery and Bucks Counties, PA, Middlesex, Mercer, Morris, Sussex, Somerset, Gloucester, Camden, Burlington, Union, Hudson, Bergen, Passaic, and Essex Counties, NJ, and those in Nassau, Suffolk, and Westchester Counties, NY, and (2) *commodities* used in the manufacture of rubber articles (except in bulk), in the reverse direction. Representatives: Harold L. Reckson, 33-28 Halsey Rd., Fair Lawn, NJ 07410 and Morton E. Kiel, Suite 1832, World Trade Center, New York, NY 10048.

Notes.—(1) Transferee presently holds no authority from the Commission and (2) no application for TA has been filed.

MC-FC-79291. By decision of 9/1/81 issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. Part 1132, Review Board Number 3 approved the transfer to WALTER O. GRIFFIN, d.b.a. SOUTHERN WAREHOUSE AND CARTHAGE CO., of Dothan, AL, of Certificate No. MC-61788 and a portion of MC-61788 (Sub-No. 26), issued August 30, 1967, and April 30, 1971, respectively, to GEORGIA-FLORIDA-ALABAMA TRANSPORTATION COMPANY, of Dothan, AL, authorizing the transportation of *Household goods,* as defined by the Commission. Between Bay Minette, AL, on the one hand, and, on the other, points in Florida and Mississippi. *Household goods,* Between Andalusia, AL, on the one hand, and, on the other, points in that part of Alabama south of U.S. Highway 278. Between Troy, AL and points in Alabama. representative is: Maurice F. Bishop, Attorney, 603 Frank Nelson Building, Birmingham, AL 35203, (205) 251-2881. Transferee presently holds no authority. TA application has not been filed.

MC-FC-79300. By decision of September 2, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 C.F.R. Part 1132, Review Board Number 3 approved the transfer to K.P.H. TRANSPORTATION CO., INC., of Sunnyvale, CA, of Certificate No. MC-143701 and subs thereunder issued to HODGES FREIGHT LINES, INC., of Metairie, LA, authorizing the transportation of (A) *Foodstuffs* (except commodities in bulk) in vehicles equipped with mechanical refrigeration, From the facilities of Inland Storage Distribution Center, located at Kansas City, KS, to points in AL, GA, LA, MS, NC, SC, VA and WV. Restricted to traffic originating at the facilities of Inland Storage Distribution Center and destined to the named states; (B)(1) *Paper bags,* From the facilities of Westvaco Corporation, Bag division, at New Orleans, LA, to points in AR, AX, CA, CO, GA, IL, IN, IA, KS, KY, MI, MO, NE, NM, OH, OK, TN, TX and WI, (2) *Materials used in the production of paper bags,* (except commodities in bulk), From points in AR, AZ, CA, CO, GA, IL, IN, IA, KS, KY, MI, MO, NE, NM, OH, OK, TN, TX and WI. Restricted in (2) above to the transportation of traffic originating at the indicated origins and

destined to the named destination. (C) *Sugar,* except in bulk, From the facilities of Godchaux-Henderson Sugar Company, Inc., at or near Reserve and Kenner, LA, to points in AL, AR, FL, GA, IL, IA, KY, MS, MO, NC, OK, SC, TN, TX, VA and WV. (D) *Plastic materials and commodities used in the manufacture of plastic materials* (except commodities in bulk), From Houston, TX; and Baton Rouge, Marksville and Lake Charles, LA; to points in AL, FL, GA, IL, KY, MN, NC, OH, PA, SC, TN, VA, WI and WV. Restricted to shipments originating at the facilities of Jenre Plastics and Southern Petrochemical, Inc., and destined to points in the named States. (E) (1) *Prepared animal food and pet supplies,* and (2) *Materials and supplies used in the manufacture and distribution of the commodities in (1) above* (except commodities in bulk), Between the facilities of Hills Division of Riviana Foods, Inc., at or near (a) Topeka, KS; (b) Commerce City and Hayward, CA; and (c) Miami, FL, on the one hand, and, on the other, points in the U.S. (except AK, CT, DE, HI, ME, NH, NY, MA and VT). (F) *Such commodities as are dealt in by grocery and food business houses,* (except commodities in bulk), in vehicles equipped with mechanical refrigeration, Between the facilities of Inland Storage Distribution Center, at or near Kansas City, KS, on the one hand, and, on the other, points in the U.S. (except AK, HI and KS), Restricted to the transportation of traffic originating at or destined to the named facilities. S–12 (G) (1) *Bananas,* and (2) *Agricultural commodities which are otherwise exempt from economic regulation under 49 U.S.C. 10526(a)(6)* (formerly Section 203(b)(6) of the Interstate Commerce Act) when moving in mixed loads with bananas, From the facilities of Best Banana, Inc., at or near Norfolk, VA, to points in IL, MI, OH, NY, MA, PA, MD, WV, VA, NC, SC, MO, IN, Toronto in the Province of Ontario and Montreal in the Province of Quebec, and DC. Restricted to the transportation of traffic having an immediately prior movement by wate. (H) (1) *Roofing;* and (2) *Materials and supplies used in the manufacture of roofing,* FRom the facilities of Delta Roofing Mills, Inc., a Division of Republic Gypsum, Inc., at or near Slidell, LA, to points in AL, AR, FL, GA, MS and TX. (I) (1) *Chemicals* used in the curing and processing of cement and concrete (except commodities in bulk); and (2) *Materials, equipment and supplies* used in the manufacture, distribution and application of commodities in (1) above (except commodities in bulk), From Baton Rouge, LA, to points in AL, AR, CA, FL, GA, KY, LA, MS, NC, OK, SC, TN and TX. (J) *Fiber board,* From the facilities of Aurora Paper Board at Aurora, IL, to Jefferson City, Kansas City and Marceline, MO; and Iola, Kansas City and Topeka, KS. (K)(1) *Paper bags,* From New Orleans, LA, to points in ID, MA, NV, NH, NY, OR, PA, WV and WY; and (2) *Materials used in the manufacture of paper bags,* From points in ID, MA, NV, NH, NY, OR, PA, WV and WY, to New Orleans, LA. (L) *Foodstuffs* (except in bulk), in vehicles equipped with mechanical refrigeration from the facilities of Midsouth Refrigerated Warehouse Company at Memphis, TN, to points in AL, AR, FL, LA, MS, NC, SC and TX. (M) *Foodstuffs,* Between points in the U.S. Restricted to traffic originating at or destined to the facilities of Winton Sales Company or its customers or suppliers. (N) *Foodstuffs,* Between points in LA, on the one hand, and, on the other, those points in the U.S. in and east of NM, CO, WY and MT. (O) *Cabinets,* From the facilities of Stanley Vidmar, at or near Allentown, PA, to points in the U.S. (P) *Food or kindred products* as described in Item 20 of the Standard Transportation Commodity Code, Between the facilities of Armour Food Company at points in CA, TX, SD, KY, NE, ID, MO, MN, WI, IA, PA, OR and IL, on the one hand, and, on the other, points in the U.S. (Q) *Chemicals, cleaning supplies and sanitation materials,* From Atlanta, GA, to Los Angeles and Santa Clara, CA; Denver, CO; Miami and Orlando, FL; Chicago, IL; Edmonston, MD; Boston, MA; Detroit, MI; St. Paul, MN; Kansas City and St. Louis, MO; Springfield, NJ; Albuquerque, NM; Cleveland, OH; Pittsburg, PA; Dallas and Houston, TX; and Seattle, WA. (R) *Such commodities as are dealt in by wholesale and retail grocery and food business houses,* between points in the U.S., Restricted to traffic originating at or destined to the facilities of Topco and Associates, Inc., its suppliers and customers. (S) *Foodstuffs,* Between points and places in the U.S. Restricted to traffic originating at or destined to points of suppliers and/or shippers that are customers of Consolidated Marketing, Inc., (T) *sugar, condiments and flavoring compounds,* (except in bulk), From Supreme, LA, to points in AL, AR, FL, GA, IL, IN, IA, KS, KY, MD, MS, MO, NE, NC, OH, OK, PA, SC, SD, TN, TX, VA and WV, and (U) *Such commodities as are manufactured or convertors of paper and paper products,* between points and places in the U.S. Restricted to traffic moving for and on behalf of Westvaco Corporation. Applicant filing temporary authority application. Transferee is not a carrier and holds no authority. Applicant's representative is: Lester C. Arvin, Attorney, 814 Century Plaza Building, Wichita, KS 67202, (316) 265–2634.

James H. Bayne,

Acting Secretary.

[FR Doc. 81-27928 Filed 9-24-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Intent To Engage in Compensated Intercorporate Hauling Operations

This is to provide notice as required by 49 U.S.C. 10524(b)(1) that the named corporations intend to provide or use compensated intercorporate hauling operations as authorized in 49 U.S.C. 10524(b).

1. Parent corporation and address of principal office: Bennett Industries, Inc., 5320 Harry Hines Boulevard, Dallas, Texas 75235.

2. Wholly-owned subsidiaries which will participate in the operations, and states of incorporation:

(i) Monkey Grip Rubber Company, a Texas corporation;

(ii) Anchor Industries, Inc., an Ohio corporation;

(iii) Laher Spring and Electric Car Corp., an Oregon corporation.

1. Parent corporation and address of principal office: Browning-Ferris Industries, Inc. (Delaware Corp.), Post Office Box 3151, Houston, Texas 77001.

2. Wholly-owned subsidiaries which will participate in the operations, and address of their respective principal offices:

(1) Active Disposal Company, 32600 Five Mile Road, Livonia, Michigan 48154.

(2) BFI Waste Systems of Indiana, Inc., 10 North West Street, Crown Point, Indiana.

(3) BI Acquisition Company, Post Office Box 3151, Houston, Texas 77001.

(4) Browning-Ferris, Inc. (Delaware Corp.), Post Office Box 3151, Houston, Texas 77001.

(5) J&G Waste Systems, Inc., 405 30th Street, Post Office Box 2782, Lubbock, Texas 79408.

(6) Scipio Farms, Inc., Post Office Box S, McAlester, Oklahoma 74501.

(7) Sozzi Waste Co., 7100 Bowling Drive, Suite 220, Sacramento, California 95823.

(8) Browning-Ferris, Inc. (Maryland Corp.), Post Office Box 8733, BWI Airport, Maryland 21240.

(9) Browning-Ferris Industries Chemical Services, Inc., Post Office Box 3151, Houston, Texas 77001.

(10) Browning-Ferris Industries Chemical Services de Caribe, Inc., Urbanization Industrial, El Tuque, Ponce, Puerto Rico 00731.

(11) Petroservice of Louisiana, Inc., Post Office Box 15211, Baton Rouge, Louisiana 70815.

(12) Browning-Ferris Industries, Inc. (Massachusetts Corp.), 100 Hallet Street, Boston, Massachusetts 02124.

(13) Resource Recovery Corporation, 115 Washington Street, Holliston, Massachusetts 01746.

(14) Browning-Ferris Industries of Alabama, Inc., 31 First Avenue North, Birmingham, Alabama 35202; also 4649 Commercial Drive, N.W., Huntsville, Alabama 35805; also 920 Navco Road, Mobile, Alabama 36606.

(15) Browning-Ferris Industries of Arizona, Inc., 2240 W. Shangri-la, Phoenix, Arizona 85029.

(16) Browning-Ferris Industries of Arkansas, Inc., Post Office Box 157, Jacksonville, Arkansas 72076.

(17) Browning-Ferris Industries of California, Inc., 1245 South Winchester Boulevard, Suite 115, San Jose, California 95128.

(18) San Jose Land Reclamation Co., 1999 South Bascom Avenue, The Pruneyard Towers II, Suite 400, Campbell, California 95008.

(19) Customized Service Co., Inc., 810 N. E. Third Street, Amarillo, Texas.

(20) Browning-Ferris Industries of Colorado, Inc., 3001 Walnut, Denver, Colorado 80205.

(21) Highway 36 Land Development Company, 3001 Walnut, Denver, Colorado 80205.

(22) Browning-Ferris Industries of Connecticut, Inc., 100 Hallet Street, Boston, Massachusetts 02124.

(23) Browning-Ferris Industries of Florida, Inc., Post Office Box 16966, 7580 Phillips Highway, Jacksonville, Florida 32216; also Post Office Box 908, 1610 NW 55th Place, Gainesville, Florida 32604.

(24) Browning-Ferris Industries of Georgia, Inc., 920 Marietta Boulevard, N.W., Atlanta, Georgia 30318.

(25) Browning-Ferris Industries of Idaho, Inc., Post Office Box 1037, 117 East 37th, Boise, Idaho 83701; also Post Office Box 985, Nampa, Idaho 83651.

(26) Browning-Ferris Industries of Illinois, Inc., 1827 Walden Office Square, Suite 107, Schaumburg, Illinois 60195.

(27) Browning-Ferris Industries of Indiana, Inc., Post Office Box 2269, 801 East Michigan, Evansville, Indiana 47714.

(28) Browning-Ferris Industries of Iowa, Inc., 112 9th Street, Des Moines, Iowa 50265.

(29) Browning-Ferris Industries of Oregon, Inc., P.O. Box 3151, Houston, Texas 77001.

(30) Browning-Ferris Industries of (Kansas City, Inc., Post Office Box 15200, 3150 North 7th, Kansas City, Kansas 66115.)

(31) Missouri Dispose-All, Inc., Post Office Box 15200, 3150 North 7th, Kansas City, Kansas 66115.

(32) Browning-Ferris Industries of Kentucky, Inc., 2605 Nonconnah Boulevard, Suite 165, Memphis, Tennessee 38132.

(33) Browning-Ferris Industries of Tennessee, Inc., Post Office Box 18149, 3840 Homewood, Memphis, Tennessee 38118.

(34) Browning-Ferris Industries of Michigan, Inc., 12001 Mack Avenue, Detroit, Michigan 48215.

(35) Browning-Ferris Industries of Minnesota, Inc., 9813 Flying Cloud Drive, Eden Prairie, Minnesota 55344.

(36) Browning-Ferris Industries of Mississippi, Inc., 402 McDonnell Avenue, Biloxi, Mississippi 39531; also Post Office Box 1638, 1035 Old Brandon Road, Jackson, Mississippi 39205.

(37) Browning-Ferris Industries of Montana, Inc., Post Office Box 3151, Houston, Texas 77001.

(38) Browning-Ferris Industries of Nebrasks, Inc., 1118 South 11th Street, Omaha, Nebraska 68108.

(39) Browning-Ferris Industries of New Hampshire, Inc., Tolles Street, Hudson, New Hampshire 03051.

(40) Browning-Ferris Industries of New Jersey, Inc., 1075 Central Avenue, Clark, New Jersey 07066.

(41) Browning-Ferris Industries of Central Jersey, Inc., Post Office Box 3151, Houston, Texas 77001.

(42) Browning-Ferris Industries of Elizabeth, N.J., Inc., Post Office Box 508, 714 Division Street, Elizabeth, New Jersey 07207.

(43) Browning-Ferris Industries of North Jersey, Inc., 54 Montesano Road, Fairfield, New Jersey 07006.

(44) Browning-Ferris Industries of Paterson, N.J., Inc., 155 Michigan Avenue, Paterson, New Jersey 07503.

(45) Browning-Ferris Industries of South Jersey, Inc., Cranbury Station Road, Post Office Box 437, Cranbury, New Jersey 08512.

(46) Browning-Ferris Industries Waste Control, Inc., Post Office Box 3151, Houston, Texas 77001.

(47) Browning-Ferris Industries of New York, Inc., 136 Sicker Road, Latham, New York 12110.

(48) Robbins Refuse Service, Inc., 36 Sicker Road, Latham, New York 12110.

(49) Browning-Ferris Industries of Ohio and Michigan, Inc., Post Office Box 5069, Pt. Place Station, Toledo, Ohio 43611.

(50) Comet Enterprises, Inc., Post Office Box 3151, Houston, Texas 77001.

(51) Browning-Ferris Industries of Ohio, Inc., 33 N. Wickliffe Circle, Youngstown, Ohio 44515.

(52) Browning-Ferris Industries of Pennsylvania, Inc., West Noblestown Road, Post Office Box 448, Carnegie, Pennsylvania 15106.

(53) Browning-Ferris Industries of Puerto Rico, Inc., Post Office Box 29499, 65th Infantry Station, Rio Piedras, Puerto Rico 00929.

(54) Browning-Ferris Industries of Quincy, Illinois, Inc., Post Office Box 3124, 1704 North 24th, Quincy, Illinois 62301.

(55) Browning-Ferris Industries of Rochester, Inc., 2117 Marion Road, S.E., Rochester, Minnesota 55901.

(56) Browning-Ferris Industries of St. Louis, Inc., 11506 Bowling Green, Creve Coeur, Missouri 63141; also Post Office Box 250, 91 Shady Lane, Valley Park, Missouri 63088.

(57) Jeffco Land Reclamation, Inc., 11506 Bowling Green, Creve Coeur, Missouri 63141.

(58) Rick's Repair and Mfg. Co., 2605 Nonconnah Boulevard, Suite 165, Memphis, Tennessee 38132.

(59) Browning-Ferris Industries of San Mateo County, Inc., 225 Shoreway Road, San Carlos, California 94070.

(60) Browning-Ferris Industries of South Atlantic, Inc., 7820 Silas Creek, Parkway Extension, Suite 201, Winston-Salem, North Carolina 27106.

(61) Browning-Ferris Industries of Utah, Inc., Post Office Box 26333, Salt Lake City, Utah 84125.

(62) Browning-Ferris Industries of Vermont, Inc., Post Office Box 121, Springfield, Vermont 05156.

(63) Browning-Ferris Industries of West Virginia, Inc., Post Office Box 3151, Houston, Texas 77001.

(64) Browning-Ferris Industries of Wisconsin, Inc., 1827 Walden Office Square, Suite 107, Schaumburg, Illinois 60195.

(65) Browning-Ferris Industries of Wyoming, Inc., Post Office Box 3151, Houston, Texas 77001.

(66) Browning-Ferris Services, Inc., Post Office Box 3151, Houston, Texas 77001.

(67) Cardinal Land Corp., 32600 Five Mile Road, Livonia, Michigan 48154.

(68) Disposal Specialists, Inc., Post Office Box 121, Springfield, Vermont 05156.

(69) Dooley Equipment Corporation, 164 Market Street, Brighton, Massachusetts 02135.

(70) ECCO Contractors, Inc., 1417 North Harper Street, Santa Ana, California 92703.

(71) Environmental Equipment Corp., Post Office Box 3151, Houston, Texas 77001.

(72) ESI, Inc., Post Office Box 3151, Houston, Texas 77001.

(73) Indoco, Inc., Post Office Box 3151, Houston, Texas 77001.

(74) International Disposal Corp. (Delaware Corp.), Post Office Box 3151, Houston, Texas 77001.

(75) International Disposal Corp. (Texas Corp.), Post Office Box 3151, Houston, Texas 77001.

(76) International Disposal Corp. of California, Post Office Box 1987, San Jose, California 95109.

(77) International Disposal Corporation of Indiana, Post Office Box 3151, Houston, Texas 77001.

(78) RWCGP, Inc., Post Office Box 3151, Houston, Texas 77001.

(79) International Disposal Corporation of Kansas, Post Office Box 3151, Houston, Texas 77001.

(80) Landfill, Inc. (Missouri Corp.), Post Office Box 15200, Kansas City, Kansas 66115.

(81) Landfill, Inc. (Colorado Corp.), Post Office Box 188, Commerce city, Colorado 80022.

(82) Lanham Waste Control, Inc., Post Office Box 3151, Houston, Texas 77001.

(83) Louis Kmito & Son, Inc., 95 Liberty Street, Randolph, Massachusetts 02368.

(84) Lyon Development Company, 32600 Five Mile Road, Livonia, Michigan 48154.

(85) Modern Waste Removal, Inc., 12001 Mack Avenue, Detroit, Michigan 48215.

(86) National Disposal Service of Nebraska, Inc., 212 South 24th Street, Omaha, Nebraska 68108.

(87) Ox Mountain Ranch, 225 Shoreway Road, San Carlos, California 94070.

(88) Phoenix, Inc., 9813 Flying Cloud Drive, Eden Prairie, Minnesota 55344.

(89) Waste Disposal, Inc., Post Office Box 15200, Kansas City, Kansas 66115.

(90) West Roxbury Crushed Stone Co., 10 Grove Street, West Roxbury, Massachusetts 02132.

(91) Woodlake Sanitary Service, Inc., 9813 Flying Cloud Drive, Eden Prairie, Minnesota 55344.

1. Parent Corporation and Address of Principal Office: Consolidated Papers, Incorporated, 231 1st Avenue North, Wisconsin Rapids, WI 54494.

2. Wholly owned subsidiaries which will participate in the operations, and State of Incorporation: (1) Consoweld Corporation, A Wisconsin Corporation.

3. Divisions: (1) Castle Rock Container Company, Grove Street, Adams, WI 53910.

James H. Bayne,

Acting Secretary.

[FR Doc. 81-27927 Filed 9-24-81; 8:45 am]

BILLING CODE 7035-01-M

[Permanent Authority Decisions Volume No. 170]

Motor Carriers; Permanent Authority Decisions; Restriction Removals; Decision-Notice

Decided: September 22, 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, Ewing, and Shaffer.

James H. Bayne,

Acting Secretary.

MC 99408 (Sub-12)X, filed September 14, 1981. Applicant: CITY DELIVERY SERVICE, INC., 1 Passan Dr., Laflin Borough, PA 18702. Representative: Joseph A. Keating, Jr., 121 S. Main St., Taylor, PA 18517. Applicant seeks in its Sub-No. 8F certificate to broaden the territorial description from Scranton and Wilkes Barre, PA to Lackawanna and Luzerne Counties, PA and to eliminate the facility restriction in its general commodity authority.

MC 105159 (Sub-43)X, filed September 8, 1981. Applicant: KNUDSEN TRUCKING, INC., 1320 West Main Street, Red Wing, MN 55066. Representative: Stephen F. Grinnell, 1600 TFC Tower, Minneapolis, MN 55402. Applicant seeks to remove restrictions in its Sub-No. 36 certificate to (1) broaden the commodity description to "food and related products, and materials, equipment and supplies used in the manufacturing and processing thereof," from edible nuts, chocolate covered peanuts, soybeans, imitation bacon, cookies, shoestring potatoes, and materials, equipment and supplies utilized in the manufacture of edible nuts; (2) remove the restriction against transportation of certain named commodities, in bulk, in tank vehicles; and (3) remove restrictions (a) limiting transportation of traffic to that originating at or destined to the named facilities, and (b) against service in AK or HI, from authority to serve between various points in 19 States, on the one hand, and, on the other, points in the U.S.

MC 116993 (Sub-3)X, filed September 2, 1981. Applicant: CITY HAUL, INC., 705 East Second Street, Cincinnati, OH. Representative: Richard Rueda, 133 North 4th Street, Philadelphia, PA 19106. Applicant seeks to remove restrictions from its lead and Sub-No. 2 permits as follows: (1) in the lead, broaden the commodity description from engines and motors, and machinery, equipment, materials, and supplies used in production, development and research with respect to engines to "chemicals and related products, petroleum and coal products, rubber and plastic products, clay, concrete, glass or stone products, metal products, machinery and motors, transportation equipment, and miscellaneous products of manufacturing"; (2) in the lead and Sub-No. 2, expand the territorial description to between points in the U.S. under continuing contract(s) with a named shipper; and (3) in its lead eliminate the 10,000 pounds or less weight restriction and the exclusion against those commodities requiring special equipment.

MC 123248 (Sub-1)X, filed September 16, 1981. Applicant: JOHN J. HUDSON, d.b.a. JOHN J. HUDSON CO., 1 Service Road, Providence, RI 02905. Representative: Frank J. Weiner, 15 Court Square, Boston, MA 02108. Applicant seeks to remove the restrictions in its lead certificate to (1) broaden the commodity description from liquid bituminous materials used in road building to "coal and coal products, ores

and minerals, petroleum, natural gas and their products, and clay, concrete, glass or stone products"; (2) expand East Providence, RI to countywide authority to serve Providence, Kent, and Bristol Counties, RI, and Bristol County, MA; (3) authorize radial operations in lieu of one-way authority; and (4) remove the "in bulk" restriction.

MC 124411 (Sub-24)X, filed September 8, 1981. Applicant: SULLY TRANSPORT, INC., P.O. Box 185, Sully, IA 50251. Representative: James M. Hodge, 1000 United Central Bank Bldg., Des Moines, IA 50309. Applicant seeks to remove restrictions in its Sub-Nos. 2, 3, 4, 7, 8, 9, 10, 11, 12, 14, 16F, 17F, 18F, 19F, and 22F certificates to (1) broaden the commodity description to "chemicals and related products" from fertilizer, liquid fertilizer, liquid fertilizer solutions, fertilizer ingredients, anhydrous ammonia, liquified petroleum gas, asphalt and asphalt cement and nitrogen fertilizer solution, in all subs, except Sub-No. 10, to "farm products" from liquid animal feed and liquid animal feed supplements, in Sub-No. 10, (2) remove the "in bulk, in tank vehicles" restrictions in all subs, (3) remove the facilities restrictions in Sub-Nos. 3, 4, 7, 8, 9, 10, 11, 12, 14, 17F, 18F and 19F and (4) broaden the territorial description by substituting county-wide authority for city wide authority and facilities as follows: Benton County, IA (for Vinton, IA), in Sub-No. 2; Rock Island County, IL (for facilities at Cordova, IL), in Sub-Nos. 3 and 8, Whiteside County, IL (for facilities at Albany, IL), in Sub-Nos. 9 and 14 and (for facilities at Fulton, IL), in Sub-No. 11; Van Buren County, IA (for facilities at Cantril, IA), in Sub-No. 4; Jackson County, IA (for facilities at Bellevue, IA), in Sub-No. 7; Cedar County, IA (for facilities at Clarence, IA), in Sub-No. 10; Winneshiek County, IA (for Jackson Junction, IA) and Keokuk County, IA (for Keota, IA), in Sub-No. 11; Clay and Ida Counties, IA (for facilities at Spencer and Holstein, IA) and Butler County, NE (for facilities at David City, NE), in Sub-No. 12; Polk County, IA (for Des Moines, IA), in Sub-No. 16F; Kansas City, MO—Kansas City, KS, commercial zone (for facilities at Kansas City, KS) and Polk County, IA (for Des Moines, IA), in Sub-No. 17F; Chickasaw County, IA (for facilities at New Hampton, IA), Blue Earth and Swift Counties, MN (for facilities at Benson and Mankato, MN) and Foster County, ND (for facilities at Carrington, ND), in Sub-No. 18F; Cerro Gordo County, IA (for facilities at Mason City, IA), in Sub-No. 19F and Tama County, IA (for Tama, IA, in Sub-No. 22F, and (4) authorize radial authority for one-way authorities in all Sub-Nos.

Previously noticed in **Federal Register** issued of September 3, 1981 and supplemented as published this issue.

MC 136818 (Sub-132)X, filed August 10, 1981. Applicant: SWIFT TRANSPORTATION COMPANY, INC., 5601 West Mohave, Phoenix, AZ 85031. Representative: Donald E. Fernaays, 4040 East McDowell Rd., Suite 320, Phoenix, AZ 85008. In addition to changes previously noticed, applicant seeks to (1) remove the exceptions of hides and commodities in bulk in Sub-No. 5; (2) broaden alcoholic liquors to food and related products in Sub-No. 107; (3) replace Tucson, AZ, with Pima County, AZ, in Sub-No. 17; (4) remove the exception of AK and HI in Sub-No. 109; and (5) replace one way with radial authority in Sub-Nos. 39, 104, and 110.

MC 134134 (Sub-100)X, filed September 9, 1981. Applicant: MAINLINER MOTOR EXPRESS, INC., 4202 Dahlman Avenue, Omaha, NE 68107. Representative: James F. Crosby, 7363 Pacific Street, Suite 210B, Omaha, NE 68114. Applicant seeks to remove restrictions in its Sub-Nos. 1, 4, 5, 6, 7, 87, 9, 10, 12, 13, 15, 17, 19, 21, 22, 24, 27, 28, 30, 31, 32, 34F, 35F, 36F, 38F, 39F, 40F, 41F, 43F, 45F, 47F, 52F, 53F, 54F, 55F, 56F, 57F, 58F, 59F, 60F, 61F, 66F, 67F, 68F, 69F, 71F, 72F, 90F and 98 certificates to (1) remove restriction of "hides" in Sub-Nos. 1, 4, 5, 6, 7, 9, 10, 12, 15, 17, 21, 22, 30, 36F, and 47F; (2) remove restriction of "commodities in bulk" in Sub-Nos. 1, 4, 5, 6, 7, 9, 10, 12, 13, 15, 17, 21, 27F, 31F, 34F, 36F, 39F, 47F, 53F, 56F, 57F, 61F, 68F, 71F, 72F, and 90F; (3) remove restriction of "commodities requiring special equipment" in Sub-Nos. 22 and 30; (4) remove restriction of "in containers" in Sub-Nos. 19, 28F and 98; (5) remove "plant site", "facilities", "originating at", or "destined to" restrictions in Sub-Nos. 1, 4, 5, 6, 7, 9, 10, 12, 13, 15, 17, 19, 21, 27F, 28F, 31F, 32F, 35F, 36F, 39F, 40F, 41F, 43F, 47F, 52F, 53F, 54F, 55F, 56F, 57F, 38F, 58F, 59F, 60F, 66F, 68F, 69F, 71F, 72F, and 98; (6) remove the restriction "when moving in the same vehicle and at the same time in mixed loads with alcoholic beverages on a single bill of lading to a single consignee" in Sub-No. 98; (7) broaden the authority from one-way to two-way radial authority in Sub-Nos. 1, 4, 5, 6, 7, 9, 10, 12, 13, 15, 17, 19, 21, 22, 24, 28F, 30, 31F, 32F, 34F, 35F, 36F, 38F, 39F, 40F, 43F, 45F, 47F, 52F, 54F, 55F, 58F, 59F, 60F, 61F, 66F, 67F, 68F, 69F, 71F, 72F, 90F, and 98; (8) broaden the authority to "food and related products",

(a) from meats, meat products, and meat by-products, and articles distributed by meat packinghouses, as described in sections A and C of Appendix I to the report in *Description in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and similar descriptions in Sub-Nos. 1, 4, 5, 6, 7, 9, 10, 12, 13, 15, 17, 21, 22, 30, 35F, 36F, and 47F, (b) from pet foods, animal feed and animal feed ingredients in Sub-No. 19; (c) from malt beverages in Sub-No. 24; (d) from alcoholic liquors and wines in Sub-Nos. 34F and 71F; (e) from from foodstuffs in Sub-Nos. 38F, 60F and 61F; (f) from frozen beef in Sub-No. 40F; (g) from alcoholic beverages in Sub-Nos. 52F, 58F, and 67F; (h) from confectionary and confectionary products in Sub-No. 55F; (i) from canned goods in Sub-No. 59F; (j) from alcoholic beverages, and non-alcoholic beverage mixes in Sub-No. 66F; (k) from alcoholic beverages and wines in Sub-No. 68F; (l) from alcoholic beverages, and non-alcoholic cocktail mixes in Sub-No. 69F; and (m) from alcoholic beverages (except malt beverages) and non-alcoholic beverages in Sub-No. 98; (9) broaden the authority from animal feed, feed ingredients, additives, and materials and supplies used in the manufacture and distribution of animal feed to "food and related products, and materials and supplies used in the manufacture and distribution of these commodities" in Sub-No. 27F; (10) from broaden the authority from fertilizer, tree killing compounds and pesticides to "chemicals and related products" in Sub-No. 28F; (11) broaden the authority from synthetic fiber and synthetic fiber waste to "chemicals and related products, textile mill products, and waste or scrap materials, not identified by industry producing" and from plastic materials to "chemicals and related products, and rubber and plastic products" in Sub-No. 31F; (12) broaden the authority from aluminum plate and aluminum sheet to "metal products" in Sub-No. 32F; (13) broaden the authority from cleaning compounds, motor fuel water asorption compounds, charcoal starter and petroleum motor oil to "chemicals and related products and petroleum, natural gas, and their products" in Sub-No. 39F; (14) broaden the authority from (a) heating and air conditioning equipment, (b) accessories for commodities in (a) above, and (c) materials and supplies used in the manufacture and installation of commodities in (a) above to "machinery and materials and supplies used in the manufacture and installation of the commodity named" in Sub-No. 41F; (15) broaden the authority from pipe fittings and rough iron castings to "metal products" in Sub-No. 43F; (16) broaden the authority from (a) steel flooring, and floor coverings, and (b) materials and supplies used in the installation of

commodities in (a) above to "such commodities as are used, in, dealt in, or distributed by manufacturers of flooring and floor coverings" in Sub-No. 45F; (17) broaden the authority from "aluminum sheet, coil, foil, and scrap" to "metal products, pulp, paper and related products, and waste or scrap materials, not identified by industry producing" in Sub-No. 54; (18) broaden the authority from "acids and chemicals" to "chemicals and related products" in Sub-No. 72F; (19) broaden the authority in the above: (a) from Omaha, NE to Douglas, Washington, Sarpy and Cass Counties, NE and Pottawattamie and Mills Counties, IA in Sub-Nos. 9, 21, 22, 30, 32, 40F, 47F, 36F, 66F, and 98; (b) from Harlan, IA to Shelby County, IA in Sub-Nos. 1 and 30; (c) from York, NE to York County, NE in Sub-No. 1; (d) from Cozad and Lexington, NE to Dawson County, NE in Sub-No. 1; (e) from Sioux Center, IA to Sioux County, IA in Sub-No. 4; (f) from Spencer, IA to Clay County, IA, from Hartley, IA to O'Brien County, IA, from Schuyler, NE to Colfax County, NE and from Sioux Falls, SD to Lincoln and Minnehaha Counties, SD in Sub-No. 4, (g) from Clarinda, IA to Page County, IA, from Storm Lake, IA to Buena Vista County, IA, and from Postville, IA to Allamakee, Winneshiek, Fayette, and Clayton Counties, IA in Sub-No. 6; (h) from Monmouth, IL to Warren County, IL in Sub-No. 7; (i) from Council Bluffs, IA to Pottawattamie and Mills Counties, IA in Sub-No. 9; (j) from Joslyn, IL to Henry and Rock Island Counties, IL in Sub-No. 10; (k) from Carroll, IA to Carroll County, IA, from "Denison, IA to Crawford County, IA, and from Iowa Falls, IA to Hardin County, IA in Sub-No. 12; (l) from Mankato, KS to Jewell County, KS in Sub-No. 13; (m) from Madison, NE to Madison County, NE in Sub-No. 15; (n) from Crete, NE to Saline and Lancaster Counties, NE in Sub-No. 17; (o) from Columbus, OH to Franklin, Delaware, Licking, Madison, Union, Fairfield and Pickaway Counties, OH and from Cortland, NY to Cortland and Tompkins Counties, NY in Sub-No. 19; (p) from Oakland, IA to Pottawattamie County, IA in Sub-No. 21; (q) from Golden, CO to Jefferson County, CO in Sub-No. 24; (r) from Mattoon, IL to Coles County, IL in Sub-No. 27; (s) from Trenton, NJ to Mercer, Hunterdon, Middlesex, Monmouth and Burlington Counties, NJ and Bucks County, PA, from Houston, TX to Harris, Waller, Montgomery, Fort Bend, Brazoria and Chambers Counties, TX and from Grand Island, NE to Hall and Hamilton Counties, NE in Sub-No. 31; (t) from Clayton, NJ to Gloucester County, NJ, and from Wheeling, IL to Cook and Lake Counties, IL in Sub-No. 32; (u) from Owensboro, KY to Davies County, KY and Spencer County, IN, from Des Moines, IA to Polk, Warren, Madison, and Dallas Counties, IA, and from Minneapolis, MN to Hennepin, Carver, Scott, Dakota, Washington, Anoka, and Ramsey Counties, MN in Sub-No. 34F; (v) from Wyalusing, PA to Bradford County, PA, and from Erie, PA to Erie County, PA in Sub-No. 35F; (w) from Johnson City, NY and Binghamton, NY to Broome County, NY in Sub-No. 38F; (x) from Paulsboro, NJ to Gloucester County, NJ in Sub-No. 39F; (y) from Elkton, MD to Cecil County, MD, from Frederick, MD to Frederick County, MD, from Edison, NJ to Somerset and Middlesex Counties, NJ, from Effingham, IL to Effingham County, IL, and from Muskegon, MI to Muskegon and Ottawa Counties, MI in Sub-No. 41F; (z) from Blossburg, PA to Tioga County, PA in Sub-No. 43F; (aa) from Red Lion, PA to York County, PA in Sub-No. 45F; (bb) from Kansas City, MO to Jackson, Cass, Clay, and Platte Counties, MO and Wyandotte, Johnson and Leavenworth Counties, KS in Sub-Nos. 52F and 90F; (cc) from Paducah, KY to McCracken County, KY and Massac County, IL in Sub-No. 53F; (dd) from Lebanon, PA to Lebanon County, PA in Sub-No. 54F; (ee) from Bethleham, PA to Northampton and Lehigh Counties, PA in Sub-No. 55F; (ff) from Hartford and East Hartford, CT to Hartford and Middlesex Counties, CT in Sub-No. 56F; (gg) from Detroit, MI to Wayne, Macomb, Oakland, Livingston, Washtenaw, and Monroe Counties, MI, and from Allen Park, MI to Wayne County, MI in Sub-No. 57F; (hh) from Des Moines, IA to Polk, Warren, Dallas, and Madison Counties, IA, and from Grimes, IA to Polk County, IA in Sub-No. 58F; (ii) from East Peoria, IL to Peoria, Tazewell, and Woodford Counties, IL in Sub-No. 59F; (jj) from Wellsboro, PA to Tioga County, PA and from Syracuse, NY to Onondaga and Madison Counties, NY in Sub-No. 60F; (kk) from Erie, and North East, PA to Erie County, PA in Sub-No. 61F; (ll) from Minneapolis, MN to Hennepin, Carver, Scott, Dakota, Washington, Anoka and Ramsey Counties, MN in Sub-No. 66F; (mm) from Hartford, CT to Hartford and Middlesex Counties, CT in Sub-No. 68F; (nn) from Clermont, KY to Bullitt County, KY in Sub-No. 69F; (oo) from Frankfort, KY to Franklin and Woodford Counties, KY, from Cincinnati, OH to Hamilton, Butler, and Clermont Counties, OH and Boone, Kenton and Campbell Counties, KY, and from Grimes, IA to Polk County, IA in Sub-No. 71F; (pp) from Groton, CT to New London County, CT in Sub-No. 72F; (20) remove the in tank vehicle restriction in Sub-Nos. 1, 31F, 34F, 36F, 39F, 61F, 68F, 71F, and 72F; and (21) eliminate except AK and HI restriction wherever it appears in the above sub-numbers.

MC 139294 (Sub-9)X, filed September 4, 1981. Applicant: H.T.L., INC., P.O. Box 122, Fairfield, AL 35064. Representative: Robert E. Tate, P.O. Box 517, Evergreen, AL 36401. Applicant seeks to remove restrictions in its Sub-No. 6F certificate to (A) broaden the commodity description to "metal products and building materials and materials, equipment, and supplies used in the manufacture and distribution thereof," from iron and steel articles and pipe and materials, equipment, and supplies used in the manufacture and distribution of iron and steel articles; (B) eliminate the "commodities in bulk, in tank vehicles" restriction and, "AK and HI" restrictions, and (C) replace existing one-way authority with radial authority. Parts 1, 2, and 3 of the authority will be subsumed in part 4.

MC 142292 (Sub-3)X, filed September 14, 1981. Applicant: RICHARD WARREN WHITLEY, 43 Wilson Avenue, Belleville, Ontario, CD K8N 5A2. Representative: William J. Hirsch, 1125 Convention Tower, 43 Court Street, Buffalo, NY 14202. Applicant seeks to remove restrictions in its lead and Sub-No. 2F permits to (1) broaden commodity description from pre-cast and pre-stressed concrete structural products to "clay, concrete, glass or stone products" in lead and Sub 2F; and (2) broaden the territorial descriptions to "between points in the U.S., under continuing contract(s) with named shippers.

MC 149546 (Sub-25)X, filed September 14, 1981. Applicant: D & T TRUCKING CO., INC., P.O. Box 12505, New Brighton, MN 55112. Representative: Samuel Rubenstein, P.O Box 5, Minneapolis, MN 55440. Applicant seeks to remove restrictions in its MC-117644 Sub-No. 53F permit to broaden the territorial description to between points in the U.S. under continuing contract(s) with a named shipper.

[FR Doc. 81-27029 Filed 9-24-81; 8:45 am]
BILLING CODE 7035-01-M

[Permanent Authority Decisions Volume No. OPY-5-156]

Motor Carriers; Permanent Authority Decisions; Decision-Notice

Decided: September 18, 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** on December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. Applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service or to comply with the appropriate statutes and Commission regulations. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated 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.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

James H. Bayne,

Acting 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.

MC 146938 (Sub-2), filed August 18, 1981. Applicant: TRI-J TRUCKING, INC., 1608 Whipple Rd., Union City, CA 94587. Representative: Jack Leong (same address as applicant), (415) 487–5150. 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., under continuing contract(s) with Pepperidge Farms, Inc., of Richmond, UT, Haggar Company, of Dallas, TX, and General Foods Corporation of San Leandro, CA.

MC 158098, filed September 8, 1981. Applicant: JEFFREY MILLER, R.R. 2, Withee, WI 54498. Representative: Jeffrey Miller (same address as applicant), (715) 229–2717. 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.

[FR Doc. 81-27925 Filed 9-24-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the **Federal Register** of December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplying 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.

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–2–177

Decided: September 17, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 11592 (Sub-31), filed September 3, 1981. Applicant: BEST REFRIGERATED EXPRESS, INC., P.O. Box 7365, Omaha, NE 68107. Representative: Rick A. Rude, Suite 611, 1730 Rhode Island Ave., NW., Washington, DC 20036, (202) 223–5900. Transporting *food and related products*, between points in IA, IL, NE, KS, those in SD on and east of U.S. Hwy 83 and on and south of U.S. Hwy 14, those in MO on and west of U.S. Hwy 65 and on and north of Interstate Hwy 70, and those in CO on and east of Interstate Hwy 25, on the one hand, and, on the other, points in the U.S.

MC 39073 (Sub-12), filed July 27, 1981 (correction), previously published in the **Federal Register** issue of August 18, 1981, and republished, as corrected, this issue. Applicant: BUDRECK TRUCK LINES, INC., 9330 South Constance Ave., Chicago, IL 60617. Representative: Richard A. Kerwin, 180 North LaSalle St., Chicago, IL 60601, (312) 332–5106. Transporting *general commodities* (except classes A and B explosives), between points in IL, IN, KY, MI, OH, and WI.

Note.—This republication corrects the territory description.

MC 85482 (Sub-4), filed September 8, 1981. Applicant: ACME MOTOR FREIGHT SERVICE, INC., 3333 South Iron St., Chicago, IL 60608. Representative: H. Barney Firestone, 10 South LaSalle St., Suite 1600, Chicago, IL 60603, (312) 263–1600. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with International Nu-Way Shippers, Inc., of Chicago, IL.

MC 87103 (Sub-94), filed September 1, 1981. Applicant: MILLER TRANSFER AND RIGGING CO., P.O. Box 322, Cuyahoga Falls, OH 44222. Representative: Walter Keal (same address as applicant), 216–325–2521. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with True Temper Corporation, of Cleveland, OH.

MC 107012 (Sub-737), filed September 2, 1981. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Hwy 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same address as applicant), (219) 429–2110. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of industrial heating and cooling units, between points in Appanoose County, IA, Coles County, IL, and Racine Couty, WI, on the one hand, and, on the other, points in the U.S.

MC 107012 (Sub-738), filed September 8, 1981. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Hwy 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop (same address as applicant), (219) 429–2110. Transporting *materials, equipment, and supplies* used in the manufacture and distribution of fireplaces, between points in Appanoose and Henry Counties, IA, on the one hand, and, on the other, points in the U.S.

MC 107912 (Sub-47), filed September 1, 1981. Applicant: REBEL MOTOR FREIGHT, INC., 3934 Homewood Road, Memphis, TN 38118. Representative: A. Doyle Cloud, 2008 Clark Tower, 5100 Poplar Ave., Memphis, TN 38137, (901) 767–5600. Transporting *electrical machinery and equipment and related products*, between points in Otero County, NM, on the one hand, and, on the other, points in Madison County, MS.

MC 108452 (Sub-14), filed September 1, 1981. Applicant: GOLD LINE, INC., d.b.a. GOLD LINE, 5500 Tuxedo Road, Tuxedo, MD 20781. Representative: L. C. Major, Jr., Suite 400 Overlook Building, 6121 Lincolnia Road, Alexandria, VA 22312, (703) 750–1112. Over regular routes, transporting *passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, between junction of MD Hwys 5 and 235, south of Mechanicsville, MD, and Lexington Park, MD: from junction of MD Hwys 5 and 235 over MD Hwy 5 to junction MD Hwy 246, then over MD Hwy 246 to Lexington Park, MD, and return over the same route, serving all intermediate points.

Note.—This authority is to be tacked with applicant's existing authority between Washington, DC and Lexington Park, MD, via MD Hwys 5 and 235 at junction points of MD Hwys 5 and 235 and at Lexington Park, MD, so as to permit applicant to provide service between Washington, DC, and Lexington Park via MD Hwys 5 and 246.

MC 113822 (Sub-9), filed August 31, 1981. Applicant: DALGARNO TRANSPORTATION, INC., 144 East Commerce St., Aberdeen, MS 39730. Representative: William S. Richards, P.O. Box 2465, Salt Lake City, UT 84110, (801) 531–1777. Transporting *Mercer commodities*, between points in AZ, CO, ID, MT, NV, NM, ND, SD, UT, WY, OR and WA, on the one hand, and, on the other, points in AL, AR, CA, KS, LA, MS, NE, OK, OR, TN, TX and WA.

MC 129712 (Sub-56), filed August 31, 1981. Applicant: GEORGE BENNETT MOTOR EXPRESS, INC., P.O. Box 569, McDonough, GA 30253. Representative: Guy H. Postell, Esq., Suite 713, 3384 Peachtree Road, NE, Atlanta, GA 30326, (404) 237–6472. Transporting *machinery*, between points in the U.S., under continuing contract(s) with Sperry New Holland Division, Sperry Corporation, of New Holland, PA.

MC 134073 (Sub-20), filed September 8, 1981. Applicant: GENOVA TRANSPORT, INC., 484 Clayton Rd., Williamstown, NJ 08094. Representative: George A. Olsen, P.O. Box 357, (201) 435–7140. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Mrs. Smith's Frozen Foods Co., of Pottstown, PA.

MC 140553 (Sub-18), filed September 4, 1981. Applicant: ROGERS TRUCK LINE, INC., 3325 Highway 24 East, Longansport, IN 46945. Representative: Thomas E. Leahy Jr., 1980 Financial Center, Des Moines, IA 50309, 515–245–4300. Transporting *food and related products*, between points in Webster County, IA, on the one hand, and, on the other, points in the U.S.

MC 142803 (Sub-53), filed August 31, 1981. Applicant: CONTRACT CARRIERS OF AMERICA, INC., P.O. Box 179, Springfield, MA 01101. Representative: Tami L. Quinlan (same address as applicant), (413) 732–6283. Transporting *rubber & plastic products and waste or scrap materials not identified by industry producing*, between points in the U.S., under continuing contract(s) with A-Top Polymers, Inc., of Salem, NH.

MC 143032 (Sub-43), filed August 31, 1981. Applicant: WALCO TRANSPORT, INC., 3112 Truck Center Drive, Duluth, MN 55806. Representative: William J. Gambucci, 525 Lumber Exchange Bldg., Ten Sough Fifth Street, Minneapolis, MN 55402, (612) 340–0808. Transporting *general commodities*, between the facilities of Conwed Corporation, at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 143183 (Sub-13), filed September 1, 1981. Applicant: D & L TRUCKING, INC., P.O. Box 1741, Wilmington, NC 28402. Representative: Jack L. Schiller, Esq., 502 Flatbush Avenue, Brooklyn, NY 11225, (212) 941–9291. Transporting *dry fertilizers, nitrogen fertilizer solutions, anhydrous ammonia, urea, nitric acid, sulphuric acid, ammonium nitrate fertilizer, ammonia nitric acid, phospatic fertilizer solutions, potash*

and lime, between points in the U.S., under continuing contract(s) with W.R. Grace & Co., Agricultural Chemicals Group, of Wilmington, NC.

MC 144592 (Sub-9), filed August 25, 1981. Applicant: WAYDENS HEAVY HAULERS, INC., 1400 North 6th Ave., Hiawatha, IA 52233. Representative: James M. Hodge, 1000 United Central Bank Bldg., Des Moines, IA 50309, 515–243–8164. Transporting *those commodities which because of their size or weight require the use of special handling or equipment*, between points in IA, IL, IN, Mi, MN, MO, OH, and WI, on the one hand, and, on the other, points in the U.S.

MC 145773 (Sub-13), filed September 1, 1981. Applicant: KIRK BROS. TRANSPORTATION INC., 800 Vandermark Rd., Sidney, OH 45365. Representative: A. Charles Tell, 100 E. Broad St., Columbus, OH 43215, (614) 228–1541. Transporting *clay, concrete, glass or stone products, and rubber and plastic products*, between points in the U.S., under continuing contract(s) with Richard Klinger, Inc., of Sidney, OH.

MC 145902 (Sub-2), filed September 1, 1981. Applicant: K.R.L. TRANSIT, INC., 223 Vincent Street, Springfield, IL 62707. Representative: Edward D. McNamara, Jr., Leslieann G. Maxey, 907 South Fourth St., Springfield, IL 62703, (217) 528–8476. Transporting *rough cut hardwood lumber*, between points in IL, on the one hand, and, on the other, points in IN.

MC 146133 (Sub-4), filed September 8, 1981. Applicant: HALVOR LINES, INC., 4609 W. First, Duluth, MN 55806. Representative: Andrew R. Clark, 1600 TCF Tower, 121 South 8th Street, Minneapolis, MN 55402, (612) 333–1341. Transporting *chemicals and related products*, between points in St. Louis County, MN, on the one hand, and, on the other, points in the U.S. Condition: To the extent any certificate issued in this proceeding authorizes the transportation of classes A and B explosives, it shall be limited to a period expiring 5 years from its date of issuance.

MC 146303 (Sub-11F), filed September 1, 1981. Applicant: COLO-TEX INDUSTRIES, INC., 1325 West Quincy Avenue, Englewood, CO 80110. Representative: William J. Lippman, Steele Park, Suite 330, 50 South Steele Street, Denver, CO 80209, (303) 320–6100. Transporting *food and related products*, between points in Cache County, UT, on the one hand, and, on the other, points in CT, MA, NY, NJ, PA, DE, RI, MD, NE, and KS.

MC 147832 (Sub-9), filed August 31, 1981. Applicant: JIM EDDLEMAN, d.b.a. J & J CATTLE COMPANY, 3395 Wright St., Wheatridge, CO 80033. Representative: James A. Beckwith, 1365 Logan St., Suite 100, Denver, CO 80203, (303) 861–4273. Transporting *beverages*, between points in AZ, CO, MA, NJ, NY, TX, and WA.

MC 148732 (Sub-5), filed September 8, 1981. Applicant: L & J TRUCKING, INC., P.O. Box 1325, Wisconsin Rapids, WI 54494. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118, (612) 457–6889. Transporting *food and related products, and chemicals and related products*, between points in Cattaraugus County, NY, Mecklenburg County, NC, Hudson County, NJ, Alameda and Los Angeles Counties, CA, Milwaukee County, WI, and Dallas County, TX, on the one hand, and, on the other, points in the U.S. Condition: To the extent any certificate issued in this proceeding authorizes the transportation of classes A and B explosives, it shall be limited to a period expiring 5 years from its date of issuance.

MC 149553 (Sub-7F), filed September 2, 1981. Applicant: VALLEY TRANSPORTATION SERVICE, INC., P.O. Box 1527, Mission, TX 78572. Representative: D. R. Beeler, P.O. Box 482, Franklin, TN 37064, (615) 790–2510. Transporting *food and related products and agricultural equipment*, between Oklahoma City, OK, and points in TX, on the one hand, and, on the other, ports of entry along the International boundary line between the U.S. and the Republic of Mexico located in Texas.

MC 150183 (Sub-7), filed September 8, 1981. Applicant: CASSCO REFRIGERATED TRANSPORT, DIVISION OF CASSCO CORPORATION, P.O. Box 548, Harrisonburg, VA 22801. Representative: James M. Hodge, 100 United Central Bank Bldg., Des Moines, IA 50309. Transporting *food and related products*, between points in Bedford County, VA, on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX.

MC 152863 (Sub-5), filed September 8, 1981. Applicant: ISC TRANSYSTEMS, INC., 100 Jericho Quadrangle, Jericho, NY 11753. Representative: Larsh B. Mewhinney, 555 Madison Ave., New York, NY 10022, (212) 838–0600. Transporting *textile mill products*, between points in the U.S., under continuing contract(s) with K-Mart Apparel Corp., of N. Bergen, NJ.

MC 154002, filed August 31, 1981. Applicant: FREEHOLD CARTAGE, INC., Box 14–5 Rd. 5, Freehold, NJ 07728. Representative: Harold L. Reckson, 33–28 Halsey Rd., Fair Lawn, NJ 07410, (201) 791–2270. Transporting *hazardous materials*, between points in NY, NJ, and PA, on the one hand, and, on the other, those points in the U.S. in and east of MN, IA, MO, AR, and TX. Condition: Any certificate issued in this proceeding shall be limited in term to a period expiring 5 years from its date of issuance.

MC 154143 (Sub-1), filed September 8, 1981. Applicant: KAPLAN TRANSPORTATION COMPANY, INC., P.O. Box 427, Bartow, FL 33830. Representative: Michael F. Morrone, 1150 17th St., NW., Suite 1000, Washington, DC 20036, 202–457–1124. Transporting (1) *food and related products*, under continuing contract(s) with Freezer Queen Foods, Inc., of Buffalo, NY, (2) *pulp, paper and related products*, under continuing contract(s) with Brenner Paper Products, of Glendale, NY, (3) *rubber and plastic products* and *chemicals and related products*, under continuing contract(s) with (a) Mars Cup Company, of Jacksonville, FL, and (b) Master Containers, Inc., of Mulberry, FL, between points in the U.S. Condition: To the extent any permit issued in this proceeding authorizes the transportation of classes A and B explosives, it shall be limited in point of time to a period expiring 5 years from its date of issuance.

MC 154492 (Sub-3), filed August 31, 1981. Applicant: FIRST TRUCK LINES, INC., 10 Kelly Ave., Dayton, OH 45404. Representative: E. H. van Deusen, P.O. Box 97, Dublin, OH 43017, (614) 889–2531. Transporting *general commodities* (except classes A and B explosives), between those points in the U.S. in and east of MN, IA, MO, AR, and LA.

MC 155223 (Sub-2), filed September 2, 1981. Applicant: HIGHWAY EXPRESS, INC., 5742 W. Maryland, P.O. Box 580, Glendale, AZ 85301. Representative: Robert Fuller, 13215 E. Penn St., Ste. 310, Whittier, CA 90602, (213) 945–3002. Transporting *glass, mirrors, framed mirrors, mirrored products, and laminated glass*, between points in the U.S., under continuing contract(s) with Binswanger Mirror Products, of Chandler, AZ.

MC 157073, filed September 1, 1981. Applicant: RESOURCE CONSERVATON AND RECOVERY AGENCY, INC., 34 North Main St., Farmington, NH 03835. Representative: David Green (same address as applicant), (603) 755–4442. Transporting *chemical waste and hazardous waste* for disposal, treatment, reclamation, and

storage, between those points in the U.S. on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, then northward along the western boundaries of Itasca and Koochiching Counties, MN, to the International Boundary line between the U.S. and Canada. Condition: To the extent any certificate issued in this proceeding authorizes the transportation of hazardous materials, it shall be limited to a period expiring 5 years from its date of issuance.

MC 157302 (Sub-1), filed September 8, 1981. Applicant: OLD SOUTH FREIGHT SERVICE, INC., 2805 Foster Ave., Suite 202, Nashville, TN 37210. Representative: Stephen L. Edwards, 315 Union St., 806 Nashville Bank & Trust Bldg., Nashville, TN 37210, (615) 244-2926. Transporting *metal products*, between points in Georgetown County, SC, and Dickson County, TN, on the one hand, and, on the other, points in the U.S. Condition: The person or persons who appear to be engaged in common control of another regulated carrier must either file an application under 49 U.S.C. § 11343(a) or submit an affidavit indicating why such approval is unnecessary to the Secretary's office. In order to expedite issuance of any authority, please submit a copy of the affidavit or proof of filing the application(s) for common control to Team 2, Room 2379.

MC 157782 (Sub-1), filed September 1, 1981. Applicant: DAVID C. BRITTON, P.O. Box 1404, Grand Forks, ND 58201. Representative: David C. Britton, (same address as applicant), (701) 772-6681. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Dane Chemco, of Williston, ND.

MC 158032, filed September 2, 1981. Applicant: GLORIA RAMSEY, d.b.a. THE RAMBLERS, 1025 Duke Drive, Conyers, GA 30208. Representative: Gloria Ramsey (same address as applicant), (404) 483-5256. As a *broker*, at Conyers, GA, in arranging for the transportation, by motor vehicle, of *passengers and their baggage*, between points in the U.S.

MC 158053, filed September 3, 1981. Applicant: KAISER CARRIERS, INC., 60 1st St., Jersey City, NJ 07302. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934, 201-435-7140. Transporting *general commodities* (except classes A and B explosives), between points in NJ, NY, PA, DE, CT, MA, and MD.

Volume No. OPY-3-173

Decided: September 18, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 135924 (Sub-30), filed July 14, 1981. Applicant: SIMONS TRUCKING CO., INC., 3851 River Road, Grand Rapids, MN 55744. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440, (612) 542-1121. Transporting *hazardous materials*, between points in the U.S., under continuing contract(s) with The Whitmore Manufacturing Company, of Cleveland, OH.

Note.—The certificate granted in this proceeding shall expire 5 years from the date of issuance.

MC 138875 (Sub-305), filed July 13, 1981. Applicant: SHOEMAKER TRUCKING COMPANY, a corporation, 11900 Franklin Rd., Boise, ID 83709. Representative: Patricia A. Russell (same address as applicant), (208) 376-5757. Transporting (1) *food and related products* and (2) *such commodities* as are dealt in by retail, gift, and curio stores, and catalog distribution centers, between points in CT, ID, IL, KS, NY, OR, UT, WI, and WY, on the one hand, and, on the other, points in the U.S.

MC 146814 (Sub-14), filed July 13, 1981. Applicant: VAN WYK, INC., "C" Street, Sheldon, IA 51201. Representative: Arlyn L. Westergren, Suite 201, 9202 Dodge Rd., Omaha, NE 68114, (402) 397-7053. Transporting *general commodities* (except classes A and B explosives), between points in Sioux County, IA, on the one hand, and, on the other, points in the U.S.

MC 149125, filed July 13, 1981. Applicant: MUSE TRUCKING COMPANY, a corporation, 5301 S. High (P.O. Box 94682), Oklahoma City, OK 73143. Representative: C. L. Phillips, Room 248—Ciassen Terrace Bldg., 1411 E. Classen, Oklahoma City, OK 76108, (405) 528-3884. Transporting *machinery*, between points in OK, on the one hand, and, on the other, points in AR, CO, IL, KS, LA, NM, MS, MT, TX, WY and UT.

MC 151444 (Sub-2), filed July 15, 1981. Applicant: ROBERT A. and VIVIAN D. CARPENTER, d.b.a. RAC TRANSPORT COMPANY, 747 West White, Grand Junction, CO 81501. Representative: Lee E. Lucero, 445 Capitol Life Center, Denver, CO 80203, (303) 861-8046. Over regular routes, transporting *general commodities* (except classes A and B explosives), between Grand Junction, CO and Salt Lake City, UT: from Grand Junction, CO, over Interstate Hwy 70 to junction U.S. Hwy 6, then over U.S. Hwy 6 to junction U.S. Hwy 89, then over U.S. Hwy 89 to Salt Lake City, UT, and return over the same route, serving Bonanza and Vermal, UT, points in Carbon, Davis, Emery, Grand, Morgan, Salt Lake, Tooele, Utah and Weber Counties, UT, and points in Clear Creek, Delta, Eagle, Garfield, Grand, Moffat, Pitkin, Rio Blanco, Routt and Summit Counties, CO as off-route points in connection with carrier's otherwise regular route operations.

MC 156984, filed July 7, 1981. Applicant: YELLOWSTONE DISPATCH, INC., 405 N. Seventh St., Miles City, MT 59301. Representative: William E. Seliski, 2 Commerce, P.O. Box 8255, Missoula, MT 59801, (406) 543-8369. Transporting (1) *hides and pelts*, (2) *scrap metals*, (3) *such commodities* as are dealt in or used by hardware stores, and (4) *such commodities* as are manufactured and distributed by steel mills and metal fabricators, between points in the U.S., under continuing contract(s) with Pacific Hide and Fur Depot, of Great Falls, MT.

Volume No. OPY-3-175

Decided: September 18, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 30204 (Sub-47), filed September 11, 1981. Applicant: HEMINGWAY TRANSPORT, INC., 438 Dartmouth St., New Bedford, MA 02740. Representative: Frank J. Weiner, 15 Court Square, Boston, MA 02108, (617) 742-3530. Over regular routes, transporting *general commodities* (except classes A and B explosives), between Ronaoke, VA and Bristol, TN, over Interstate Hwy 81.

MC 44154 (Sub-5), filed September 11, 1981. Applicant: FIELDS TRUCK LINE, INC., 202 Main St., Gooding, ID 83330. Representative: Lowell Gourley Fields, 1531 Park Dale Circle, Layton, UT 84041, (801) 376-5421. Transporting *general commodities* (except classes A and B explosives), between points in WA, OR, CA, NV, AZ, UT, ID, MT, WY, CO, NM and TX.

MC 110144 (Sub-25), filed September 10, 1981. Applicant: ROBINSON FREIGHT LINES, P.O. Box 4126, Knoxville, TN 37921. Representative: Melissa Robinson (same address as applicant), (615) 525-6189. Over *regular routes*, transporting *general commodities* (except classes A and B explosives), (1) between Memphis, TN and San Antonio, TX; from Memphis over Interstate Hwy 40 to Little Rock, AR, then over Interstate Hwy 30 to Dallas, TX, then over Interstate Hwy 35 to San Antonio and return over the same route, (2) between Atlanta, GA and Dallas, TX; over interstate Hwy 20; and (3) between Atlanta, GA and San

Antonio, TX; from Atlanta over Interstate Hwy 85 to Montgomery, AL, then over Interstate Hwy 65 to Mobile, AL, then over Interstate Hwy 10 to San Antonio and return over the same route, serving points in TX in and east of Cooke, Denton, Tarrant, Johnson, Hill, McLennan, Bell, Williamson, Travis, Hays, Comal, Bexar, Atascosa, Live Oak, San Patricio and Nueces Counties, TX, as off-route points in connection with routes in (1) through (3).

Note.—Applicant intends to tack this authority with its existing authority.

MC 128085 (Sub-24), filed September 9, 1981. Applicant: NOVAK TRUCKING SERVICE, INC., Route 1, Box 5626, Laona, WI 54541. Representative: Nancy J. Johnson, 103 E. Washington, St., Box 218, Crandon, WI 54520, (715) 478–3341. Transporting *lumber and wood products*, between points in MI and WI, on the one hand, and, on the other, points in the U.S.

MC 139985 (Sub-1), filed September 11, 1981. Applicant: BROTHERS TRUCK RENTALS, INC., 264 Illinois Ave., Paterson, NJ 07507. Representative: Peter Gregory Lordi, Jr., 4 Richard Court, Butler, NJ 07405, (201) 279–3033. Transporting *textile mill products*, between points in the U.S., under continuing contrast(s) with United Yarn Products Co., Inc., Fiberspun Incorporated, and Amerspun Corporation, all of Wayne, NJ.

MC 140294 (Sub-31), filed September 11, 1981. Applicant: GENERAL FREIGHTS, INC., P.O. Box 1946, Hagerstown, MD 21740. Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740, (301) 797–6060. Transporting *general commodities* (except Classes A and B explosives), between points in Frederick and Shenandoah Counties, VA, Morgan and Jefferson Counties, WV, Washington County, MD, and Adams County, PA, on the one hand, and, on the other, points in OH.

MC 150444 (Sub-5), filed September 11, 1981. Applicant: ADVANCE FREIGHT, LTD., 7637 Leesburg Pike, Falls Church, VA 22043. Representative: Wayne Hartke (same address as applicant), (703) 734–2810. Transporting *electrical machinery* and *metal products*, between points in the U.S., under continuing contract(s) with Slant/Fin Corporation, of Greenvale, NY.

MC 151435, filed September 10, 1981. Applicant: MOTRAN SERVICES, INC., 6311 Raytown Rd., Raytown, MO 64133. Representative: Arthur J. Cerra, 2100 CharterBank Center, P.O. Box 19251, Kansas City, MO 64141, (816) 842–8600. Transporting *corrugated fibreboard partitions*, and *chemicals and related products*, between points in the U.S., under continuing contract(s) with Four M Corporation, of North Kansas City, MO, and Faultless Starch-Bon Ami Company, of Kansas City, MO.

MC 154304, filed September 11, 1981. Applicant: MELGAARD FREIGHTSYSTEMS LTD., 4316 B 64th Ave., SE, Calgary, Alberta, Canada T2C 2B3. Representative: George R. LaBissoniere, 15 S. Grady Way, Suite 233, Renton, WA 98055, (206) 228–3807. Transporting *machinery, construction materials and supplies*, and *metal and metal products*, between ports of entry on the International Boundary line between the U.S. and Canada, in WA, ID, and MT, on the one hand, and, on the other, points in WA, OR, ID, CA, NV, AZ, CO, WY, MT, TX, OK, AK, NM, UT, KS, NE, ND, and SD.

MC 156604, filed September 11, 1981. Applicant: BD INVESTMENTS, INC., Route #2, Box 46, Boonville, NC 27011. Representative: Billy Dean Prim (same address as applicant), (919) 367–5145. Transporting *textile mill products*, between points in Yakin County, NC, on the one hand, and, on the other, points in Queens County, NY.

MC 156834, filed September 14, 1981. Applicant: NEBRASKALAND TRUCKING, INC., Rt. No. 3, Box 63, Blair, NE 68008. Representative: Donald L. Stern, Suite 610, 7171 Mercy Rd., Omaha, NE 68106, (402) 392–1220. Transporting *building materials*, between points in the U.S., under continuing contract(s) with Continental Timber Co. of Valley Center, KS, Powell Lumber Co. of Lake Charles, LA, Endicott Clay Products Co. and Endicott Tile Corp. of Fairbury, NE.

MC 157414 (Sub-1), filed September 9, 1981. Applicant: ILLINOIS ARMOURED CAR CORP., 8114 W. Grand Ave., River Grove, IL 60171. Representative: Richard C. Otter, P.O. Box 273, Anderson, SC 29622, (803) 225–2571. Transporting *coin, currency, negotiable and non-negotiable instruments, checks, commercial paper, jewelry, precious stones and metals, gold, silver, bullion, securities, food coupons and other rare and valuable documents of unusually high value*, between points in IA, IL, IN, WI, and MI.

MC 158135, filed September 10, 1981. Applicant: CLARK MOTOR CO., INC., 807 N. Main St., Lexington, NC 27292. Representative: Archie W. Andrews, 617 F Lynrock Terrace, Eden, NC 27288, (919) 627–0555. Transporting *wrecked or disabled vehicles and replacement vehicles for wrecked or disabled vehicles*, between points in NC, on the one hand, and, on the other, points in and east of MN, IA, MO, AR and TX.

MC 158184, filed September 11, 1981. Applicant: GENE S. WILLIAMS CONTRACT CARRIERS, 6307 Greenway Forest Lane, Houston, TX 77088. Representative: Gene S. Williams (same address as applicant), (713) 820–6199. Transporting *carpet, carpet samples and carpet sales aids*, between points in the U.S., under continuing contract(s) with L. D. Brinkman Co. of Houston, TX.

MC 158185, filed September 14, 1981. Applicant: J. D. WARD TRUCKING, INC., 1011 E. Pine St., Lodi, CA 95240. Representative: Michael S. Rubin, 235 Montgomery St., Fifth Fl., San Francisco, CA 94104, (415) 421–6743. Transporting (1) *textile mill products*, (2) *furniture and fixtures*, and (3) *rubber and plastic products*, between points in the U.S.

Volume No. OPY–5–154

Decided: September 17, 1981.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC 112908 (Sub-14), filed September 8, 1981. Applicant: KINGSWAY TRANSPORTS LIMITED, 123 Rexdale Blvd., Rexdale, Ontario, Canada M9W 1P3. Representative: John W. Bryant, 900 Guardian Bldg., Detroit, MI 48226, (313) 963–3750. Over regular routes, transporting *general commodities* (except classes A and B explosives), serving points in NJ as off-route points in connection with applicant's presently held regular-route authority.

MC 41608 (Sub-3), filed September 4, 1981. Applicant: CORRIGAN MOVING & STORAGE CO., 2000 Westwood, Dearborn, MI 48124. Representative: B. W. LaTourette, Jr., 11S. Mermac, Suite 1400, St. Louis, MO 63105, 314–727–0777. Transporting *household goods* (as defined by the Commission), between points in AL, AR, CO, CT, DE, FL, GA, IA, IL, IN, KS, KY, LA, MA, MI, MD, ME, MO, MN, MS, NC, NE, NH, NJ, NM, NY, OH, OK, PA, RI, SC, TN, TX, VA, VT, WI, WV and DC.

MC 113158 (Sub-55), filed September 9, 1981. Applicant: TODD TRANSPORT COMPANY, INC., Secretary, MD 21664. Representative: James H. Sweeney, P.O. Box 9023, Lester, PA 19113, (215) 365–5141. Transporting *foodstuffs*, between points in Shenandoah County, VA, on the one hand, and, on the other, points in TX.

MC 134519 (Sub-4), filed August 28, 1981. Applicant: KNOXVILLE TOURS, INC., 5833 Clinton Highway, Knoxville, TN 37912. Representative: Charles J. Williams, P.O. Box 186, Scotch Plains, NJ 07076, 201–322–5030. Transporting *passengers and their baggage*, in the same vehicle with passengers, in charter

operations, beginning and ending at points in Jefferson, St. Clair, Calhoun, Blount, Etowah, Marshall, DeKalb, Madison, Jackson, Cherokee, Cullmon, Morgan, Limestone, Lauderdale, and Lawrence Counties, AL; Murray, Walker, Pickens, Cobb, Gilmer, and Floyd Counties, GA; Madison, Mitchell, Swain, and Haywood Counties, NC; Knox, Bell, Harlan, Whitley, Laurel, Rock Castle, Madison, Fayette, Boyle, Lincoln, Leslie, Perry, and Clark Counties, KY; Washington, Tazewell, Buchanon, Wise, Lee, Dickenson, Russell, Roanoke, Montgomery, Pulaski, Wythe, and Smith Counties, VA and points in TN (except those in Knox and Anderson Counties), and extending to points in the U.S.

MC 136828 (Sub-45), filed August 21, 1981. Applicant: COOK TRANSPORTS, INC., P.O. Box 6362–A, Birmingham, AL 35217. Representative: John R. Frawley, Suite 200, 120 Summit Parkway, Birmingham, AL 35209, (205) 942–9116. Transporting (1) *metal products*, (2) *pipe*, (3) *machinery*, (4) *building materials*, (5) *commodities requiring special equipment*, and (6) *self-propelled articles*, between points in the U.S.

MC 139159 (Sub-1), filed September 4, 1981. Applicant: QUICK DELIVERY CO., 414 Acorn St., Plainwell, MI 49080. Representative: T. M. Schlechter, 1033 Graceland Avenue, Des Plains, IL 60016, (312) 298–1094. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of cosmetics, costume jewelry and printed matter, between ponts in the U.S., under continuing contract(s) with Avon Products, Inc., of Cincinnati, OH.

MC 145108 (Sub-56), filed September 8, 1981. Applicant: BULLET EXPRESS, INC., P.O. Box 289, Bay Ridge Station, Brooklyn, NY 11220. Representative: Robert L. Van Buren (same address as applicant), (212) 492–7332. Transporting *paper products and plastic products*, between points in the U.S., under continuing contract(s) with Lily Tulip, Inc., of Toledo, OH.

MC 145108 (Sub-57), filed September 8, 1981. Applicant: BULLET EXPRESS, INC., 5600 First Ave., Brooklyn, NY 11220. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934, (201) 435–7140. Transporting *such commodities* as are dealt in or used by chain sporting good stores, between points in the U.S., under continuing contract(s) with Herman's World of Sporting Goods, Div. W. R. Grace Co., of Carteret, NJ.

MC 146708 (Sub-3), filed August 28, 1981. Applicant: MAPLE LEAF EXPRESS, LTD., 3600 S. Western Ave., Chicago, IL 60609. Representative: H. Barney Firestone, 10 S. La Salle St., Suite 1600, Chicago, IL 60603, (312) 263–1600. In foreign commerce only, transporting *general commodities* (except classes A and B explosives), between points in CA, on the one hand, and, on the other, ports of entry on the international boundary line between the U.S. and Canada in WA.

MC 150339 (Sub-38), filed September 8, 1981. Applicant: PIONEER TRANSPORTATION SYSTEMS, INC., 151 Easton Blvd., Preston, MD 21655. Representative: Stephen J. Hammer (same address as applicant), (301) 673–7151. Transporting *proprietary anti-freeze preparations*, between points in the U.S., under continuing contract(s) with Cities Service Company, of Tulsa, OK.

MC 151368 (Sub-3), filed August 31, 1981. Applicant: KOCH TRUCK LINE, INC., 619 Iowa, Sabetha, KS 66534. Representative: Eugene W. Hiatt, 207 Casson Bldg., 603 Topeka Blvd., Topeka, KS 66603, (913) 232–7263. Transporting *aggregate and clay*, between points in the U.S., under continuing contract(s) with Resource Group, Inc., of Lincoln, NE.

MC 151558 (Sub-1), filed September 3, 1981. Applicant: TC CARRIERS, 1101 East Orangewood Ave., Suite 205, Anaheim, CA 92805. Representative: Wentworth E. Griffin, 1221 Baltimore Ave., Suite 600, Kansas City, MO 64105, (816) 221–1464. Transporting *general commodities* (except classes A and B explosives), between points in the U.S. (except CA, NY, and NJ).

MC 152928 (Sub-1), filed September 8, 1981. Applicant: SEA RAIL PIGGYBACK SERVICES, INC., 22 East Huron Street, Chicago, IL 60611. Representative: T. M. Schlechter, 1033 Graceland Avenue, Des Plaines, IL 60016, (312) 298–1094. Transporting *general commodities* (except classes A and B explosives), between Chicago, IL, on the one hand, and, on the other, points in IL, IN, IA, KS, KY, MI, MO, OH, TN, and WI.

MC 153669 (Sub-3), filed September 9, 1981. Applicant: GEORGIA-PACIFIC CORPORATION, 900 S.W. Fifth Avenue, Portland, OR 97204. Representative: Roger P. Campbell (same address as applicant), (503) 248–7807. Transporting *rubber and plastic products*, between points in the U.S., under continuing contract(s) with Sewell Plastics, of Atlanta, GA.

MC 154159 (Sub-1), filed September 4, 1981. Applicant: RONALD R. ELLIS, d.b.a. ELLIS WRECKER SERVICE, 8300 First Avenue, North, Birmingham, AL 35206. Representative: William P. Jackson, Jr., P.O. Box 1240, Arlington, VA 22210. 703–833–4930. Transporting *disabled motor vehicles and replacement vehicles for disabled motor vehicles*, by use of wrecker equipment only, between points in the U.S.

MC 154319 (Sub-1), filed September 3, 1981. Applicant: GLADSTONE TRANSFER LIMITED, P.O. Box 64, Gladstone, Manitoba, Canada, ROJ OTO. Representative: Kenneth R. Kinley (same address as applicant), 204–385–2570. Transporting *fertilizer*, in foreign commerce only, between points in ND and MN, on the one hand, and, on the other, ports of entry on the international boundary line between the United States and Canada at Pambina, ND and St. Vincent, MN.

MC 154568, filed August 31, 1981. Applicant: CLARENCE DEAN KVALEVOG, d.b.a. C. D. KVALEVOG, R.R. 7, box 266–17, Bemidji, MN 56601. Representative: James B. Hoveland, 525 Lumber Exchange Bldg., Ten South Fifth St., Minneapolis, MN 55402, (612) 340–0808. Transporting *malt beverages and non-alcoholic beverages*, between Minneapolis, MN, St. Louis, MO, Omaha, NE, and Milwaukee, WI, on the one hand, and, on the other, points in Polk and Hubbard Counties, MN and Grand Forks and Ramsey Counties, ND.

MC 155799 (Sub-1), filed September 2, 1981. Applicant: O'BERRY TRUCKING CO., 4521 Ogeechee Rd., Savannah, GA 31405. Representative: Lester E. O'Berry (same address as applicant), 912–234–8601. Transporting, *building materials*, Between points in GA on the one hand, and, on the other, points in GA, NC and SC.

MC 156299 (Sub-1), filed September 3, 1981. Applicant: BILL HILL, d.b.a. HILL TRUCKING, 104 Castle, Ave., Paragould, AR 72450. Representative: James M. Duckett, 221 W. Second, Suite 411, Little Rock , AR 72201, (501) 375–3022. Transporting *shock absorbers*, between points in Green County, AR, on the one hand, and, on the other, points in CA, GA, NE, AND VA.

MC 156318, filed September 8, 1981. Applicant: SUNRISE FREIGHT SERVICES, INC., 637 Central Avenue, Newark, NJ 07107. Representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904, (201) 572–5551. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of advertising materials, and store displays and fixtures, between points in the U.S., under continuing contract(s) with Butler Industries, Inc., of Newark, NJ.

MC 157958, filed August 28, 1981. Applicant: NUWAY TRANSPORTATION SYSTEMS, 7900

North Frontage Rd., Hinsdale, IL 60521. Representative: W.T. Williamson (same address as applicant), 312–325–9151. Transporting (1) *general commodities* (except classes A and B explosives), between Chicago, IL, and (2) *metal products*, between points in Clinton, and Scott Counties, IA, on the one hand, and, on the other, points in the U.S.

Volume No. OPY–5–155

Decided: September 18, 1981.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC 5888 (Sub-68), filed September 8, 1981. Applicant: MID-AMERICAN LINES, INC., 127 West 10th Street, Kansas City, MO 64105. Representative: Carl L. Steiner, 39 South La Salle Street, Chicago, IL 60603, (312) 236–9375. Transporting *chemicals and related products*, between Kansas City, KS, Louisville, KY, and points in Cuyahoga County, OH, on the one hand, and, on the other, points in the U.S. Condition: Any certificate issued in this proceeding to the extent it authorizes transportation of classes A and B explosives shall be limited in point of time to a period expiring 5 years from the date of issuance of the certificate.

MC 54808 (Sub-2), filed September 8, 1981. Applicant: SAM GRIMMETT, INC., P.O. Box 280, Port Barre, LA 70577. Representative: Lennie G. Hardy, Sr. (same address as applicant), (318) 585–2336. Transporting *Mercer commodities*, between points in LA and TX.

MC 106509 (Sub-30), filed August 28, 1981. Applicant: YOUNGER TRANSPORTATION, INC., 4904 Griggs Rd., P.O. Box 14066, Houston, TX 77021. Representative: Wray E. Hughes (same address as applicant), (713) 748–0100. Transporting (1) *Mercer commodities*, (2) *machinery*, (3) *iron and steel articles*, and (4) *building materials and supplies*, between points in the U.S. (except HI, NH, RI, and VT).

MC 109028 (Sub-17), filed September 9, 1981. Applicant: S & W TRANSFER, INC., 312 E. Wisconsin Avenue, Milwaukee, WI 53202. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440, (612) 542–1121. Transporting *paper and paper products*, between points in the U.S., under continuing contract(s) with Champion International Corporation, of Stamford, CT.

MC 114569 (Sub-379), filed September 10, 1981. Applicant: SHAFFER TRUCKING, INC., P.O. Box 418, New Kingston, PA 17072. Representative: Norman L. Cummins (same address as applicant), 717–766–4708. Transporting *general commodities* (except classes A and B explosives), between points in the U.S.

MC 115268 (Sub-15), filed September 10, 1981. Applicant: DAYTON TRANSPORT CORP., P.O. Box 338, Dayton, VA 22821. Representative: Edward T. Love, 4401 East West Hwy., Suite 404, Bethesda, MD 20814, 301–986–9030. Transporting *cement*, between points in Botetourt County, VA on the one hand, and, on the other, points in SC.

MC 128759 (Sub-4), filed August 31, 1981. Applicant: RICHARDS MOTOR SERVICE, INC., 5040 West 39th St., Cicero, IL 60650. Representatives: T. M. Schlechter and D. S. Mullins, 1033 Graceland Ave., Des Plaines, IL 60016, (312) 298–1094. Transporting *chemicals and related products*, and *petroleum or coal tar products*, between points in IL and those points in IN in the Chicago, IL, Commerical Zone, on the one hand, and, on the other, points in AR, IL, IN, IA, KS, KY, MI, MN, NE, OH, SD, TN, and WI.

MC 139628 (Sub-4), filed September 3, 1981. Applicants: GLENN DAVID COWAN and JAMES ESTILL COWAN, a partnership, P.O. Box 339, East Bernstadt, KY 40729. Representative: Herbert D. Liebman, 403 West Main St., P.O. Box 478, Frankfort, KY 40602, (502) 875–3493. Transporting *cheese and cheese products*, between points in Clinton County, KY, on the one hand, and, on the other, points in Jasper County, MO.

MC 142629 (Sub-5), filed September 8, 1981. Applicant: ED HOPSON PRODUCE CO., INC., P.O. Box 3287, Oxford, AL 36203. Representative: John W. Cooper, P.O. Box 56, Mentone, AL 35984, (205) 634–4885. Transporting *pipe, pipe fittings, valves and accessories*, between points in the U.S., under continuing contracts(s) with U.S. Pipe & Foundry Co., division of Jim Walters Corp., of Birmingham, AL.

MC 143059 (Sub-188), filed September 8, 1981. Applicant: MERCER TRANSPORTATION CO., INC., P.O. Box 35610, Louisville, KY 40232. Representative: Kenneth W. Kilgore (same address as applicant), (502) 584–2301. Transporting *general commodities* (except classes A and B explosives), between points in IL, IN, KY, MI, OH, FL, GA, NC, SC, VA, WV, ND, SD, NE, KS, WA, OR, and ID, on the one hand, and, on the other, points in the U.S.

MC 143059 (Sub-189), filed September 8, 1981. Applicant: MERCER TRANSPORTATION CO., INC., P.O. Box 35610, Louisville, KY 40232. Representative: Kenneth W. Kilgore, (same address as applicant), (502) 584–2301. Transporting *general commodities* (except classes A and B explosives), between points in AZ, CA, NV, UT, MT, WY, CO, AL, AR, LA, MS, TN, IA, MN, MO, and WI, on the one hand, and, on the other, points in the U.S.

MC 156209, filed September 2, 1981. Applicant: DART WAREHOUSE CORPORATION, d.b.a. DIVISION TRUCKING, 1430, So. Eastman Ave., Los Angeles, CA 90023. Representative: John C. Russell, 1545 Wilshire Blvd., Los Angeles, CA 90017, (213) 483–4700. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Sears, Roebuck and Co., of Chicago, IL, Terminal Freight Cooperative Association, of Downers Grove, IL, and Scott Paper Company, of Philadelphia, PA.

MC 157499, filed August 3, 1981, previously noticed in **Federal Register** issue of August 26, 1981. Applicant: PATSY R. WASHINGTON, d.b.a. PATCO FREIGHT CARRIERS, 1000 South Lelia, P.O. Box 1187, Texarkana, TX 75504. Representative: Patsy R. Washington (same address as applicant), (214) 792–5961. Transporting (1) *wax*, between points in Amador County, CA, on the one hand, and, on the other, Atlanta, GA, Boston, MA, and points in Washington and Nacogdoches Counties, TX; (2) *foodstuffs*, between Oklahoma City, OK, and points in Miller County, AR, Stone County, MS, Dade County, FL, Dekalb County, GA, Saline County, MO, and points in TX, on the one hand, and, on the other, points in the U.S., (3) *petroleum and petroleum products, chemicals, and plastics*, between Kansas City, MO, Baton Rouge, LA, and points in McLennan, Harris, Jefferson and Tarrant Counties, TX, Caddo and Beinville Parishes, LA, Shelby and Hamilton Counties, TN, Clark County, IL, Maricopa County, AZ, and Miller and Union Counties, AR, on the one hand, and, on the other, points in the U.S., (4) *wood products*, between points in Columbia County, AR and Bowie County, TX, on the one hand, and, on the other, points in the U.S., (5) *industrial protective products*, between points in Cass County, TX, on the one hand, and, on the other, points in the U.S., (6) *carpets*, between points in Hempstead County, AR, on the one hand, and, on the other, points in the U.S., and (7) *animal feed*, between points in Austin County, TX, and Tate County, MS, on the one hand, and, on the other, points in the U.S.

Note.—This republication adds Harris County, TX to the base description in part (3) above.

MC 157539, filed August 24, 1981. Applicant: BRADLEY SODDING, INC., P.O. Box 1000, Sturgis, SD 57785. Representative: J. Maurice Andren, 1734 Sheridan Lake Rd., Rapid City, SD 57701, (605) 343–4036. Transporting (1) *metal products*, and (2) *clay, concrete, glass or stone products*, between points in Pennington County, SD, on the one hand, and, on the other, points in WY and MT.

MC 157919, filed August 26, 1981. Applicant: COASTAL ARMORED CAR SERVICE, INC., Suite 10, Ocean Lakes Plaza, Myrtle Beach, SC 29577. Representative: Francis W. McInerny, 1000 Sixteenth St., NW., Suite 502, Solar Bldg., Washington, DC 20036, (202) 783–8131. Transporting *currency, coins, commercial papers, and negotiable securities*, (1) between Richmond, VA, on the one hand, and, on the other, points in NC, and (2) between Charlotte, NC, on the one hand, and, on the other, points in SC.

MC 158078, filed September 4, 1981. Applicant: BOB LOTT & SONS, North 2nd East, Newdale, ID 83436. Representative: Bob Lott, (same address as applicant), (208) 458–4307. Transporting (1) *lumber and wood products*, between points in OR, WA, and ID, on the one hand, and, on the other, Denver, CO, and (2) *rubber and plastic products*, between points in Alameda and Los Angeles Counties, CA, on the one hand, and, on the other, points in Madison County, ID.

James H. Bayne,

Acting Secretary.

[FR Doc. 81-27931 Filed 9-24-81; 8:45 am]

BILLING CODE 7035-01-M

DEPARTMENT OF LABOR

Employment and Training Administration

Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for adjustment assistance issued during the period September 14–18, 1981.

In order for an affirmative determination to be made and a certification of eligibility to apply for adjustment assistance to be issued, each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have been totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Negative Determinations

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA–W–11,290; Remington Arms Co., Inc., Ilion, NY.

TA–W–11,619; Belden Corp., Pontotoc, MS.

TA–W–11,582; Royal Down Products, Inc., Belding, MI.

TA–W–11,634; Fairwood-Wells, Inc., Miami, FL.

TA–W–11,830; Parker Hannifin Corp., Manatrol Div., Elyria, OH.

TA–W–11,998; P&K American, Inc., Humptulips, WA.

TA–W–11,549; Harvey Hubbell, Inc., Ensign Electric Div., Huntington, WV.

TA–W–11,480; Hoover Universal, Inc., Aluminum Extrusions Div., Charlotte, MI.

TA–W–11,409; Cooper Air Tools, Div. of Cooper Industries, Reed City, MI.

TA–W–10,183; Lilly Mfg. Co., Inc., Lilly, PA.

TA–W–12,014; Somerville Mfg. Co., Inc., Vivian, LO.

TA–W–11,539; Armco, Inc., Baltimore, MD.

TA–W–9972; Lear Siegler, Inc., National Twist Drill & Tool Div., Rochester, MI

TA–W–12,058; FMC Corp., Mining Equipment Div., Fairmont, WV.

TA–W–12,124; Buckeye Steel Castings Co., Columbus, OH.

TA–W–11,310; Bostrom Div. of U.O.P., Inc., Cudahy, WI and Milwaukee, WI.

TA–W–11,142; Sunshine Togs, New York, NY.

TA–W–11,282; Union City Body Co., Union City, IN.

TA–W–10,688; Borg-Warner Corp., Ballwin-Washington Div., Ballwin & Washington, MO.

In each of the following cases the investigation revealed that criterion (3) has not been met. Increased imports did not contribute importantly to worker separations at the firm.

TA–W–11,070; Allied Technology, Inc., Troy, OH.

TA–W–10,933; Eli's Place, Ltd., New York City, NY.

TA–W–10,363; Kidde, Inc., Kidde Belleville, Belleville, NJ.

TA–W–12,575; Hawaii Footwear Mfg. Corp., Brooklyn, NY.

TA–W–9724; Davenport Pontiac, Inc., St. Louis, MO.

TA–W–11,889; Bart Shoe Co., Inc., Union, MO.

TA–W–9670, 9670A, & 9670B; Compo Industries, Inc., Moonachie, NJ, Roselle, NJ, and Rocky Hill, NJ.

TA–W–11,359; Litton Industrial Products, Inc., Storms Drop Forging Div., Springfield, MA.

In each of the following cases the investigation revealed that the firm does not produce an article within the meaning of Section 223 of the Act.

TA–W–12,121; Selby, Battersby and Co., Quincy, MA.

TA–W–12,717; Russo Chevrolet, Inc., Niagara Falls, NY.

TA–W–9536; Art Belew Chevrolet, Inc., Decatur, AL.

In each of the following cases the investigation revealed that criterion (3) has not been met for the reason(s) specified.

TA–W–12,781; Westmoreland Coal Co., East Gulf Mine, McAlpin, WV.

Aggregate U.S. imports of bituminous coal are negligible. U.S. imports of coke have not increased as required for certification.

TA–W–11,712; Chippewa Shoe Co., Chippewa Falls, WI.

U.S. imports of men's work footwear declined absolutely and relative to domestic production in 1979 compared with 1978, in 1980 compared with 1979, and in the first quarter of 1981 compared with the same period of 1980.

TA–W–12,843; Hanna Mining Co., Groveland Mine, Iron Mountain, MI.

Aggregate U.S. imports of iron ore and pellets declined absolutely and relatively from 1979 to 1980 and in the first quarter of 1981 compared to the first quarter of 1980. Although there is some affiliation between Hanna Mining Co. and National Steel, there is no substantial ownership or control between the two firms.

TA–W–11,948; Engelking Patterns, Inc., Columbus, IN.

With respect to aluminum casting, a survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm. With respect to patterns, U.S. imports are negligible.

In the following case the investigation revealed that criterion (2) has not been met.

TA–W–12,359; Clover Knitting Mills, Inc., Philadelphia, PA.

I hereby certify that the aforementioned determinations were issued during the period of September 14–18, 1981. Copies of the determinations are available for inspection in Room 10,332, Department of Labor, 601 D Street NW., Washington, D.C. 20213, during normal working hours or will be mailed to persons who write to the above address.

Dated: September 21, 1981.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 81-27900 Filed 9-24-81; 8:45 am]

BILLING CODE 4510-30-M

Office of the Secretary

President's Committee on the International Labor Organization; Notice of Meeting

In accordance with Section 10(a) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is hereby given of a meeting of the President's Committee on the ILO:

Name: President's Committee on the International Labor Organization
Date: October 9, 1981
Time: 2:00 p.m.
Place: Department of Labor, Third & Constitution Ave., N.W., Room S–2508, Washington, D.C. 20210

This meeting will be closed to the public under the authority of Section 10(d) of the Federal Advisory Committee Act. During its closed session, the Committee will discuss national security matters.

All communications regarding this Committee should be addressed to: Mr. Robert W. Searby, Counselor to the Committee, Department of Labor, Third & Constitution Ave., N.W., Room S–2235, Washington, D.C. 20210, telephone (202) 523–6043.

Raymond J. Donovan,

Secretary of Labor.

[FR Doc. 81-27899 Filed 9-24-81; 8:45 am]

BILLING CODE 4510-28-M

MERIT SYSTEMS PROTECTION BOARD

Delegations of Authority

AGENCY: Merit Systems Protection Board.

ACTION: Delegations of authority to the Secretary, Merit Systems Protection Board.

SUMMARY: Pursuant to the provisions of Pub. L. 95–454 (5 U.S.C. 1205(f)), the Merit Systems Protection Board hereby amends the delegations to the Secretary that appeared in 45 FR 36566, Friday, May 30, 1980 and 46 FR 36275, Tuesday, July 14, 1981. The following delegation is added:

(q) The Secretary shall receive any subpoena or other judicial order for an official record of the Board and shall accept service of pleadings, service of process, and any other legal documents served on the Board, or any of its members or staff in conjunction with cases before the Board, litigation arising out of such cases, or the exercise of any of the statutory authorities of the Board.

EFFECTIVE DATE: September 1, 1981.

FOR FURTHER INFORMATION CONTACT: Robert E. Taylor, Secretary, Merit Systems Protection Board, 1717 H Street NW., Room 350, Washington, D.C. 20419, (202) 632–4525.

Ersa H. Poston,

Vice Chair.

September 21, 1981.

[FR Doc. 81-27913 Filed 9-24-81; 8:45 am]

BILLING CODE 7400-01-M

NATIONAL LABOR RELATIONS BOARD

Privacy Act of 1974; Proposed Revision of a System of Records and Annual Publication

AGENCY: National Labor Relations Board.

ACTION: Proposed revisions of the Agency's payroll system of records and annual publication of notices.

SUMMARY: the National Labor Relations Board published (45 FR 61821, September 17, 1980) fourteen Notices of Systems of Records identified as NLRB–1 through NLRB–14. These notices were for record systems containing personal information that pertains almost exclusively to present and former Agency employees and applicants for employment with the Agency. The purpose of this publication is to comply with the requirement for annual publication contained in 5 U.S.C. 552a(e)(4) and to publish notice of intention to amend one of the Agency's systems of records. The Agency proposes to add employees' dates of birth as a new data element in the categories of records in the payroll system of records and to amend the routine use of the system to provide for necessary disclosures of the data to Agency officials and employees responsible for executing the provisions of Chapter 87, Title 5, U.S. Code, Federal Employees' Group Life Insurance (FEGLI), which authorizes solicitation of employees' dates of birth for use in determining life insurance eligibility, costs, and types of coverage. However, adding the information as a new data element in the category of records in the system and its disclosure to Agency officials and employees does not constitute changes substantive enough to require submission of a Report on New Systems to the OMB and the Congress.

The revised language and the name of the system of records for which the change applies is described under the heading "Supplementary Information," below.

All persons are advised that in the absence of submitted comments, views, or arguments considered by the Agency as warranting modification of the notice as herewith published, it is the Agency's intention that this notice as herewith published shall become effective upon expiration of the comment period without further action by the Agency. Pending adoption of the proposed change described in this publication, the Agency's records will be covered by its previous notice (45 FR 61821, September 17, 1980).

SUBMISSION OF COMMENTS: All persons who desire to submit written comments, views, or arguments for consideration by the Agency in connection with the proposed change should submit same not later than October 31, 1981, to the Executive Secretary, National Labor Relations Board, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570. Copies of such communications will be available for examination by interested persons during normal business hours (8:30 to 5:00 p.m., Monday through Friday, excluding holidays), in the Office of the Executive Secretary, Room 701, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570.

FOR FURTHER INFORMATION CONTACT: John C. Truesdale, Executive Secretary, telephone (202) 254–9430.

SUPPLEMENTARY INFORMATION: To provide for the necessary solicitation and disclosures of information to execute the provisions of the Federal Employees' Group Life Insurance Program, the Agency proposes to add employees' dates of birth to its payroll system of records and to amend the existing routine use disclosure statement, "To Agency officials and employees who have a need for the records or information," by adding the phrase, "To determine life insurance eligibility, costs, and types of coverage employees shall receive." The system of records for which the proposed change would apply is NLRB–11 Payroll-Finance Records.

Texts of those systems that have not been changed are as cited in 45 FR 61821, September 17, 1980. A complete listing of all NLRB system notices and Appendix appear below.

Dated: Washington, D.C., September 18, 1981.

By direction of the Board.

John C. Truesdale,

Executive Secretary.

NLRB–1 Accounting Records—Financial
NLRB–2 Applicant Files for Attorney and Field Examiner Positions
NLRB–3 Biographical Data File—Presidential Appointees
NLRB–4 Claim Records
NLRB–5 Employment and Performance Records, Attorneys and Field Examiners
NLRB–6 Employment and Performance Records, Nonprofessionals and Nonlegal Professionals
NLRB–7 Grievances, Appeals, and Complaints Records
NLRB–8 Health Maintenance Program Records
NLRB–9 Occupational Injury and Illness Records
NLRB–10 Pay Records—Retirement
NLRB–11 Payroll—Finance Records
NLRB–12 Prefiling Communications
NLRB–13 Time and Attendance Records, NLRB
NLRB–14 Equal Employment Opportunity Program Management System

Appendix

Following is the complete text of the system of records for which the proposed change would apply:

NLRB–11

SYSTEM NAME:

Payroll—Finance Records

SYSTEM LOCATION:

Current records are maintained in: Financial Management Branch, NLRB, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570.

Inactive records are stored at the appropriate Federal records center in accordance with Federal Property Management Regulations of the U.S. General Services Administration (FPMR 101–11.4).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former employees of the Agency.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include each employee's name, date of birth, home address, payroll identification number, organizational unit number, block number pay plan, grade and step, employee code, social security number, state identification code and name, leave earned and used, composite designator code and account number, and for the current pay period, quarterly and year-to-date hours worked, base pay, overtime pay, premium pay, miscellaneous pay, gross earnings, net earnings, and all withholdings from pay including retirement, taxes (Federal, state, and local), FICA, exemptions (Federal, state, and local), life, group, and optional insurance, bonds (authorization number and date of issuance), and miscellaneous allotments and deductions.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records, or information therefrom, are disclosed:

1. To Agency officials and employees who have a need for the records or information:

a. To compile payroll records.

b. To maintain Agency salary and expense accounts.

c. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records ar collected and maintained, or for related personnel management functions or manpower studies.

d. To transfer information from the records to the individual to whom the record pertains.

e. To determine life insurance eligibility, costs, and types of coverage employees shall receive.

2. To respond to general requests for statistical information (without personal identification of individuals).

3. To individuals who need the information in connection with the processing of an appeal, grievance, or complaint. Wherever feasibile, such information shall be furnished in depersonalized from, i.e., without personal identifiers.

4. To the U.S. Department of the Treasury for payroll purposes.

5. To the Office of Personnel Management concerning pay, benefits, retirement deductions and other information necessary for the Office to carry out its Government-wide personnel management functions.

6. To state and local authorities for the purposes of verifying tax collections, unemployment compensation claims, and administering public assistance programs.

7. To the U.S. Department of Health and Human Services for the administration of the social security program.

8. To the U.S. Department of Labor for processing or adjudicating claims under the Federal Employees Compensation Act.

9. To the U.S. General Accounting Office for audit purposes.

10. To the appropriate agency, whether Federal, State, or local, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto, or to any agency in connection with its oversight review responsibility.

11. To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

12. To officials of labor organizations recognized under Public Law 95–454, when relevent and necessary to their duties of exclusive representation of NLRB employees under the Act. Whenever feasible and consistent with responsibilities under the Act, such information shall be furnished in depersonalized form, i.e., without personal identifiers.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on original source documents, computer printouts, and on a computer disk file with two magnetic tape backups.

RETRIEVABILITY:

Employee payroll file maintained chronologicially by year, and within each year by organizational unit, and within each unit alphabetically by name.

SAFEGUARDS:

All doors to the computer room are installed with combination locks and during duty hours the computer and magnetic tape backup are under surveillance of office personnel charged with custody of the records. After duty hours all doors remain locked. Access is limited to authorized personnel only. Use of the machines for information printouts is restricted to designated personnel and access is password protected. Original source documents are maintained in file cabinets. During duty hours cabinets are under surveillance of personnel charged with custody of the records, and after duty hours are behind locked doors. Access is limited to personnel having a need for access to perform their official functions.

RETENTION AND DISPOSAL:

Payroll records retained and disposed of in accordance with the applicable General Accounting Office and General Services Administration retention schedules. Microfilm and magnetic strip ledgers are maintained for 56 years after the last entry of data.

SYSTEM MANAGER(S) AND ADDRESS(ES):

Finance Officer, NLRB, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570.

Chief, Data Systems Branch, NLRB, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570.

NOTIFICATION PROCEDURE:

1. An individual inquiring whether this system contains a record on such individual should direct such inquiry to the System Manager first specified above.

2. In determining whether this system contains records on the inquirer, the following information is required: the inquirer's name; the year about which inquiry is being made; and, for records other than the payroll file, the organizational unit or units in which employed during that year.

RECORD ACCESS PROCEDURES:

An individual seeking to gain access to records in this system pertaining to such individual should contact the System Manager first specified above.

In granting access to records in this system the following information is required: the inquirer's name; the year about which inquiry is being made; and, for the records other than the payroll file, the organizational unit or units in which employed during that year.

CONTESTING RECORD PROCEDURES:

An individual seeking to contest records in this system should contact the System Manager first specified above.

RECORD SOURCE CATEGORIES:

The individual, the Personnel Branch, timekeepers, and supervisors; U.S. Civil Service Commission and Office of Personnel Management bulletins; taxing authority notices; and withholding authorizations.

[FR Doc. 81-27803 Filed 9-24-81; 8:45 am]
BILLING CODE 7545-01-M

NUCLEAR REGULATORY COMMISSION

[Dockets Nos. STN 50-528A, STN 50-529A, and STN 50-530A]

Arizona Public Service Co., et al.; Receipt of Additional Antitrust Information: Time for Submission of Views on Antitrust Matters.

Note.—This document was originally published in the issue of September 2, 1981. It is reprinted at the request of the Nuclear Regulatory Commission.

Arizona Public Service Company, pursuant to Section 103 of the Atomic Energy Act of 1954, as amended, has filed information requested by the Attorney General for antitrust review as required by 10 CFR Part 50, Appendix L. This information concerns two proposed additional ownership participants, the Los Angeles Department of Water and Power and the Southern California Public Power Authority, for the Palo Verde Nuclear Generating Station. The current holders of the construction permits are Arizona Public Service Company, Salt River Project Agricultural Improvement and Power District, Southern California Edison Company, El Paso Electric Company, and Public Service Company of New Mexico.

The information was filed in connection with the application submitted by the construction permit holders for operating licenses for three pressurized water reactors. Construction was authorized on May 25, 1976 at the Palo Verde site located in Maricopa County, Arizona.

The original application was docketed on October 7, 1974, and the Notice of Receipt of Application for Construction Permits and Facility Licenses and Availability of Applicants' Environmental Report; Time for Submission of Views on Antitrust Matters was published in the **Federal Register** on October 22, 1974 (39 FR 37527). The Notice of Receipt of Application for Facility Operating Licenses; Notice of Availability of Environmental Report; and the Notice of Consideration of Issuance of Facility Operating Licenses and Notice of Opportunity for Hearing was published in the **Federal Register** on July 11, 1980 (45 FR 46941). Subsequently, the Notice of Hearing was published in the **Federal Register** on April 22, 1981 (46 FR 23001).

A copy of the above documents are available for public examination and copying for a fee at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C. 20555 and at the Phoenix Public Library, Science and Industry Section, 12 East McDowell Road, Phoenix, Arizona 85004.

Any person who wishes to have his views on the antitrust matters with respect to the Los Angeles Department of Water and Power and the Southern California Public Power Authority presented to the Attorney General for consideration or who desires additional information regarding the matters covered by this notice, should submit such views or requests for additional information to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Chief, Utility Finance Branch Office of Nuclear Reactor Regulation, on or before November 9, 1981.

Dated at Bethesda, Md., this 26th day of August 1981.

For the Nuclear Regulatory Commission.

Frank J. Miraglia,

Chief, Licensing Branch No. 3, Division of Licensing.

[FR Doc. 81-25482 Filed 9-24-81; 8:45 am]
BILLING CODE 7590-01-M

[Docket Nos. 50-247 and 50-286]

Consolidated Edison Co. of New York (Indian Point, Unit 2) and Power Authority of the State of New York (Indian Point, Unit 3)

Order [1]

The Commission hereby appoints an Atomic Safety and Licensing Board to preside over the proceeding composed of the following members: Louis J. Carter, Chairman; Oscar H. Paris; and Frederick J. Shon.

Dated at Washington, D.C., this 21st day of September 1981.

For the Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 81-27905 Filed 9-24-81; 8:45 am]
BILLING CODE 7590-01-M

[Dockets Nos. 50-269, 50-270, and 50-287]

Duke Power Co.; Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments Nos. 100, 100, and 97 to Facility Operating Licenses Nos. DPR-38, DPR-47, and DPR-55, respectively, issued to Duke Power Company, which revised the Technical Specifications (TSs) for operation of the Oconee Nuclear Station, Units Nos. 1, 2 and 3, located in Oconee County, South

[1] The above is extracted from a more lengthy Memorandum and Order issued by the Commission in this proceeding on September 18, 1981.

Carolina. The amendments are effective as of the date of issuance.

These amendments revise the common Technical Specifications to allow the Extension of Unit 2 Cycle 5 operation to 390 Effective Full Power Days (EFPD).

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with the issuance of these amendments.

For further details with respect to this action, see (1) the application for amendments dated August 19, 1981, (2) Amendments Nos. 100, 100, and 97 to Licenses Nos. DPR-38, DPR-47 and DPR-55, respectively, and (3) the Commission's Related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. and at the Oconee County Library, 501 West Southbroad Street, Walhalla, South Carolina. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Md., this 11th day of September 1981.

For the Nuclear Regulatory Commission.

John F. Stolz,

Chief, Operating Reactors Branch No. 4, Division of Licensing.

[FR Doc. 81-27906 Filed 9-24-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-289 (Restart)]

Metropolitan Edison Co., et al. (Three Mile Island Nuclear Station, Unit 1); Assignment of Atomic Safety and Licensing Appeal Board

Notice is hereby given that, in accordance with the authority conferred by 10 CFR 2.787(a), the Chairman of the Atomic Safety and Licensing Appeal Panel has assigned the following panel members to serve as the Atomic Safety and Licensing Appeal Board for this restart proceeding:

Stephen F. Eilperin, Chairman
Dr. John H. Buck
Christine N. Kohl

Dated: September 21, 1981.

C. Jean Bishop,

Secretary to the Appeal Board.

[FR Doc. 81-27907 Filed 9-24-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-278]

Philadelphia Electric Co., et al.; Issuance of Amendment to Facility Operating License

The Nuclear Regulatory Commission (the Commission) has issued Amendment No. 79 to Facility Operating Licensing No. DPR-56, issued to Philadelphia Electric Company, Public Service Electric and Gas Company, Delmarva Power and Light Company, and Atlantic City Electric Company, which revised Technical Specifications for operation of the Peach Bottom Atomic Power Station, Unit No. 3 (the facility) located in York County, Pennsylvania. The amendment is effective as of its date of issuance.

The revised Technical Specifications permit Cycle 5 operation of the facility with the Reload No. 4 core, and extend the maximum average planar linear heat generation rate for the Cycle 5 fuel from 30,000 megawatt days per short ton of uranium (MWd/T) to 40,000 MWd/T.

The applications for the amendment comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) that an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this admendment.

For further details with respect to this action, see (1) the applications for amendments dated September 30, 1980 and March 30, 1981, as supplemented April 24, June 30, and July 15, 1981, (2) Amendment No. 79 to License No. DPR-56, 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 Government Publications Section, State Library of Pennsylvania, Education Building, Commonwealth and Walnut Streets, Harrisburg, Pennsylvania. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Md., this 16th day of September 1981.

For the Nuclear Regulatory Commission.

Morton B. Fairtile,

Acting Branch Chief, Operating Reactors Branch No. 4, Division of Licensing.

[FR Doc. 81-27908 Filed 9-24-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-278]

Philadelphia Electric Co., et al.; Issuance of Amendment to Facility Operating License

The Nuclear Regulatory Commission (the Commission) has issued Amendment No. 80 to Facility Operating License No. DPR-56, issued to Philadelphia Electric Company, Public Service Electric and Gas Company, Delmarva Power and Light Company, and Atlantic City Electric Company, which revised Technical Specifications (TSs) for operation of the Peach Bottom Atomic Power Station, Unit No. 3 (the facility) located in York County, Pennsylvania. The amendment is effective as of its date of issuance.

The amendment temporarily revises the TSs to permit restart of the facility for Cycle 5 operation, from the current cold shutdown condition, with one inoperable low pressure coolant injection pump.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental

impact and that pursuant to 10 CFR 51.5(d)(4) that an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated September 16, 1981, (2) Amendment No. 80 to License No. DPR-56, and (3) the Commission's letter to Philadelphia Electric Company dated September 18, 1981. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the Government Publications Section, State Library of Pennsylvania, Education Building, Commonwealth and Walnut Streets, Harrisburg, Pennsylvania. 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 18th day of September 1981.

For the Nuclear Regulatory Commission.

Morton B. Fairtile,

Acting Branch Chief, Operating Reactors Branch No. 4, Division of Licensing.

[FR Doc. 81-27909 Filed 9-24-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-514 and 50-515]

Portland General Electric Co., et al. (Pebble Springs Nuclear Plant, Units 1 and 2); Reconstitution of Board

Pursuant to the authority contained in 10 CFR 2.721 (1980), the Atomic Safety and Licensing Board for *Portland General Electric Company, et al.* (Pebble Springs Nuclear Plant, Units 1 and 2), Docket Nos. 50-514 and 50-515, is hereby reconstituted by appointing the following Administrative Judge to the Board: Dr. Oscar H. Paris. Dr. William E. Martin was a member of this Board but, because of illness, is presently unable to continue to serve.

As reconstituted, the Board is comprised of the following Administrative Judges:

Elizabeth S. Bowers, Chairman
Dr. Walter H. Jordan
Dr. Oscar H. Paris

All correspondence, documents and other materials shall be filed with the Board in accordance with 10 CFR 2.701 (1980). The address of the new Board member is: Dr. Oscar H. Paris, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Issued at Bethesda, Maryland this 22nd day of September 1981.

B. Paul Cotter, Jr.,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 81-27910 Filed 9-24-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-328]

Tennessee Valley Authority; Issuance of Amendment to Facility Operating License

On June 25, 1981, the Nuclear Regulatory Commission (the Commission) issued Facility Operating License No. DPR-79, to Tennessee Valley Authority (licensee) authorizing operation of the Sequoyah Nuclear Plant, Unit 2 (the facility), at reactor core power levels not in excess of 170 megawatts thermal (5 percent power) in accordance with the provisions of the license and the Technical Specifications.

The Commission has now issued Amendment No. 2 to Facility Operating License No. DPR-79, which authorizes operation of the Sequoyah Nuclear Plant, Unit 2, at reactor core power levels not in excess of 3,411 megawatts thermal (100 percent power) in accordance with the provisions of the amended license and the Technical Specifications.

The Sequoyah Nuclear Plant, Unit 2, is a pressurized water nuclear reactor located at the licensee's site in Hamilton County, Tennessee, about 9.5 miles northeast of Chattanooga. The amendment is effective as of the date of issuance.

The application for the license complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations. The Commission has made appropriate findings as required by the Act and the Commission's regulations in 10 CFR Chapter I, which are set forth in the amended license. Prior public notice of the overall action involving the proposed issuance of an operating license was published in the **Federal Register** on March 25, 1974 (39 FR 11131).

The Commission has determined that the issuance of this amendment will not result in any environmental impacts other than those evaluated in the Final Environmental Statement prepared by Tennessee Valley Authority and the Environmental Impact Appraisal prepared by the Commission because the activity authorized by the amended license is encompassed by the overall action evaluated in these documents.

For further details with respect to this action, see (1) Amendment No. 2 to Facility Operating License No. DPR-79, complete with Technical Specifications; (2) Facility Operating License No. DPR-79 dated June 25, 1981, authorizing five percent power; (3) the reports of the Advisory Committee on Reactor Safeguards dated December 11, 1979, July 15, 1980, September 8, 1980, and January 31, 1981; (4) the Commission's Safety Evaluation Report (NUREG-0011) dated March 1979, Supplement No. 1 dated February 1980, Supplement No. 2 dated August, 1980, Supplement No. 3 dated September 1980, Supplement No. 4 dated January 1981, and Supplement No. 5 dated June 1981; (5) the Final Safety Analysis Report and amendments thereto; (6) the Final Environmental Statement prepared by Tennessee Valley Authority in July 1974; (7) the Commission's Environmental Impact Appraisal dated July 18, 1980; and (9) Discussion of the Environmental Effects of the Uranium Fuel Cycle dated September 3, 1980.

These items are available for public inspection at the Commission's public Document Room, 1717 H Street, N.W., Washington, D.C., and the Chattanooga Hamilton County Bicentennial Library, 1001 Broad Street, Chattanooga, Tennessee 37402. A copy of Amendment No. 2 to Facility Operating License No. DPR-79 may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing. A copy of item (4) may be purchased at current rates from the National Technical Information Service, Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161, and through the NRC GPO sales program by writing to U.S. Nuclear Regulatory Commission, Attention: Sales Manager, Washington, D.C. 20555. GPO deposit account holders can call (301) 492-9530.

Dated at Bethesda, Maryland, this 15th of September 1981.

For the Nuclear Regulatory Commission.

Elinor G. Adensam,

Acting Chief, Licensing Branch No. 4, Division of Licensing.

[FR Doc. 81-27911 Filed 9-24-81; 8:45 am]

BILLING CODE 1590-01-M

POSTAL RATE COMMISSION

[Order No. 398]

[Docket No. MC78-3]

Electronic Mail Classification Proposal, 1978 (Remand); Order Accepting Certification and Granting Postal Service Motion for Oral Argument

Issued: September 17, 1981.

On September 14, 1981, the Presiding Officer certified to this Commission the question of the scope of the Commission's jurisdiction over the remanded proceedings in Docket No. MC78-3. She concluded that this is a fundamental question of law upon which the direction of this remanded proceeding depends and that a definitive statement of this Commission's position with respect to the scope of its jurisdiction will materially advance the ultimate determination of this remanded proceeding.[1] She therefore concluded that this question satisfied the certification criteria of Rule 32 of our Rules of Practice. We concur in these conclusions of the Presiding Officer and accept certification of this question of law.

The Postal Service has moved, pursuant to Rule 37 of our Rules of Practice,[2] that the Commission afford the parties the right to orally respond to the legal memoranda that were filed on September 14, 1981 addressing the scope of the Commission's jurisdiction in these remanded proceedings. The Postal Service correctly observes that our decision on this legal question will determine the course to be pursued in this proceeding. Because of the overriding importance of this question to the conduct of this proceeding, we conclude that the Postal Service should be allowed to respond to the parties' opposing memoranda.

We will set oral argument for Friday, September 25, 1981, commencing at 9:00 a.m. in the Commission hearing room. This will require that the prehearing conference scheduled for September 21, 1981, by the Presiding Officer be postponed until October 1, 1981, in order to allow the Commission sufficient time to issue an order on the certified question prior to the prehearing conference.

In order to minimize the additional delay caused by allowing oral argument on this issue, the Postal Service should be prepared, as well, to formally state during oral argument its position on the following related procedural issue. If the Commission decides that it has jurisdiction over some or all of the issues enumerated in Attachment 2 of the Presiding Officer's supplemental notice of September 3, 1981, does the Postal Service intend, as a matter of general policy, not to provide (or respond to, as the case may be) the following, on the ground that it is beyond the scope of the Commission's jurisdiction on remand:

a. formal discovery requests on any or all of the issues enumerated in Attachment 2,

b. informal discovery requests on any or all the issues enumerated in Attachment 2,

c. direct evidence proposing and supporting a compensatory rate (whether or not different from the rate which the Postal Service currently proposes to implement) for the RCA version of E-COM,

d. the "essential" evidentiary items enumerated by the Presiding Officer at pp. 7411-21 of the transcript of the September 9, 1981, prehearing conference.

During oral argument, the parties should also be prepared to state what course of action this Commission should take in view of the response by the Postal Service to these questions of procedure. The purpose of this inquiry on procedural matters is to provide opposing parties with the information necessary to determine the probable scope of their participation in this remanded proceeding in advance of the next prehearing conference, and thereby to enable the Presiding Officer, at the next prehearing conference, to devise an appropriate procedural approach, and an appropriate procedural schedule, for this remanded proceeding.

Under Rule 21 of our Rules of Practice, parties are allowed 10 days within which to answer motions, unless the Commission or Presiding Officer provides otherwise. Rather than allow the standard 10 day period for answers to the Postal Service's motion for oral argument, we will treat any answer the parties might wish to file as a motion for reconsideration.

It is ordered:

(A) That oral argument on the matters described in the body of this Order will be heard by the Commission on September 25, 1981, commencing at 9:00 a.m., in the Commission hearing room.

(B) That the prehearing conference scheduled for September 21, 1981, in this remanded proceeding is rescheduled for October 1, 1981, at 9:00 a.m., in the Commission hearing room.

By the Commission.

David F. Harris,

Secretary.

[FR Doc. 81-27864 Filed 9-24-81; 8:45 am]

BILLING CODE 7715-01-M

[1] Presiding Officer's Certification of Legal Question Concerning Scope of Commission Jurisdiction over Docket No. MC78-3 (Remand), September 14, 1981.

[2] Motion for Oral Argument on Scope of Commission Jurisdiction on Remand, September 14, 1981.

SECURITIES AND EXCHANGE COMMISSION

[Rel. No. 11945; 812-4907]

Centennial Tax Exempt Trust; Filing of Application

September 21, 1981.

Notice is hereby given that Centennial Tax Exempt Trust ("Applicant"), 3600 South Yosemite Street, Denver, Colorado 80237, an open-end, diversified management investment company, filed an application on June 26, 1981, requesting an order of the Commission, pursuant to Section 6(c) of the Investment Company Act of 1940 ("Act") exempting the Applicant from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder to the extent necessary to permit the Applicant to compute its price per share using the amortized cost method of valuation. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant states that it is a "money market" fund whose investment objective is seeking maximum short-term interest income exempt from Federal income taxes to the extent consistent with low capital risk and the maintenance of liquidity. The Applicant further states that it is designed as an investment vehicle for investors with temporary cash balances or cash reserves seeking income exempt from Federal income taxes.

The Applicant states that its portfolio may, as a matter of fundamental investment policy, be invested in municipal bonds or municipal notes issued by states, territories and possessions of the United States and by the District of Columbia, and their political subdivisions, duly constituted authorities and corporations. According to the application, these tax-exempt municipal securities will be backed by the full faith and credit of the United States, or rated Aaa or Aa, MIG-1 or MIG-2 by Moody's Investor Services, Inc. or AAA or AA, or A-1 or A-2 by Standard & Poor's Corporation, Inc. Municipal bonds and municipal notes

which are neither rated nor backed by the full faith and credit of the United States may also be purchased by the Applicant if in the opinion of its management, such securities possess creditworthiness comparable to those rated securities in which the Applicant may invest. Applicant further states that from time to time for defensive purposes on a temporary basis its portfolio may be invested in taxable short-term investments subject to the same quality limitation applicable for rated municipal securities.

As here pertinent, Section 2(a)(41) of the Act defines value to mean: (1) with respect to securities for which market quotations are readily available, the market value of such securities, and (2) with respect to other securities and assets, fair value as determined in good faith by the board of directors. Rule 22c–1 adopted under the Act provides, in part, that no registered investment company or principal underwriter therefor issuing any redeemable security shall sell, redeem or repurchase any such security except at a price based on the current net asset value of such security which is next computed after receipt of a tender of such security for redemption or of an order to purchase or to sell such security. Rule 2a–4 adopted under the Act provides, as here relevant, that the "current net asset value" of a redeemable security issued by a registered investment company used in computing its price for the purposes of distribution and redemption shall be an amount which reflects calculations made substantially in accordance with the provisions of that rule, with estimates used where necessary or appropriate. Rule 2a–4 further states that portfolio securities with respect to which market quotations are readily available shall be valued at current market value, and that other securities and assets shall be valued at fair value as determined in good faith by the board of directors of the registered company. Prior to the filing of the application, the Commission expressed its view that, among other things: (1) Rule 2a–4 under the Act requires that portfolio instruments of "money market" funds be valued with reference to market factors, and (2) it would be inconsistent, generally, with the provisions of Rule 2a–4 for a "money market" fund to value its portfolio instruments on an amortized cost basis (Investment Company Act Release No. 9786, May 31, 1977). In view of the foregoing, Applicant requests exemptions from Section 2(a)(41) of the Act and Rules 2a–4 and 22c–1 thereunder to the extent necessary to permit Applicant to value its portfolio by means of the amortized cost method of valuation.

In support of the relief requested, the Applicant states that experience indicates that two features are necessary in a "money market" fund, namely, certainty of stability of principal and a steady flow of predictable and competitive investment income. Applicant asserts that by maintaining a portfolio of high quality, short-term money market instruments valued at amortized cost it can provide these features to investors. Applicant represents that its Trustees have properly determined in good faith under the provisions of the Act to value the portfolio of Applicant by use of the amortized cost method and that this method is in the best interest of its shareholders. Applicant believes that experience has shown that, given the unique nature of Applicant's policies and operations, there should be a negligible discrepancy between prices obtained by the amortized cost method and those obtained by a market valuation method. Applicant further represents that its Trustees have determined in good faith, in light of the characteristics of Applicant, that the amortized cost method of valuation of portfolio instruments is appropriate and preferable to the use of a market valuation method. The Applicant's Trustees have further determined to continuously monitor valuation indicated by methods other than amortized cost so that any necessary changes in the valuation method may be made to assure that the valuation method being used in a fair approximation of fair value in view of all pertinent factors.

Section 6(c) of the Act provides, in pertinent part, that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security or transaction, or any class or classes of persons, securities or transactions, from any provision or provisions of the Act or any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant consents to the imposition of the following conditions in an order granting the exemptive relief it requests:

1. In supervising Applicant's operations and delegating special responsibilities involving portfolio management to Applicant's investment adviser, Applicant's Trustees undertake—as a particular responsibility within the overall duty of care owed to its shareholders—to establish procedures reasonably designed, taking into account current market conditions and Applicant's investment objectives, to stabilize Applicant's net asset value per share, as computed for the purposes of distribution, redemption and repurchase, at $1.00 per share.

2. Included within the procedures to be adopted by the Trustees shall be the following:

(a) Review by the Trustees, as they deem appropriate and at such intervals as are reasonable in light of current market conditions, to determine the extent of deviation, if any, of the net asset value per share as determined by using available market quotations from Applicant's $1.00 amortized cost price per share, and the maintenance of records of such review; [1]

(b) In the event such deviation from Applicant's $1.00 amortized cost price per share exceeds ½ of 1 percent, a requirement that the Trustees will promptly consider what action, if any, should be initiated.

(c) Where the Trustees believe the extent of any deviation from Applicant's $1.00 amortized cost price per share may result in material dilution or other unfair results to investors or existing shareholders, they shall take such action as they deem appropriate to eliminate or to reduce to the extent reasonably practicable such dilution or unfair results, which may include; redemption of shares in kind; selling portfolio instruments prior to maturity to realize capital gains or losses, or to shorten the average maturity of portfolio instruments of Applicant; withholding dividends; or utilizing a net asset value per share as determined by using market quotations.

3. Applicant will maintain a dollar-weighted average portfolio maturity appropriate to its objective of maintaining a stable net asset value per share; provided, however, that it will not (a) purchase any instrument with a remaining maturity of greater than one year, or (b) maintain a dollar-weighted average portfolio maturity in excess of 120 days.[2]

[1] To fulfill this condition, Applicant intends to use actual quotations or estimates of market value reflecting current market conditions chosen by the Trustees in the exercise of their discretion to be appropriate indicators of value which may include, *inter alia*, (1) quotations or estimates of market value for individual portfolio instruments, or (2) values obtained from yield data relating to classes of municipal securities published by reputable sources.

[2] In fulfilling this condition, if the disposition of a portfolio security results in a dollar-weighted

Continued

4. Applicant will record, maintain, and preserve permanently in an easily accessible place a written copy of the procedures (and any modifications thereto) described in paragraph 1, above, and Applicant will record, maintain and preserve for a period of not less than six years (the first two years in an easily accessible place) a written record of the Trustees' consideration and actions taken in connection with the discharge of their responsibilities, as set forth above, to be included in the minutes of the Trustees' meetings. The documents preserved pursuant to this condition shall be subject to inspection by the Commission in accordance with Section 31(b) of the Act, as if such documents were records required to be maintained pursuant to rules adopted under Section 31(a) of the Act.

5. Applicant will limit its portfolio investments, including repurchase agreements, to those United States dollar denominated instruments which the Trustees determine present minimal credit risks, and which are of "high quality" as determined by any major rating service or, in the case of any instrument that is not rated, of comparable quality as determined by the Trustees.

6. Applicant will include in each quarterly report, as an attachment to Form N–1Q, a statement as to whether any action pursuant to paragraph 2(c) above was taken during the preceding fiscal quarter and, if any such action was taken, will describe the nature and circumstances of such action.

Notice is further given that any interested person may, not later than October 16, 1981, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81–27885 Filed 9–24–81; 8:45 am]

BILLING CODE 8010–01–M

average portfolio maturity in excess of 120 days. Applicant will invest its available cash in such a manner as to reduce the dollar-weighted average portfolio maturity to 120 days or less as soon as reasonably practicable.

[Rel. No. 18109; SR–CBOE–81–15]

Chicago Board Options Exchange, Inc.; Order Approving Proposed Rule Change

September 21, 1981.

On August 5, 1981, the Chicago Board Options Exchange Incorporated ("CBOE"), LaSalle at Jackson, Chicago, Illinois 60606, filed with the Commission, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1) ("Act") and Rule 19b–4 thereunder copies of a proposed rule change to modify its rules applicable to margin for spread positions in GNMA options and to clarify that long GNMA options positions have no loan value in a margin account.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by issuance of a Commission Release (Securities Exchange Act Release No. 34–18035, August 14, 1981) and by publication in the **Federal Register** (46 FR 42389, August 20, 1981). No comments were received with respect to the proposed rule filing.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange and, in particular, the requirements of Section 6 and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above-mentioned proposed rule change be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81–27869 Filed 9–24–81; 8:45 am]

BILLING CODE 8010–01–M

[Rel. No. 18109; SR–CBOE–81–15]

Chicago Board Options Exchange, Inc.; Order Approving Proposed Rule Change

September 21, 1981.

On August 5, 1981, the Chicago Board Options Exchange, Incorporated ("CBOE"), LaSalle at Jackson, Chicago, Illinois 60606, filed with the Commission, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1) ("Act") and Rule 19b–4 thereunder, copies of a proposed rule change to modify its rules applicable to margin for spread positions in GNMA options and to clarify that long GNMA options positions have no loan value in a margin account.

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The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange and, in particular, the requirements of Section 6 and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above-mentioned proposed rule change be and it hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81–27867 Filed 9–24–81; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–18090; File No. SR–CBOE–81–16]

Chicago Board Options Exchange, Inc.; Proposed Rule Change by Self-Regulatory Organization

In the matter of proposed rule change by Chicago Board Options Exchange,

Inc. relating to CBOE's proposed rules for trading "market basket" Treasury bond options and "mini-series" Treasury securities options.

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 August 21, 1981, the Chicago Board Options Exchange, Inc. ("CBOE") filed with the Securities and Exchange Commission proposed rule changes as follows:

I. CBOE's Statement of the Terms of Substance of the Proposed Rule Change

The following proposed rule changes amend certain Exchange rules that are themselves the subject of a pending filing on Form 19b–4 (File No. SR–CBOE–80–8, as amended by Amendment No. 4 thereto). Additions to the text of the rules as proposed in that filing are indicated by italics, and deletions are in brackets.

Chapter XXI

Government Securities Options

Introduction

The rules in this Chapter are applicable only to options where the underlying security is a Government security (as defined below). In addition, the rules in Chapters I through XIX are also applicable to options where the underlying security is a Government security, in some cases supplemented by [one or more] rules in this Chapter, except for rules that have been replaced in respect of Government security options by [one or more] rules in this Chapter and except where the context otherwise requires. Whenever a rule in this Chapter supplements or, for purposes of this Chapter, replaces [one or more] rules in Chapters I–XIX, that fact is indicated in brackets following the rule in this Chapter.

Definitions

Rule 21.1.

Government security

(a) The term "Government security" means a bond, note, debenture or other evidence of indebtedness that is a direct obligation of, or an obligation guaranteed as to principal or interest by, the United States or a corporation in which the United States has a direct or indirect interest (except debt securities guaranteed as to timely payment of principal and interest by the Government National Mortgage Association). Securities issued or guaranteed by individual departments or agencies of the United States are sometimes referred to by the title of the department or agency involved (e.g., a "Treasury [note] *security*" means a [note] *security* issued by the United States Treasury).

[Government] *Treasury note*

(b) The term "[Government] *Treasury* note" means a [Government security] *note issued by the U.S. Treasury* with a term to maturity of at least two years but no more than ten years at the time of original issuance.

[Government] *Treasury bond*

(c) The term "[Government] *Treasury* bond" means a [Government security] *bond issued by the U.S. Treasury* with a term to maturity of more than ten years at the time of original issuance.

Put

(d) The term "put" means an option [contract] under which the holder of the option has the right, in accordance with the terms and provisions of the option, to sell to the Clearing Corporation [$100,000] *the* principal amount of the underlying *Government* security covered by the option [contract].

Call

(e) The term "call" means an option [contract] under which the holder of the option has the right, in accordance with the terms of the option, to purchase from the Clearing Corporation [$100,000] *the* principal amount of the underlying *Government* security covered by the option [contract].

Specific Coupon Option

(f) The term "specific coupon option" means an option having a specifically identified underlying Government security, which is required to be delivered upon exercise.

Market Basket Option

(g) The term "market basket option" means an option having a designated hypothetical underlying Government security bearing a nominal rate of interest and remaining term to maturity in accordance with Rules designating the terms of the option, but where delivery upon exercise may be made in underlying securities of the same issuer bearing various qualified rates of interest and terms to maturity.

Exercise Price (Specific Coupon Option)

[(f)] *(h)* The term "exercise price" *in respect of a specific coupon option* means the specified percentage of the principal amount at which the underlying *Government* security may be purchased or sold upon the exercise of the option contract.

Nominal Exercise Price (Market Basket Option)

(i) The term "nominal exercise price" in respect of a market basket option means the specified percentage of the principal amount at which the hypothetical underlying Government security may be purchased or sold upon the exercise of the option.

Aggregate Exercise Price (Specific Coupon Option)

[(g)] *(j)* The term "aggregate exercise price" *in respect of a specific coupon option* means the exercise price of an option contract multiplied by the principal amount of the underlying *Government* security covered by the option [contract].

Adjusted Aggregate Exercise Price (Market Basket Option)

(k) The term "adjusted aggregate exercise price" in respect of a market basket option means the nominal exercise price of the option, adjusted in accordance with Rule 21.24(b) to reflect the rate of interest and remaining term to maturity of the underlying Government security actually delivered upon exercise, multiplied by the principal amount of the underlying Government security delivered.

Covered

[(h)] *(l)* The term "covered" has the same meaning as set forth in Rule 1.1(y), except that long positions must match short positions on the basis of the principal amount of the underlying Government security[.] *or, in the case of a market basket option, of an underlying Government security that qualifies for delivery upon exercise.* [Rule 21.1 replaces definitions set forth in Rule 1.1 (n), (o), (s) and (t), and supplements the definition set forth in Rule 1.1(y).]

Position Limits (Treasury security options)

Rule 21.3. Except with the prior written permission of the President or his designee, no member shall make, for any account in which it has an interest or for the account of any customer, an opening transaction on any exchange in any class of Treasury security options if the member has reason to believe that as a result of such transaction the member or its customer would, acting alone or in concert with others, directly or indirectly, hold or control or be obligated in respect of *an amount of Treasury security options* [any aggregate position in excess of 2,000 option contracts] (whether long or short) of the put class and the call class on the same side of the market covering *in*

excess of $200,000,000 principal amount of underlying Treasury securities, combining for purposes of this position limit long positions in put options with short positions in call options, and short positions in put options with long positions in call options. The Board may from time to time fix different position limits for one or more series of options if, in its discretion, such action is necessary or appropriate in the interests of a fair and orderly market and the protection of investors. [Rule 21.3 replaces Rule 4.11.]

Exercise Limits (Treasury security options)

Rule 21.4. Except with the prior written permission of the President or his designee, no member shall exercise, for any account in which it has an interest or for the account of any customer, a long position in [any class of] Treasury [securities] *security* options where such member or customer, acting alone or in concert with others, directly or indirectly, has or will have exercised within any five consecutive business days aggregate long positions in [excess of 2,000 option contracts covering the same underlying Treasury security or such other number of such contracts as may be fixed from time to time by the Board as the exercise limit for Treasury securities options. Reasonable notice shall be given of each new exercise limit fixed by the Board by posting notice thereof on the bulletin board on the Exchange floor.] *an amount of Treasury security puts or calls covering in excess of $200,000,000 principal amount of underlying Treasury securities. Exercises of puts and exercises of calls are not combined for purposes of this exercise limit.* [Rule 21.4 replaces Rule 4.12.]

Reports Related to Position Limits and Liquidation of Positions

Rule 21.5. For purposes of Rules 4.13 and 4.14, references to Rule 4.11 in connection with position limits shall be deemed, in the case of Treasury [securities] *security* options, to be to Rule 21.2. [Rule 21.5 supplements Rules 4.13 and 4.14.]

Designation of Government Securities

Rule 21.6. Government [securities] *security options* dealt in on the Exchange are designated by reference to the issuer of the underlying *Government* security, expiration month [, the year of the expiration month for the longest term option series] *(and year for the longest term option series)*, exercise price [and type] *or nominal exercise price, type* (put or call), [the coupon rate and date of maturity.] *stated or nominal rate of interest and stated date of maturity or nominal team term to maturity. (E.g. a specific coupon call option expiring in March and having an exercise price of 96% of the principal amount of a 13⅜% Treasury bond that matures on August 15, 2001, is designated as a Treasury 13⅜%—8/15/01 March 96 call. A market basket call option expiring in March and having a nominal exercise price of 68% of the principal amount of a hypothetical 8% Treasury bond with a 15-year remaining term to maturity is designated as a Market basket Treasury 8%—15-year March 68 call.)* [Rule 21.6 replaces Rule 5.1.]

Approval of Underlying Treasury Securities for Specific Coupon Options

Rule 21.7. Treasury securities may be approved as underlying securities for Exchange transactions in *specific coupon options* by the Board (or the Committee designated by the Board) subject to such requirements as to size of original issuance, aggregate principal amount outstanding, years to maturity or other characteristics as the Board (or the Committee designated by the Board) deems necessary or appropriate in the interest of maintaining a fair and orderly market for the protection of investors.

. . . Interpretations and Policies

.01 The original public sale of an underlying Treasury security shall be at least $1 billion principal amount.

.02 In order to limit underlying Treasury securities *for specific coupon options* to the most recently issued and actively traded issues, ordinarily the approval of such an underlying security will *only* extend for a period of no more than 15 months [following the month] *from the date* of its initial approval, and series of options opened thereafter will relate to more recently issued Treasury securities; provided, however, that such approval may be extended in the event of the reopening of the underlying security by the Treasury. Further, even prior to the end of such 15 month period, the Securities committee shall withdraw approval of an underlying Treasury security *at any time* if it determines on the basis of information made publicly available by the Treasury that the security has a public issuance of less than $750 million.

.03 The Board (or the Committee designated by the Board) may determine, for any reason, to withdraw approval of any Treasury securities as underlying securities; and, after any announcement by the Exchange of any such withdrawal, each member organization shall, prior to effecting any option transaction for a customer in such Treasury securities, inform such customer of that fact. [Rule 21.7 and Interpretation and Policies 21.7.01, .02 and .03 replace Rules 5.3 and 5.4.]

[Treasury Securities Option Contracts Open for Trading

Rule 21.8. The Securities Committee may open for trading options where the underlying security is a Treasury security at any time following the auction sale of the underlying security. [Rule 21.8 Supplements 5.5.]]

Terms of [Government Securities Option Contracts] Treasury Security Options

Rule *21.8.* [21.9] *(a) General. A single Treasury security option covers $100,000 principal amount of the underlying security, except that there may also be trading in specially designated "mini-series" of specific coupon Treasury options that cover $20,000 principal amount of underlying security.* The expiration month and exercise price of [option contracts for Government securities option contracts] *Treasury security options* of each series shall be determined by the Board (or the Committee designated by the Board) at the time each series of options is first opened for trading.

[(a)] *(b) Expiration Month.* Unless the Board (or the Committee designated by the Board) otherwise provides and so indicates at the post at which the option [contract] is traded, Treasury [securities option contracts] *security options* shall expire in the months of March, June, September and December.

[In the month that an underlying Treasury security is auctioned, series of options on that security for up to five different expiration months will be opened simultaneously. These series will expire from 1 up to 15 months following the month when opened. For example, in the case of an underlying Treasury security auctioned in August of a given year, both near-September options (1-month options) and far-September options (13-month options) will generally be opened during that August (i.e., the August immediately preceding the near-September expiration month); similarly, in the case of an underlying Treasury security auctioned in December of a given year, both near-March options (3-month options) and far-March options (15-month options) will generally be opened during that December (i.e., the December immediately preceding the near-March expiration month).]

[(b)] *(c) Exercise Price.* The exercise price of each series of Treasury [securities] *security* options shall be fixed [by the Board (or the Committee

designated by the Board)] at a percentage of principal amount which is an integral multiple of [(i)] 1% for Treasury securities having a remaining term to maturity of five years or less, or [(ii)] 2% for Treasury securities having a remaining term to maturity of more than five years [, and which is]. *In the case of a specific coupon Treasury security option, the exercise price so determined shall be* reasonably close to the percentage of principal amount at which the underlying security is traded in the primary market at the time [such] *the* series of options is first opened for trading. [Additional series of options of the same class may be opened to reflect substantial changes in prices [as the market price of the underlying security moves substantially from the initial price or prices]. The exercise price of all Treasury securities options or of any series of Treasury securities options may be fixed by the Board (or the Committee designated by the Board), upon two business days' notice, at a percentage of principal amount which is an integral multiple of 1% so long as the foregoing provisions with respect to the percentage of principal amount at which the underlying security is traded are satisfied. Notice of any such changed exercise price shall be posted on the bulletin board on the Exchange floor. Rule 21.9 replaces paragraph (a) of Rule 5.6 and supplements Rule 5.6(b).]

In the case of market basket Treasury bond options, the exercise price so determined shall be a percentage of principal amount of a hypothetical underlying Treasury bond bearing an 8% nominal rate of interest and a 15-year nominal term to maturity which results in a yield reasonably close to the highest market yield of Treasury bonds qualified for delivery upon exercise in accordance with Rule 21.24(b), as determined by the Exchange at the time the series of options is first opened for trading. [Rule 21.8 supplements Rule 5.5.]

Series of Treasury Security Options Open for trading Rule 21.9. (a) Initial series of specific coupon options. The Securities Committee may open for trading specific coupon Treasury security options at any time following the auction sale of the underlying security. At the time options are initially opened for trading on a newly auctioned underlying Treasury security, series of options on that security for five different expiration months will ordinarily be opened simultaneously, expiring in from 1 up to 15 months.

(b) Additional series of options to reflect price changes. After a class of specific coupon Treasury security options has been opened for trading in accordance with paragraph (a) of this Rule, additional series of options of the same class may be opened to reflect substantial changes in prices of the underlying Treasury securities. The exercise price of such additional series will ordinarily be fixed at an integral multiple of 1% or 2% in accordance with Rule 21.8(c), but the Board (or Committee designated by the Board), upon two business days' notice, may fix exercise prices at different intervals, provided that all such exercise prices are reasonably close to the market prices of the underlying securities. Notice of any such additional series opened for trading shall be posted on the bulletin board on the Exchange floor.

(c) Market Basket Options. Market basket Treasury bond options may be opened for trading in up to five series, expiring in from one to 15 months. Thereafter, additional series will be opened each month expiring in the most distant month, to replace expiring short-term options. Additional series will also be opened to reflect substantial changes in the yield of underlying Treasury bonds. Notice of any such additional series opened for trading shall be posted on the bulletin board on the Exchange floor. [Rule 21.9 replaces paragraph (a) of Rule 5.6 and supplements Rule 5.6(b).]

Trading Rotations

Rule 21.11. (a) The opening rotation in each series of each class of Government securities options shall be overseen by an Exchange employee designated as the Post Coordinator for Government securities options and shall be held as promptly following availability of opening quotations on the quotation display mechanism(s) approved by the Exchange as the Post Coordinator deems appropriate under the circumstances. Generally, the Post Coordinator shall open first those series of a class with respect to which the greatest buying and selling interest has been expressed (deferring opening relatively inactive series); provided, however, that more than one series may be opened simultaneously. These procedures may be altered or supplemented by the Board (or the Committee designated by the Board).

(b) In the event that current quotations are not available for Government securities underlying a [particular] class of *specific coupon* options *or relating to a class of market basket options* within a reasonable time after 8:00 a.m. (Chicago time), the Post Coordinator for that class shall report the delay to a Floor Official and an inquiry shall be made to determine the cause of the delay. The opening rotation for Government securities options of that class shall be delayed until such current quotations are available, unless two Floor Officials determine that the interests of a fair and orderly market are best served by opening trading. [Rule 21.11 supplements Interpretation and Policy 6.2.01.]

Obligations of Market-Makers

Rule 21.19. Without limiting the general obligation to deal for his account as stated in Rule 8.7(b), a Market-Maker holding an Appointment in Government securities options, in the course of maintaining a fair and orderly market, is expected to bid and/or offer so as to create differences of:

(i) no more than ¼ point between the bid and offer for each option contract for which the bid is less than 1 point;

(ii) no more than ½ point where the bid is 1 point or more but less than 5 points;

(iii) no more than ¾ point where the bid is 5 points or more but less than 10 points; and

(iv) no more than 1 point where the bid is 10 points or more,

provided that the Board (or the Committee designated by the Board) may establish differences other than the above for all Government securities options or for one or more series of options.

. . . Interpretations and Policies

.01 The bid/ask differentials specified in Rule 21.19 shall apply *only* to [all but] the two [longest] *nearest* term [Government securities option] series [.] *of each class of Government options.* For [these] *all longer term* series the maximum bid/ask differential shall be (i) ½ point for option contracts where the bid is less than 1 point; (ii) 1 point for option contracts where the bid is 1 point or more but less than 5 points; (iii) 1½ points for option contracts where the bid is 5 points or more but less than 10 points; and (iv) 2 points for all other transactions.

.02 The bid/ask differential specified in Rule 21.19 and in Interpretation and Policy .01 thereto may be waived by the Board (or by the Committee or the Exchange official or officials designated by the Board) in the interests of preserving a fair and orderly market as an alternative to halting or suspending trading in Government securities options under Rules 6.3 and 6.4 when conditions are present which otherwise would cause such a halt or suspension. [Rule 21.19 and Interpretations and Policies 21.19 .01 and .02 supplement paragraph (b) of Rule 8.7.]

Delivery and Payment

Rule 21.24. [In the case of Government securities options, payment] *(a) General. Payment* of the aggregate exercise price *or, in the case of market basket option, the adjusted aggregate exercise price,* shall be accompanied by payment of accrued interest on the underlying Government security from but not including the last interest payment date to and including the exercise settlement date, as specified in the Rules of the Clearing Corporation.

(b) Special rules for market basket Treasury bond options. Delivery of underlying Treasury bonds upon exercise of a market basket Treasury bond option shall be made in accordance with the Rules of the Clearing Corporation, and shall consist of any outstanding issue of Treasury bonds that have a remaining term to maturity or to call date of not less than 15 years on the exercise settlement date, provided that the Exchange, at the time it opens additional series of market basket Treasury bond options in new expiration months, may designate particular issues of Treasury bonds that are not eligible for delivery upon exercise of options of those series. A Member Organization required to make delivery of Treasury bonds on behalf of a customer in connection with the exercise of a market basket Treasury bond option shall deliver the identical Treasury bonds that the customer furnished to the Member Organization for that purpose. A customer shall not be required to pay the adjusted aggregate exercise price until the customer has been informed by the Member Organization acting on his behalf of the precise amount of the adjusted aggregate exercise price, which depends on the identity of the specific Treasury bonds actually delivered. The adjusted aggregate exercise price is determined on the basis of the yield equivalence procedures detailed in "Standard Securities Calculation Methods" published by the Securities Industry Association (New York,, 1973) in order to provide the same yield to maturity as if the same principal amount of Treasury securities bearing a nominal 9% interest rate and a 15-year term to maturity were delivered and paid for at the nominal exercise price. For purposes of the yield equivalence calculation, the term to maturity of the Treasury securities actually delivered shall be rounded down to the nearest number of months evenly divisable by 3. (For example, Treasury securities with 17 years, 5 months and 4 days to maturity shall be assumed to have 17 years and 3 months remaining term to maturity for purposes of the yield equivalence calculation.)

. . . Interpretations and Policies

.01 Calculations of accrued interest on underlying Treasury securities shall be made in accordance with Treasury Circular 300. [Rule 21.24 and Interpretation and Policy 21.24.01 supplement Rule 11.3.]

.02 Yield equivalence calculations shall be rounded in accordance with the Rule of the Clearing Corporation.

II. CBOE's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

A. *Purpose of Proposed Rule Change*

The proposed rule change amends proposed Chapter XXI of the Rules of the Exchange, which pertains to options on Government securities, for the following purposes: (i) to provide rules for trading in options on "market basket" Treasury bond options, in addition to the "specific coupon" options on Treasury bonds and notes already provided for, and (ii) to create specially designated "mini-series" specific coupon Treasury security options, which cover $20,000 principal amount of underlying securities, as compared with the $100,000 principal amount of underlying securities covered by standard Treasury security options.

Market basket options permit delivery of different issues of Treasury bonds upon exercise, as opposed to specific coupon options, which require the delivery of a single specifically identified underlying security. The exercise price of a market basket option is adjusted in accordance with standard yield equivalence tables depending upon the stated interest rate and term to maturity of the bond actually delivered. Despite the fact that market basket options are more complicated than specific coupon options, they offer potential advantages that may be important to the long-term utility of the Exchange's market in Treasury options. For example, market basket options would maximize opportunities for covered call writing, since investors could engage in covered call writing even when they did not hold the specific securities that may underlie specific coupon options. A market basket option also offers potentially greater liquidity, because trading would be concentrated in one options class instead of being dispersed into several different old and new specific coupon contracts. Further, because a market basket option expands deliverable supply substantially, that contract design would offer the potential for a significant increase in position limits (although no such increase is now being proposed), thereby enabling financial institutions and Government securities dealers better to meet their hedging needs.

The proposal to trade mini-series specific coupon Treasury security options is intended to benefit investors and improve the liquidity of the options market by facilitating the participation of small investors in the market. Certain of these investors, whether their use of the market is for hedging against or speculating in changes in interest rates, may find a smaller contract size to be better suited to their needs than the standard $100,000 contract.

The following describes the purpose of each of the specific rule changes being proposed:

Rule 21.1. Adds definitions of "specific coupon option" and "market basket option" and makes conforming changes and additions to other definitions.

Rule 21.3. Revises position limit rule to take into account mini-series options, by making the limit apply to the dollar amount of the underlying security rather than the number of option contracts.

Rule 21.4. Revises exercise limit rule in the same manner as described above with respect to Rule 21.3.

Rule 21.5. Makes stylistic change.

Rule 21.6. Revised to refer to the designation of specific coupon and market basket options.

Rule 21.7. Adds reference to specific coupon options.

Rule 21.8. Adds description of mini-series options and market basket options.

Rule 21.9. Describes procedure for introducing new series of specific coupon and market basket options.

Rule 21.11. Adds reference to specific coupon and market basket options.

Interpretation 21.19.01. Corrects technical error.

Rule 21.24. Provides procedures to be used in making delivery of underlying Treasury bonds and calculating adjusted aggregate exercise price in connection with exercise of market basket options.

B. *Basis Under the Act for Proposed Rule Change*

The proposed rule change is adopted pursuant to Section 6(b)(5) of the Securities Exchange Act of 1934, as amended, in that the rules proposed hereby are designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest in connection with transactions in

options covering underlying Government securities.

C. *Comments Received from Members, Participants or Others on Proposed Rule Change*

Written comments on the proposed rule change have not been solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

On or before October 30, 1981, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted on or before October 16, 1981.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: September 10, 1981.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-28015 Filed 9-24-81; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. 11944; 812-4842]

Frank Russell Investment Co.; Filing of Application

September 21, 1981.

Notice is hereby given that Frank Russell Investment Company ("Applicant"), 1100 First Interstate Plaza, Tacoma, Washington 98402, filed an application on March 16, 1981, and amendments thereto on June 19, August 7, 26, and 27, and September 10, 1981, pursuant to Section 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting Applicant from certain shareholder voting provisions of Section 15(a) of the Act and Rule 18f-2 thereunder; and from certain disclosure requirements set forth in Rules 20a-2(a)(1), 20a-2(b)(1), 20a-2(a)(8), 20a-2(a)(9), and 20a-2(b)(4) Under the Act, Items 13(a)(5), 13(a)(6) and 13(d)(3) of Form N-1, and Items 20(a), (g) and (h) of Form N-1R under the Act, and from Sections 6-04(b)(2)(ii) (a), (b) and (c) of Regulation S-X. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant is a newly organized, open-end, diversified, management investment company of the "series" type. According to the application, Applicant has registered under the Act and has filed a registration statement under the Act and under the Securities Act of 1933 ("1933 Act"). Applicant initially proposes to offer shares in seven separate investment portfolios ("Funds"), each with distinct investment objectives, policies, and restrictions. Applicant states that it was organized by and at the expense of Frank Russell Company, Inc. ("Manager"), which is registered with the Commission as an broker-dealer under the Securities Exchange Act of 1934 and as a investment adviser under the Investment Adviser's Act of 1940.

Applicant states that it was organized by the Manager for the principal purpose of enabling the Manager to offer its "multi-manager diversification" technology and investment manager selection services on a commingled basis to clients of the Manager. It is represented that for the past decade the Manager has been primarily engaged in the business of providing comprehensive asset management consulting services for large pools of investment assets, predominately assets of large corporations' employee benefit plans. In addition to assisting its clients in defining investment objectives and allocating assets among investment media to achieve those objectives, the Manager's consulting services have included recommendations to clients concerning the use of multiple investment managers and the selection of an investment manager or managers to make specific purchases and sales for the clients' investment portfolios.

According to the application, the Manager has found that substantial pools of investment assets are required to achieve the cost-effective and efficient allocation of assets among a number of different objectives, media, and strategies; to use multiple investment managers; and to obtain the Manager's consulting services. By pooling assets of eligible investors in the different Funds of the Applicant, the Manager believes that it will be able to provide its consulting and investment manager selection services on an efficient and cost-effective basis for the Manager to institutions and individuals whose assets are not large enough to utilize these services on an individual account basis.

Applicant states that it is structured and proposes to operate in a manner which differs from that of a conventional registered investment company. The Manager will be an investment adviser for Applicant within the meaning of Section 2(a)(20) of the Act, but will serve as the Applicant's "Corporate Manager" pursuant to a written Corporate Management Agreement, and will provide Applicant with the management and administrative services necessary for a registered investment company to operate on an ongoing basis. The application indicates that the Manager's services will include the evaluation, selection (subject to the approval of Applicant's directors) and monitoring of investment managers. Applicant states that specific portfolio investments for the Applicant's Funds will be made by investment advisers (referred to by the Applicant as "money managers") to each of the Funds. Initially, Applicant proposes to use twenty-five money managers, each of whom will have discretionary authority to invest the assets of a portion of a particular Fund. It is expected that the Applicant's relationships with the money managers will be stable and of extended duration.

Applicant will offer shares only to institutions and individuals who have entered into Asset Management Services Agreements with the Manager pursuant to which the Manager will assist the client in defining appropriate investment objectives and desired investment returns and assist the client in allocating its assets among different

investment media in a manner most likely to achieve those objectives. Applicant believes that the client will then be able to use one or more of the Funds as investment vehicles to gain access to the Manager's multiple-manager diversification technology and money manager selection services.

Applicant states that the Manager will negotiate with each prospective client the consulting fee to be paid to the Manager which will compensate the Manager for the consulting services to be provided to the client and for providing Applicant's Funds as investment vehicles. Applicant maintains that it will pay no "investment advisory" or "management" fee to the Manager for the Manager's services to the Applicant. Moreover, the Applicant will pay no investment advisory fee to any of the money managers. The Manager will be solely responsible for the payment of the money managers' fees. It is asserted that each Fund shareholder will effectively bear the same relative percentage of the aggregate fees paid by the Manager to each Fund's money managers as the shareholder's assets invested in the Fund bear to the Fund's aggregate assets.

Applicant further states that its Corporate Management Agreement with the Manager will be submitted for approval by the board of directors of the Applicant, including a majority of the directors who are not "interested persons" of the Applicant or Manager, at the times and in the manner required by the Act and the rules thereunder. According to the application, the Corporate Management Agreement will also be subject to all the shareholder approval and termination provisions of the Act and the rules thereunder. Applicant also states that information concerning the Manager, the Applicant, and their relationships will be disclosed in such public documents as prospectuses, proxy statements, and periodic reports to the extent and in the manner required by the Act and by the rules and forms thereunder. However, Applicant is seeking an order from the Commission exempting it and the money managers from certain shareholder voting and disclosure requirements discussed below applicable to the Applicant because each of the money managers is an investment adviser to the Applicant within the meaning of Section 2(a)(20) of the Act.

Section 6(c) of the Act authorizes the Commission, upon application, to exempt any person, security or transaction, or any class or classes of persons, securities or transactions, from any provision or provisions of the Act, conditionally or unconditionally, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Shareholder Voting on Management Contracts

Applicant proposes that when a money manager for a Fund has been recommended by the Manager, the selection and approval will be made by Applicant's board of directors, including a majority of Applicant's directors who are not "interested persons" of the Applicant, the Manager, or the money manager in the manner and at the times required by Sections 15 (a) and (c) of the Act. Applicant and the Manager then propose to enter into a written Portfolio Management Contract with the money manager. Applicant represents that each such contract: (1) will precisely describe the compensation to be paid by the Manager to the money manager; (2) shall continue in effect for two years only so long as such continuance is specifically approved at least annually by the board of directors of the Applicant at the times and in the manner required by the Act and rules thereunder; (3) may be terminated at any time, without the payment of any penalty, by the board of directors of the Applicant on not more than sixty days' written notice to the money manager; and (4) will terminate automatically in the event of its assignment.

Applicant seeks an order of the Commission exempting Applicant from provisions of the Act requiring shareholder approval of the Portfolio Management Contracts with the money managers. Section 15(a) of the Act and Rule 18f-2 thereunder provide, in substance, that it is unlawful for any person to serve as an investment adviser to one of the Applicant's Funds except pursuant to a written contract which has been approved by a vote of a majority of the outstanding voting securities of the Fund for which the money manager will serve. Moreover, when an existing advisory contract is materially amended, or terminates as a result of an assignment as defined in Section 2(a)(4) of the Act, shareholders must approve the amendment or reinstatement of the contract. Shareholders of the Fund involved must also be able to terminate the contract at any time.

In support of its request for an exemption in this regard, Applicant states that it is a distinctly different investment vehicle from the conventional investment company or investment company complex, and that the reasons for the shareholder approval requirements are not necessary for the protection of Applicant's shareholders. Applicant asserts that the investor in a conventional investment company specifically undertakes to evaluate and select the investment adviser which will manage its assets. Applicant submits that the investor in the Applicant has clearly chosen to have the Manager and the Applicant undertake the responsibility to evaluate and select money managers, thereby relieving the investor of this responsibility. Applicant states that the primary reason for an investor's determination to invest in the Applicant is to obtain the Manager's expertise in selecting money managers, and is based upon the investor's determination that it is unable, or at least unwilling, to make the selection of the best possible money managers. Applicant also states that its shareholders are independent of, and not dependent upon, Applicant's money managers under its organizational structure and proposed method of operation. Applicant further asserts that the relationship over which Applicant's shareholders should and will be able to exercise control is the relationship with the Manager, the entity to which the investors, by their choice, are looking for investment results and related services. Applicant further submits that by choosing to invest in this type of vehicle, investors are not seeking any relationship with the money managers and are, in substance, indifferent concerning the identity of the specific money managers. The investors' interest is in the Manager's expertise in selecting and terminating where necessary the money managers, and in the investment results achieved by those managers—whoever they might be.

Applicant also states that in the ordinary course of events Applicant would hold only an annual shareholders meeting, thus incurring but once the expenses of preparing, filing with the Commission, printing, mailing, and tabulating proxy material. If, for any reason, it became necessary to employ an additional manager or enter into a new contract, the Applicant and particular Fund would be forced to incur additional expenses to do so unless the exemptive relief is granted. Applicant asserts that such expenses would provide no meaningful benefit or protection to Applicant's shareholders in view of the nature of Applicant's operating mode and investors' reasons for investing through the Applicant. Applicant further asserts that there are

potential adverse consequences to the Applicant which might result from a time delay involved in seeking shareholder approval, and contends that the best interest of shareholders are served if Applicant can immediately, subject to review and approval by its board of directors, employ a new money manager or enter into a revised contract. Applicant has agreed that as a condition of receiving the exemptive relief requested, Applicant will notify shareholders as promptly as is practical under the specific circumstances of any event or change which would, but for the exemptions requested by the application, have required shareholder approval.

Disclosure Concerning Fees Paid by the Company to the Money Managers

The application also seeks relief from various disclosure provisions under the Act and Regulation S–X which would require the Applicant or others to disclose the advisory fees paid by the Manager to the money managers. The provisions from which Applicant seeks exemptive relief in this respect are as follows. Rule 20a–2(a)(1) and, under certain circumstances, Rule 20a–2(b)(1) under the Act would require such disclosures in Applicant's proxy statement. Rule 20a–2(b)(4) under the Act provides that any registered investment company seeking shareholder approval of its advisory contract must include in its proxy statement the rate of its investment adviser's compensation from any other registered investment company. Items 13(a)(5) and (6) and Item 13(d)(3) of the Form N–1 registration statement under the Act and the 1933 Act would require the disclosure of the advisory fee paid by the Applicant. Items 20(a), (g) and (h) of the Form N–1R Annual Report under the Act requires such disclosure. Regulation S–X 6–04(b)(2)(ii)(a), (b) and (c) would require that Applicant's financial statements contain information in a footnote concerning fees paid to the money managers.

Applicant states that each investor in the Applicant will have entered into an Asset Management Services Agreement with the Manager which will set forth the fee to be paid by the investor to the Manager. This fee will be negotiated individually with each client and will be based upon the specific services to be provided to the client, as well as the costs and expenses, including the money managers' compensation, incurred by the Manager in managing Applicant's business. Thus, it is asserted that each client will know its total expenses and the rate of fees it will bear, and will be able to determine whether, in its judgment, the cost of the total package of services offered by the Manager and the Applicant is reasonable in relation to the services and costs which the investor could obtain elsewhere.

Applicant also states that at least some money managers price their services based upon "posted" fee rates, and that at least some of them may be unwilling to serve the Applicant and the Manager at reduced rates if the fee reductions are publicly disclosed. Applicant states that in some instances the Manager will be able to negotiate fees which are lower than the money manager's posted rates. Applicant asserts that disclosure of the fees the Manager will pay to the money managers could result in adverse consequences to Applicant's shareholders, because an increase in cost to the Manager must necessarily result in increased charges to its consulting clients, the shareholders of the Applicant. Applicant also asserts that disclosure provides no meaningful comparative information to investors since the rates these money managers would charge to the Applicant are ordinarily not available to the individual investor in the Applicant.

Other Disclosures Concerning the Money Managers

Applicant also seeks relief from certain other disclosures which are required concerning the money managers. These provisions are: Rule 20a–2(a)(8) under the Act, which would require proxy disclosure of transactions by, among other persons, the principal executive officer, any director or general partner, or any parent of any money manager in securities issued by the money manager or its parent; and, Rule 20a–2(a)(9) under the Act, which provides, in substance, that a balance sheet of the adviser must be included in the investment company's proxy statement, unless the adviser is a bank.

Applicant asserts that it will initially employ twenty-five money managers and that as its assets grow to significant levels it is anticipated that additional money managers may be employed. Applicant represents that no director, officer, or employee of the Applicant or the Manager has or will have any direct or indirect beneficial interest in any security issued by a money manager or a controlling person of a money manager or stands to profit or benefit in any manner from transactions in the money managers' securities. Applicant contends that disclosures required by Rule 20a–2(a)(8) concerning transactions in securities of its managers who are unrelated in any manner to Applicant or the Manager other than as portfolio managers does not provide necessary or meaningful investor information or protection. Applicant further states that making the inquiries of each money manager and gathering and assembling the information required to respond to such a requirement would impose substantial administrative burdens and expenses upon the Applicant and the Manager without providing a meaningful corresponding benefit to Applicant's shareholders.

Applicant also contends that the inclusion of balance sheets of the money managers in Applicant's proxy statements, to the extent required by Rule 20a–2(a)(9), is unnecessary in view of the structure of the Applicant. The application maintains that unlike the conventional investment company which is dependent upon its investment adviser not only for portfolio management services but also for the day-to-day operations of the company, Applicant is not dependent upon its money managers for any of its ongoing corporate or administrative requirements. Under these circumstances, Applicant asserts that the inclusion of the money managers' balance sheets has limited if any relevance to Applicant's shareholders. Applicant further asserts that obtaining balance sheets from numerous money managers will impose significant administrative burdens and expenses upon Applicant, and that the printing and mailing costs of the balance sheet and notes could easily double or triple the costs of printing and mailing the proxy statement. Applicant submits that satisfying this requirement may also impose significant burdens and expenses upon the money managers because in most instances a revised set of updated notes related solely to the balance sheet of the money manager must be prepared by the money manager's accountants and certified by the accountants in order to be included in Applicant's proxy statement.

Notice is further given that any interested person may, not later than October 13, 1981, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon the Applicant at the address

stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-27868 Filed 9-24-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-18104; File No. SR-NSCC-81-13]

National Securities Clearing Corp.; Proposed Rule Change by Self-Regulatory Organizations

In the matter or proposed rule change relating to requiring additional mark-to-the-market payments from Members with concentrated Long or Short CNS Positions in high risk and/or volatile securities; comments requested on or before October 16, 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 September 14, 1981, the National Securities Clearing Corporation filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II, and III below, which Items have been prepared by National Securities Clearing Corporation. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

B. Additional Mark-to-the-Market Payments Pursuant to Rule 11. Section 6, the Corporation has the authority to require an additional mark-to-the-market payment ("additional mark") from Members in view of price fluctuations in or volatility or lack of liquidity of any security. Without limiting the generality of such authority, the following formulas may be used to determine additional mark requirements for Members maintaining positions in "high risk" and/or "volatile" securities as those terms are herein defined.

1. High Risk Securities. High risk securities are those securities wherein the spread between the bid and ask prices is equal to or greater than twenty percent of the current market price of the security. An additional mark shall be applied against CNS positions in these securities when the value of the individual CNS position in such security is equal to or greater than ten percent of the total value of all CNS positions of the Member (i.e. a concentration of ten percent or more). The additional mark shall be equal to the percent of concentration adjusted by a factor, determined by multiplying the percentage of risk (i.e. twenty percent or more) by five, plus an additional ten percent of the total, multiplied by the value of the CNS position. In effect, the high risk additional mark equals:

$$[(\text{Percentage of Concentration}) \left(\frac{\text{spread}}{\text{market price}} \times 5\right) + 10\%] \times \text{Position Value}$$

2. Volatile Securities. Volatile securities are those securities wherein there is a one day price change of at least ten percent and such price change adversely affects the value of the position by at least $15,000. An additional mark shall be applied against CNS positions in those securities when the value of the individual CNS position in such security is equal to or greater than ten percent of the total value of all CNS positions of the Member (i.e. a concentration of ten percent or more). The additional mark shall be equal to the percent of concentration adjusted by a factor (as defined below) and multiplied by the value of the CNS position. For the purposes of this formula, the factor shall be calculated as follows:

A price movement of ten to nineteen percent of the previous day's current market price shall equal a factor of 1. Each additional ten percent price movement shall increase the factor by 0.5. The factor, however, shall not exceed 10. In effect, a change of 47% would result in a factor of 2.5 while a change of 150% would result in a factor of 8.

In effect, the volatile security additional mark equals:

$$[(\text{Percentage of Concentration})(\text{Factor})] \times \text{Position Value}$$

The additional mark shall be collected through the settlement system and added to the Member's clearing fund contribution. Adjustments to the additional mark shall be made daily with the excess, if any, returned through the settlement system.

To the extent that the Member's clearing fund contribution exceeds its requirements, the Corporation, in its discretion, may waive part or all of the additional mark provided for in this Procedure.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, National Securities Clearing Corporation ("NSCC") included statements concerning the purpose of and basis for the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. NSCC 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 purpose of the proposed rule change is to protect NSCC, its Members and their clearing fund contributions by mitigating or limiting the exposure incurred by NSCC as a result of its guaranteeing open CNS positions in securities deemed high risk and/or volatile. Accordingly, the proposed rule change is consistent with Section 17A of the Securities Exchange Act of 1934, as amended, in that it provides an additional clearing fund contribution protecting against the greater market risks attached to high risk and volatile securities.

(b) Self-Regulatory organization's Statement on Burden on Competition

NSCC does not believe that the proposed rule change will have an impact on competition.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

Comments on the proposed rule change have been requested by Important Notice dated September 11, 1981, sent to all NSCC Participants. Any comments received will be forwarded to the Commission.

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 the Securities Exchange Act Rule 19b–4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

IV. Solicitation of Comments.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any 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 October 16, 1981.

For the Commission by the Division of Market Regulations, pursuant to delegated authority.

Dated: September 21, 1981.

George A Fitzsimmons,

Secretary.

[FR Doc. 81–27870 Filed 9–24–81; 8:45 am]

BILLING CODE 8010–01–M

[Rel. No. 11943; 812–4547]

Nuveen Municipal Bond Fund, Inc., et al.; Filing of Application

September 21, 1981.

Notice is hereby given that Nuveen Municipal Bond Fund, Inc., 115 South LaSalle Street, Chicago, Ill. 60603, Nuveen Income Fund, 209 South LaSalle Street, Chicago, Ill. 60604, Series 1 and subsequent series, Nuveen Tax-Exempt Bond Fund, Series 1 and Subsequent series, Nuveen Tax-Exempt Bond Fund—Multi-State, Series 1 and subsequent series, and Nuveen Tax-Exempt Bond Fund—Medium Term, Series 1 and subsequent series ("Old Nuveen Funds"), and Nuveen Tax-Exempt Bond Fund—ShortTerm, Series 1 and subsequent series, and Nuveen Tax-Exempt Bond Fund—Multi Maturity Fund A and subsequent series ("New Nuveen Funds"), and John Nuveen & Co. Incorporated ("Nuveen") (hereinafter referred to collectively as the "Applicants"), filed an application on August 6, 1981, and an amendment thereto on August 24, 1981, for an order of the Commission amending an earlier order of the Commission dated November 26, 1979 (Investment Company Act Release No. 10952). The earlier order pursuant to Section 6(c) of the Investment Company Act of 1940 (the "Act") exempted the Old Nuveen Funds and Nuveen from the provisions of Section 22(d) of the Act and Rule 22d–1 thereunder to permit sales of such Nuveen Funds' securities at their current net asset value without a sales charge to Nuveen Affiliated Employees, as defined below, who are participants in a non-tax qualified employee benefit plan.

The requested amended order would extend the Commission's earlier order to include within the terms thereof the New Nuveen Funds and any other series of registered unit investment trusts sponsored by Nuveen in the future. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Nuveen Municipal Bond Fund, Inc., is registered under the Act as a diversified, open-end, management investment company and is organized as a corporation under Maryland law. Nuveen Municipal Bond Fund, Inc. is currently engaged in continuous public offerings of its shares through Nuveen, as principal underwriter, at public offering prices equal to net asset value without any sales charge.

Nuveen Tax-Exempt Bond Fund, Series 1 and subsequent series, Nuveen Tax-Exempt Bond Fund—Mult-State, Series 1 and subsequent series, Nuveen Tax-Exempt Bond Fund—Medium Term, Series 1 and subsequent series, Nuveen Income Fund, Series 1 and subsequent series, Nuveen Tax-Exempt Bond Fund—Short Term, Series 1 and subsequent series, and Nuveen Tax-Exempt Bond Fund—Multi-Maturity Fund A and subsequent series, are each a series of unit investment trusts issuing redeemable securities created by Nuveen as sponsor, all of which are similar but each of which is separate and is designated by a different series letter or number. Each series of such unit investment trusts is created under the laws of the State of New York pursuant to a Trust Indenture and Agreement between Nuveen and United States Trust Company of New York. Nuveen acts as principal underwriter of each series of the unit investment trusts at public offering prices based on a pro rata share of the offering side prices of the bonds in the portfolio of a series during the initial offering period and a pro rata share of the bid side prices of the bonds in the portfolio of a series for secondary market purposes plus a sales charge.

Nuveen, a Delaware corporation, is the parent and sole stockholder of Nuveen Advisory Corporation, which serves as investment manager for Nuveen Municipal Bond Fund, Inc., and Nuveen Tax-Exempt Money Market Fund, Inc. ("Nuveen Open-End Funds") and Nuveen Government Securities, Inc., a dealer in securities issued by the United States and/or agencies therof ("hereinafter Nuveen and its current or future subsidiaries are referred to as the Nuveen Companies"). As of August 31, 1981, the full time employees of the Nuveen Companies totalled approximately 337 (hereinafter employees of the Nuveen Companies are referred to as "Nuveen Affiliated Employees").

The Commission's order of November 26, 1979, permits sales of shares of the Nuveen Municipal Bond Fund and units of all Nuveen unit investment trust series in existence at the time the order was entered (i.e. the Old Nuveen Funds) to be sold at their current net asset value without a sales charge to Nuveen Affiliated Employees pursuant to a non-tax qualified employee benefit plan. On May 8, 1981, Nuveen amended its Form N–8B–2 filed with the Commission with respect to the Nuveen Tax-Exempt Bond Fund—Medium Term to allow the offering thereunder of a series of unit investment trusts entitled the Nuveen Tax-Exempt Bond Fund—Multi-Maturity, each series of which includes two separate trusts: a short term (2–5 year bond maturities) trust and a medium term (5–15 year bond maturities) trust. The Nuveen Tax-Exempt Bond Fund—Multi-Maturity Fund A was deposited and its registration statement under the Securities Act of 1933 was declared effective by the Commission May 29, 1981, pursuant to this amended Form N–8B–2. The amended Form N–8B–2 continues to permit offering of Medium Term Trusts only, under the name "Nuveen Tax-Exempt Bond Fund—Medium Term", as before. Furthermore, on May 29, 1981, Nuveen filed with the Commission a new Form N–8B–2 in

respect of a series of unit investment trusts to be known as the Nuveen Tax-Exempt Bond Fund—Short Term. No such fund has yet been deposited, but, depending on market conditions, such deposit may be made in the near future and its units thereafter offered to the public.

According to the application for an amended order the Nuveen Companies currently permit Nuveen Affiliated Employees pursuant to a non-tax qualified employee benefit plan (the "Plan") to purchase shares of the Nuveen Open-End Funds by payroll deduction in the amount of $25 or more for each investment, and are considering permitting such purchases through automatic, periodic bank checking account withdrawal plans in the amount of $25 or more for each investment. Distributions on shares of either of the Nuveen Open-End Funds acquired under the Plan are reinvested at net asset value in shares of such Nuveen Fund.

Pursuant to the Commission's order of November 26, 1979, Nuveen Affiliated Employees are also permitted to purchase Units of any series of the Old Nuveen Funds being offered in either the primary or secondary market at their current net asset value without a sales charge. Any such purchases, however, must meet the minimum account size requirements of the Old Nuveen Fund sought to be purchased, i.e., $5,000 or 50 Units, whichever is less (except for purchases of Nuveen income Fund, with respect to which the minimum purchase is $1,000 or 10 Units, whichever is less). Participants agree not to resell either Nuveen Open-End Fund shares or Old Nuveen Fund units acquired through their participation in the Plan except by repurchase or redemption by or for the account of the appropriate Nuveen Fund.

Applicants state that no individual nor in-person group sales solicitations or presentations concerning the Plan are made. All Nuveen Affiliated Employees receive peridically (at least annually) notice from their employers concerning the Plan. This notice, furnished at the expense of such employers, describes the Nuveen Funds and their investment objectives, indicates that investments in the Plan will be at net asset value and details the payroll deduction and other ways in which investments can be made. The notice also indicates that additional information concerning the Plan and the Nuveen Funds can be obtained from Nuveen and informs employees of the availability of prospectuses of the Nuveen Funds from their employers.

Applicants submit that the Plan as permitted pursuant to the Commission's order of November 26, 1979, provides for the elimination of sales charges on the sale of units to participating Nuveen Affiliated Employees based upon the rationale that employment by the Nuveen Companies has been selected by the Nuveen Funds as a criterion relating to the realization of economies of scale in sales effort and sales related expense. Applicants further submit that features of the Plan which give rise to economies of scale in sales effort and sales-related expenses are as follows: (i) there is no personal solicitation of participants by Nuveen, Nuveen's representatives or other broker-dealers; (ii) all eligible employees purchasing shares of the Nuveen Open-End Funds through payroll deduction have shares purchased for their accounts at each payroll date with payment for such shares being made by a single check for each Nuveen Fund; and (iii) all eligibie employees receive at least annually, at the expense of their employers, notice of the availability of the Plan.

Applicants state that sales to Nuveen Affiliated Employees under the Plan result in substantial economies in sales effort and sales-related expense. According to Applicants, employees of the Nuveen Companies have a basic understanding of the nature of an investment in an investment company as well as general familiarity with, and a significant degree of loyalty to, the Nuveen Funds. Applicants further submit that amendment of the Commission order of November 26, 1979, to permit Nuveen Affiliated Employees to purchase at net asset value without a sales charge units of the New Nuveen Funds and any other series of registered unti investment trusts sponsored by Nuveen in the future, in addition to shares of the Nuveen Open-End Funds and units of the Old Nuveen Funds, on the same basis as purchases under the Plan are currently being effected is consistent with the rationale and the purposes which underlie the earlier order. In light of the above, Applicants request that an order be entered, pursuant to Section 6(c) of the Act, amending the Commission's earlier order exempting Applicants from the provisions of Section 22(d) of the Act and Rule 22d–1 thereunder to include within the terms thereof the New Nuveen Funds and any other series of registered unit investment trusts sponsored by Nuveen in the future.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current public offering price described in the prospectus, and if such class of security is being currently offered to the public by or through an underwriter, no principal underwriter of such security and no dealer shall sell any such security to any person except at a current public offering price described in the prospectus. Rule 22d–1 permits reductions in, or elimination, of the sales load charged upon the sale of shares under certain circumstances. Applicants submit that the sale of Nuveen Fund shares to Nuveen Affiliated Employees at net asset value under the Plan may conflict with the provisions of Section 22(d) of the Act and Rule 22d–1 thereunder.

Section 6(c) of the Act provides, in pertinent part, that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security or transaction, or any class or classes of persons, securities or transactions, from any provision of the Act or of any rule under the Act, if and to the extent such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than October 16, 1981, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicants at the addresses stated above. Proof of such service (by affidavit or, in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-27866 Filed 9-24-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-18103; File No. SR-PSE-81-14]

Pacific Stock Exchange, Inc.; Proposed Rule Change by Self-Regulatory Organization

In the matter of proposed rule change by the Pacific Stock Exchange Incorporated relating to reduced Equity trading hours. Comments requested on or before October 16, 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 September 10, the Pacific Stock Exchange Incorporated filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

At its meeting on august 27, 1981, the Board of Governors of the Pacific Stock Exchange Incorporated ("PSE") voted to reduce Equity trading hours on the Exchange. Efective September 14, 1981, trading hours on the PSE shall be from 7:00 a.m. to 1:30 p.m., Pacific Time. The proposed change will reduce the hours during which the Exchange is open for the transaction of business by one hour.

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 Board of Governors reached its decision to reduce trading hours as the result of a survey of its member firms and an analysis of trading volume between 1:00 p.m. and 2:30 p.m., Pacific Time. These studies indicated that, at the present time, there is not sufficient volume to economically justify the last hour of trading. The studies did show, however, that there was strong interest in the period between 1:00 p.m. and 1:30 p.m., Pacific Time.

The proposed rule change is consistent with the requirements of the Securities Exchange Act of 1934 in general, and Section 6(b)(5), in particular, in that it will foster cooperation and coordination with persons engaged in settling and processing information with respect to transactions in securities by providing additional time to process same-day corrections, reducing "as of" trade corrections.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change will not impose any burden on competition.

(C) Self-Regulatory Organiaation's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

Written comments were solicited from various member firms on the proposed rule change. The firms surveyed overwhelminly supported the proposed 1:30 p.m. closing.

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 the Securities Exchange Act Rule 19b-4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission and all written communications relating to the proposed rule change between the Commission and any 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 October 16, 1981.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: September 18, 1981.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-27871 Filed 9-24-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 18110; (SR-CBOE-81-19)]

Chicago Board Options Exchange, Inc.; Filing of Proposed Rule Change and Order Approving Proposed Rule Change

September 21, 1981.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1) ("Act"), notice is hereby given that on September 14, 1981, the Chicago Board Options Exchange, Incorporated ("CBOE"), LaSalle at Jackson, Chicago, Illinois 60606, filed with the Commission copies of a proposed rule change to establish an Interest Rate Options Committee and to specify the procedures for recording interest rate options transaction information.

Interested persons are invited to submit written data, views and arguments concerning the submission on or before October 16, 1981. Persons desiring to make written comments should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to File No. SR-CBOE-81-19.

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed

rule change which are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those which may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Room, 1100 L Street, N.W., Washington, D.C.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requirements of Section 6 and the rules and regulations thereunder.

The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of filing thereof, in that the proposed changes are concerned solely with the administration of the exchange, and accordingly prior notice is unnecessary. In addition, the CBOE has indicated that it intends to start up trading in interest rate options (options on Government National Mortgage Association modified pass-through certificates) on October 30, 1981, and approval of the proposed rule change on an accelerated basis will give CBOE the maximum possible time to prepare for the commencement of trading.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change referenced above, be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-27957 Filed 9-24-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-18107; File No. SR-NESDTC-81-3]

New England Securities Depository Trust Co.; Self-Regulatory Organizations

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 September 18, 1981, the New England Securities Depository Trust Company filed with the Securities and Exchange Commission the proposed change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

On May 5, 1981, approval was granted by the Securities and Exchange Commission to allow the New England Securities Depository Trust Company to impose a temporary 15% increase on all Depository billings to participants effective for the period May 1, 1981 through September 30, 1981. It is proposed to extend this temporary 15% increase for the period October 1 through December 31, 1981.

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 set forth 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 Basis for, the Proposed Rule Change.*

(a) The 15% increase on all Depository billings to participants was previously approved for the period May 1 through September 30, 1981. This increase was necessitated by increased costs in communications, data processing, leasehold and personnel expenses. It was expected, at that time, that a detailed study of all income and expenses of the Depository would be completed by September 30, 1981. The Committee appointed to conduct the study has not been able to complete its recommendations so the Board of Directors of the Depository voted to extend the 15% increase for the period October 1 through December 31, 1981.

(b) The proposed rule change is consistent with the requirements of the Securities Exchange Act of 1934 and the rules and regulations thereunder applying to the New England Securities Depository Trust Company because it represents an equitable allocation of reasonable fees and other charges among its participants. It would also insure prompt and accurate clearance and settlement of security transactions and fosters cooperation and coordination among others engaged in the clearance and settlement of security transactions by making the Depository more competitive.

(B) *Self-Regulatory Organization's Statement on Burden on Competition.*

No burden on competition is perceived by adoption 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)(A) of the Securities Exchange Act of 1934. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, DC 20549. Copies of the submssion, all subsequent amendments, all written statements with respect to the proposed change that are filed with the Commission, and all written communications relating to the proposed 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 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 October 16, 1981.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: September 21, 1981.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-27956 Filed 9-24-81; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF THE TREASURY

Fiscal Service

[Dept. Circ. 570, 1981 Rev., Supp. No. 6]

Financial Indemnity Co.; Surety Companies Acceptable on Federal Bonds: Termination of Authority

Notice is hereby given that the certificate of authority issued by the Treasury to Financial Indemnity Company, Burbank, California, under Sections 6 to 13 of Title 6 of the United States Code, to qualify as an acceptable surety on federal bonds is hereby terminated, effective today.

The company was last listed as an acceptable surety on federal bonds at 46 FR 33966, June 30, 1981.

With respect to any bonds currently in force with Financial Indemnity Company, bond-approving officers of the Government may let such bonds run to expiration and need not secure new bonds. However, no new bonds should be accepted from the company.

Questions concerning this notice may be directed to the Audit Staff, Bureau of Government Financial Operations, Department of the Treasury, Washington, D.C. 20226, telephone 202–634–5010.

Dated: September 15, 1981.

W. E. Douglas,

Commissioner, Bureau of Government Financial Operations.

[FR Doc. 81–27855 Filed 9–24–81; 8:45 am]

BILLING CODE 4810–35–M

[Dept. Circ. 570, 1981 Rev., Supp. No. 7]

Surety Companies Acceptable on Federal Bonds

A certificate of authority as an acceptable surety on Federal bonds is hereby issued to the following company under Sections 6 to 13 of Title 6 of the United States Code. An underwriting limitation of $300,000 has been established for the company.

Name of Company

Acceptance Insurance Company

Business Address

One First National Center, Suite 1323, Omaha, Nebraska 68102

State of Incorporation

Nebraska

Certificates of authority expire on June 30 each year, unless renewed prior to that date or sooner revoked. The certificates are subject to subsequent annual renewal so long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1 in Department Circular 570, with details as to underwriting limitation, areas in which licensed to transact surety business and other information. Federal bond-approving officers should annotate their reference copies of Treasury Circular 570, 1981 Revision, at page 33962 to reflect this addition. Copies of the circular, when issued, may be obtained from the Audit Staff, Bureau of Government Financial Operations, Department of the Treasury, Washington, D.C. 20226.

Dated: September 15, 1981.

W. E. Douglas,

Commissioner, Bureau of Government Financial Operations.

[FR Doc. 81–27856 Filed 9–24–81; 8:45 am]

BILLING CODE 4810–35–M

Sunshine Act Meetings

Federal Register
Vol. 46, No. 186
Friday, September 25, 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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1

CONSUMER PRODUCT SAFETY COMMISSION.

TIME AND DATE: 9:30 a.m., Thursday, September 24, 1981.

LOCATION: Third floor hearing room, 1111 18th Street NW., Washington, DC.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED: 1. *Briefing on Projectile Toys:*

The staff will brief the Commission on several alternatives for possible regulatory activities to address potential injuries associated with projectile toys. Several of the alternatives arise from petitions from the Western Massachusetts Public Interest Group (HP 74-5), Kenneth Jacoby (HP 75-21), and Action for Children's Television (HP 79-1), seeking mandatory safety standards. The Commission previously deferred action on the petitions pending completion and staff review of a study by the National Bureau of Standards. The Commission has scheduled consideration of this matter at its October 1 meeting.

2. *Briefing on Methylene Chloride:*

The staff will brief the Commission on recommendations of CPSC's Toxicological Advisory Board (TAB) concerning Commission action on products containing methylene chloride. In 1978, the Commission granted a petition requesting special labeling warning smokers and heart patients of an increased carbon monoxide hazard associated with paint thinners containing methylene chloride. Subsequently the Commission directed the staff to consult with the TAB on methylene chloride labeling. The Commission has scheduled consideration of this matter at its October 1 meeting.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Deputy Secretary, Office of the Secretary, Suite 300, 1111 18th Street NW., Washington, DC 20207; Telephone (202) 634-7700.

[S-1451-81 Filed 9-23-81; 2:36 pm]

BILLING CODE 6355-01-M

2

FEDERAL HOME LOAN BANK BOARD.

TIME AND DATE: 10 a.m., Wednesday, September 30, 1981.

PLACE: 1700 G Street, N.W., board room, sixth floor, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202-377-6679).

MATTERS TO BE CONSIDERED:

Application to Acquire Control of—County Federal Savings and Loan Association, Westport, Connecticut BY CFS Corporation, Westport, Connecticut
Branch Office Application—Home Federal Savings and Loan Association of San Diego, San Diego, California
Designation of—William O. Churchill, David E. Cockcroft, John B. Landers and Mary Duke Peters as Supervisory Agents of the Federal Home Loan Bank Board
Trust Department Application—Home Owners Federal Savings and Loan Association, Boston, Massachusetts
Refund of Insurance Premiums
Application for Authority to Acquire Control of and for Authority to Incur Indebtedness—Barrett Holding Company, Inc., Harrison, Arkansas BY Guaranty Savings and Loan Association, Harrison, Arkansas
Remote Service Unit Application—Homestead Federal Savings and Loan Association, Dayton, Ohio
Payments of Interest on Federal Home Loan Bank Demand Deposits
Federal Home Loan Bank Advances.

[No. 540, September 23, 1981]

[S-1455-81 Filed 9-23-81; 3:05 pm]

BILLING CODE 6720-01-M

3

NATIONAL TRANSPORTATION SAFETY BOARD.

[N-AR 81-35]

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 46 FR 46861, September 22, 1981.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 9 a.m., Tuesday, September 29, 1981.

CHANGE IN MEETING: A majority of the Board has determined by recorded vote that the business of the Board requires revising the agenda of this meeting and that no earlier announcement was possible. The agenda as now revised is set forth below:

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. *Railroad Accident Report:* Derailment of Amtrak Train No. 97 on Seaboard Coastline Railroad Track at Lochosa, Florida, May 26, 1981, and *Recommendations* to the President of the Family Lines and to the Association of American Railroads.

2. *Highway Accident Report:* ARA Transportation Group Tour Bus, Denali National Park and Preserve (Mt. McKinley National Park), Alaska, June 15, 1981, and *Recommendations* to the National Park Service.

3. *Safety Report:* Status of Department of Transportation Hazardous Material Regulatory Programs and *Recommendations* to the Secretary, DOT.

CONTACT PERSON FOR MORE INFORMATION: Sharon Flemming 202-382-6525.

September 23, 1981.

[S-1456-81 Filed 9-23-81; 3:23 pm]

BILLING CODE 4910-58-M

4

POSTAL SERVICE.

Board of Governors

Meeting

TIME AND DATE: 12 noon, Tuesday, September 29, 1981.

PLACE: Postal Service Headquarters, 475 L'Enfant Plaza, West, S.W., Washington, D.C. 20260.

STATUS: Closed.

MATTER TO BE CONSIDERED: Opinion and Recommended Decision of Postal Rate Commission dated September 17, 1981, in Postal Rate and Fee Changes, 1980 (Commission Docket No. R80-1). (This special meeting is a continuation of the meeting of September 22, 1981.)

PERSON TO CONTACT FOR MORE INFORMATION: Assistant Secretary of the Board, W. Allen Sanders (202) 245-4635.

Dated: September 22, 1981.

W. Allen Sanders,

Assistant Secretary.

[S-1454-81 Filed 9-23-81; 2:38 pm]

BILLING CODE 7710-12-M

5

POSTAL SERVICE.

Board of Governors

Notice of Votes to Change Subject Matter and to Close Meeting

On September 22, 1981, the Board of Governors of the United States Postal Service voted to change the subject matter of its meeting held that day by adding to its agenda consideration of the Opinion and Recommended Decision Upon Further Reconsideration of the Postal Rate Commission in the proceeding encaptioned Postal Rate and Fee Changes, 1980 (Commission Docket No. R80–1). The Governors of the Postal Service also voted to close to public observation a portion of the meeting. The portion closed involved a discussion of those aspects of the Opinion and Recommended Decision which would be likely to concern specifically the Postal Service's participation in civil litigation.

By unanimous vote the Board determined, in accordance with 5 U.S.C. 552b(e)(2), that the business of the Postal Service required that the Opinion and Recommended Decision which had been issued on September 17, 1981, be considered at this meeting, even though it had not been on the agenda of the meeting as originally publicly announced, and that no earlier announcement of the change was possible.

In a separate vote the Governors determined, in accordance with 5 U.S.C. 552b (d)(1) and (e)(2), that the portion of the meeting to be closed was exempt from the open meeting requirement of the Government in the Sunshine Act pursuant to 5 U.S.C. 552b(c)(10) in that it was likely to specifically concern agency participation in a civil action or proceeding.

Each of the Governors voted in favor of closing this portion of the meeting which was attended by the following persons: Governors Babcock, Camp, Ching, Hardesty, Hughes, Hyde, Jenkins, and Sullivan, Postmaster General Bolger, Acting Secretary of the Board Sanders, Counsel to the Board Califano, Peter Hamilton, Esq., of the firm of Califano, Ross & Heineman, Senior Assistant Postmaster General Finch, Assistant Postmaster General McCaffrey and Associate General Counsel Beck.

Prior to the September 22 meeting, the Board of Governors had given due public notice of its intention to hold the meeting, the notice and the proposed agenda for the meeting having been published in the **Federal Register** on September 10, 1981, (46 FR 45244). Public notice was given on September 16, 1981, of a change in the location and time of the September 22 meeting (46 FR 46040–46056). This notice also indicated that the Opinion and Recommended Decision, the issuance of which had been announced for September 17, would be considered by the Board at its September 22 meeting and noted the possibility that a portion of that meeting would be closed. The Governors determined at the September 22 meeting that the timely discharge of their responsibilities required that this portion of the meeting in question should be closed, notwithstanding the fact that the published agenda for the meeting had not stated that any portion would be closed.

The Governors determined that the public interest did not require that this portion of the meeting be open to the public, since a failure to discuss litigation strategies without the inhibitions to candor that might result from holding such a discussion in public (quite possibly with opposing counsel in attendance) would be inconsistent with the public's interest in having the Governors arrive at their Decision only after a candid evaluation of how the various alternative open to them might best be analyzed in the light of pending litigation.

In accordance with 5 U.S.C. 552B (c)(10), the Acting General Counsel of the United States Postal Service certified that in his opinion the portion of the meeting to be closed might properly be closed to public observation.

W. Allen Sanders,

Acting Secretary

[S–1453–81 Filed 9–23–81; 2:38 pm]

BILLING CODE 7710–12–M

6

POSTAL SERVICE.

Board of Governors

Notice of Vote to Close Meeting

On September 22, 1981, the Governors of the United States Postal Service voted to close to public observation the special meeting to be held Tuesday, September 29, 1981. The meeting to be closed, which is a continuation of the September 22 meeting, will involve a discussion of those aspects of the Opinion and Recommended Decision Upon Further Reconsideration of the Postal Rate Commission in the proceeding encaptioned Postal Rate and Fee Changes (1980) (Commission Docket No. R80–1) dated September 17, 1981, which would be likely specifically to concern the Postal Service's participation in civil litigation.

The Governors determined, pursuant to 5 U.S.C. 552b(c)(10) that the portion of the meeting to be closed was exempt from the open meeting requirement of the Government in the Sunshine Act in that it was likely specifically to concern agency participation in a civil action or proceeding.

Each of the Governors voted in favor of closing the meeting, which is expected to be attended by Governors Babcock, Camp, Ching, Hardesty, Hughes, Hyde, Jenkins, and Sullivan, Postmaster General Bolger, Deputy Postmaster General Benson, Secretary of the Board Cox, Counsel to the Board Califano, Senior Assistant Postmaster General Finch, Assistant Postmaster General McCaffrey, Associate General Counsel Beck and Peter Hamilton, Esq. of the firm of Califano, Ross & Heineman.

The Governors determined that the public interest did not require that this meeting be open to the public, since a failure to discuss litigation strategies without the inhibitions to candor that might result from holding such a discussion in public (quite possibly with opposing counsel in attendance) would be inconsistent with the public's interest in having the Governors arrive at their Decision only after a candid analysis of how the various alternatives open to them might best be analyzed in the light of pending litigation.

W. Allen Sanders,

Acting Secretary.

[S–1452–81 Filed 9–23–81; 2:39 pm]

BILLING CODE 7710–12–M

7

SECURITIES AND EXCHANGE COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 46 FR 46277, SEPTEMBER 17, 1981.

STATUS: Closed meeting.

PLACE: Room 825, 500 North Capitol Street, Washington, D.C.

DATE PREVIOUSLY ANNOUNCED: Monday, September 14, 1981.

CHANGES IN THE MEETING: Additional items. The following items will be considered at a closed meeting scheduled for Thursday, September 24, 1981, following the 10:00 a.m. open meeting.

Freedom of Information Act appeal.
Regulatory matter regarding financial institution.

Litigation matters.
Formal order of investigation.
Institution and settlement of administrative proceedings of an enforcement nature.

Commissioners Loomis, Evans, Thomas, and Longstreth determined by vote that Commission business required consideration of these matters and that no earlier notice thereof was possible.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Diane Klinke at (202) 272–2178.

September 22, 1981.

[S-1450-81 Filed 9-22-81; 4:45 pm]

BILLING CODE 8010-01-M

federal register

Friday
September 25, 1981

Part II

Department of Labor

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

DEPARTMENT OF LABOR

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions are effective from their date of publication in the **Federal Register** without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and Supersedeas Decisions to General Wage Determination Decisions

Modifications and supersedeas decisions to general wage determination decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the modifications and supersedeas decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing general wage determination decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and supersedeas decisions are effective from their date of publication in the **Federal Register** without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Office of Government Contract Wage Standards, Division of Government Contract Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rulemaking procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Determination Decision.

New General Wage Determination Decisions

None.

Modifications to General Wage Determination Decisions

The numbers of the decisions being modified and their dates of publication in the **Federal Register** are listed with each State.

Alabama: AL81-1267	July 10, 1981.
Arkansas:	
AR81-4043	June 19, 1981.
AR81-4039	June 19, 1981.
AR81-4040	June 19, 1981.
AR81-4041	June 19, 1981.
AR81-4042	June 19, 1981.
District of Columbia: DC81-3040	June 5, 1981.
Connecticut: CT81-3032	May 15, 1981.
Indiana: IN80-2058	July 25, 1980.
Louisiana:	
LA81-4024	May 1, 1981.
LA81-4027	May 1, 1981.
LA81-4046	July 6, 1981.
Maryland: DC81-3040	June 5, 1981.
Mississippi: MS81-1287	Sept. 4, 1981.
Nebraska: NE81-4068	Aug. 28, 1981.
New York:	
NY81-3016	Mar. 6, 1981.
NY81-3024	Apr. 3, 1981.
NY81-3033	June 5, 1981.
NY81-3034	June 5, 1981.
NY81-3038	June 5, 1981.
Oklahoma: OK81-4067	Aug. 21, 1981.
Oregon: OR81-5127	July 6, 1981.
Pennsylvania: PA81-3044	Aug. 7, 1981.
Rhode Island: RI81-3042	Aug. 21, 1981.
Tennessee:	
TN81-1202	May 1, 1981.
TN81-1204	May 8, 1981.
TN79-1146	Nov. 16, 1979.
Texas:	
TX80-4087	Nov. 7, 1980.
TX81-4007	Jan. 6, 1981
TX81-4009	Jan. 6, 1981.
TX81-4016	Apr. 3, 1981.
TX81-4032	May 8, 1981.
TX81-4038	June 5, 1981.
TX81-4048	July 10, 1981.
TX81-4052	July 10, 1981.
Utah: UT81-5117	May 8, 1981.
Virginia: DC81-3040	June 5, 1981
Washington: WA81-5126	July 6, 1981.

Supersedeas Decisions to General Wage Determination Decisions

The numbers of the decisions being superseded and their dates of publication in the **Federal Register** are listed with each State. Supersedeas decision numbers are in parentheses following the numbers of the decisions being superseded.

Alabama: AL80-1091(AL81-1294)	Sept. 5, 1980.
California: CA81-5128(CA81-5154)	July 6, 1981.
Hawaii: HI81-5141(HI81-5153)	Aug. 14, 1981.
Kentucky:	
KY77-1155(KY81-1293)	Dec. 23, 1977.
KY79-1158(KY81-1292)	Dec. 7, 1979.
Oklahoma: OK79-4019 (OK81-4073)	Jan. 5, 1979.
Pennsylvania:	
PA80-3029(PA81-3069)	Apr. 11, 1980.
PA80-3029(PA81-3068)	Apr. 25, 1980.

Cancellation of General Wage Determination Decisions.

None.

Signed at Washington, D.C. this 18th Day of September 1981.

Dorothy P. Come,

Assistant Administrator, Wage and Hour Division.

BILLING CODE 4510-27-M

Modification Page 1

Decision No. AL81-1267 - MOD. # 2 (46 FR 35860 - July 10, 1981) Madison County, Alabama Building Construction	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
Laborers, unskilled	$6.57	.40	.50		
DECISION #AR81-4043-Mod. #3 46FR32175 - June 19, 1981 Jefferson County, Arkansas					
CHANGE:					
Asbestos workers	13.75	1.00	1.00		.05
ELECTRICIANS:					
Electricians	13.65	.65	3%+1.35		1/4%
Cable splicers	13.775	.65	3%+1.35		1/4%

Modification Page 2

DECISION #AR81-4039-Mod. #3 46FR32177 - June 19, 1981 Sebastian, Crawford & Washington Counties, Arkansas	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
SEBASTIAN & CRAWFORD CO.					
Asbestos workers	$13.75	1.00	1.00		.05
ELECTRICIANS:					
Electricians	14.33	.60	3%+.055		1/4%
Cable splicers	14.58	.60	3%+.055		1/4%
DECISION #AR81-4040-Mod. #3 46FR32179 - June 19, 1981 Union & Ouachita Counties, Arkansas					
CHANGE:					
Asbestos workers	13.75	1.00	1.00		.05
DECISION #AR81-4041-Mod. #3 46PR32137 - June 19, 1981 Garland, Clark & Hot Springs Counties, Arkansas					
CHANGE:					
Asbestos workers	13.75	1.00	1.00		.05
DECISION #AR81-4042-Mod. #3 46FR32187 - June 19, 1981 Pulaski County, Arkansas					
CHANGE:					
Asbestos workers	13.75	1.00	1.00		.05
ELECTRICIANS:					
Electricians	13.65	.65	3%+1.35		1/4%
Cable splicers	13.775	.65	3%+1.35		1/4%

Modification Page 3

DECISION NO. DC81-3040 - MOD. #4 (46 FR 30290 - June 5, 1981) DISTRICT OF COLUMBIA; MARYLAND-MONTGOMERY AND PRINCE GEORGES; AND D.C., TRAINING SCHOOL; VIRGINIA-INDEPENDENCE CITY OF ALEXANDRIA; ARLINGTON AND FAIRFAX COUNTIES	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
BOILERMAKERS	16.025	1.275	1.25		.04
DIVER TENDER	15.00	.80	.70		.05
ELECTRICIANS	15.10	.75	3%+.80		.13
ELEVATOR CONSTRUCTORS	14.40	1.345	1.085	a+b	.035
ELEVATOR CONSTRUCTORS' HELPERS	10.08	1.345	1.085	a+b	.035
ELEVATOR CONSTRUCTORS' PROBATIONARY HELPERS	7.20				
PLUMBERS	14.25	1.27	1.30		.27
STEAMFITTERS	14.49	1.19	1.25		.16

Modification Page 4

DECISION NO. CT81-3032 - MOD. #5 (46 FR 27040 - May 15, 1981) Hartford, Middlesex, New Haven, New London and Tollard Counties, Connecticut	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
BRICKLAYERS; CEMENT MASONS; FINISHERS; MARBLE MASONS; PLASTERERS; STONEMASONS; TERRAZZO WORKERS and TILE SETTERS:					
Building Construction:					
Area 7	13.25	.75	1.00	a+h	.035
ELEVATOR CONSTRUCTORS					
Elevator Constructors	14.79	1.345	1.085	a+h	.035
Helpers	10.35	1.345	1.085	a+h	.035
Probationary Helpers	7.395				
GLAZIERS:					
Area 1	13.83	1.10	.47	i	.01
LINE CONSTRUCTION:					
Linemen	15.15	.70	3%+1.00	L	
Equipment Operators	13.01	.70	3%+1.00	L	
Driver Groundman	11.69	.70	3%+1.00	L	
PLUMBERS; STEAMFITTERS:					
Area 1	15.44	.75	1.40	5%	.07
LABORERS (Building Construction):					
Laborer	10.05	.80	1.20		.15
Asphalt rakers, concrete & power buggy ops, concrete saw ops, chain saw ops, fence & guard rail erectors, form setters, pipelayers, dry stone wall builders, mason tenders, pneumatic drill ops, pneumatic gas & electric drill ops, powdermen & wagon drill operators and Precast erectors	10.30	.80	1.20		.15

DECISION NO. CT81-3032 - (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Air track operators, block pavers; and curb setters, sandblasters, wagon drill operators	10.80	.80	1.20		.15
Open air caisson, cylindrical work and boring crew:					
Top man	10.05	.80	1.20		.15
Bottom man	10.55	.80	1.20		.15
DECISION NO. IN80-2058 - MOD. #2 (45 FR 49803 - July 25, 1980)					
Adams, Allen, Bartholomew Benton, Blackford, Boone, Cass, Clinton, Dekalb, Delaware, Fountain, Fulton, Grant, Hamilton, Hancock, Hendricks, Howard, Huntington, Jay, Johnson, Madison, Marion, Miami, Monroe, Montgomery Morgan, Noble, Shelby, Steuben, Tippecanoe, Tipton, Wabash, Warren, Wells, White, & Whitley Counties, Indiana					
Change:					
Plumbers:					
Steamfitters:					
Blackford, Grant, & Wabash Counties	$ 15.82	.85	1.30		.15

DECISION NO. LA81-4024 - MOD. #8 (46 FR 24820 - May 1,1981) Statewide Louisiana	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
Asbestos workers - Zone 4	$12.79	.84	.50		.02
Carpenters:					
Zone 3 - Carpenters	12.65	.80	.80		
Millwrights	13.29	.80	.80		
Piledrivermen	13.00	.80	.80		
Electricians:					
Zone 1 - Electricians	15.87	5%	8%		3/10%
Cable splicers	16.12	5%	8%		3/10%
Zone 4 - Electricians	15.35	.70	3%		2/10%
Cable splicers	15.60	.70	3%		2/10%
Zone 6 - Electricians	13.75	1.05	3%		1/2%
Cable splicers	14.25	1.05	3%		1/2%
Zone 8 - Electricians	14.19	.60	3%		1/2%
Cable splicers	14.44	.60	3%		1/2%
Line construction:					
Zone 2:					
Linemen	15.87	5%	8%		3/10%
Cable splicers	16.12	5%	8%		3/10%
Equipment operators	11.90	5%	8%		3/10%
Truck drivers & groundmen	7.14	5%	8%		3/10%
Zone 3:					
Linemen, equipment ops.	16.75	.55	3%+.40		1/10%
Cable splicers	17.25	.55	3%+.40		1/10%
Groundmen	14.75	.55	3%+.40		1/10%
Zone 5:					
Linemen, equipment ops.	14.81		3%		1/2%
Cable splicers	15.06		3%		1/2%
Groundmen	40%JR		3%		1/2%
Zone 6:					
Linemen, equipment ops.	13.75	1.05	3%		1/2%
Cable splicers	14.25	1.05	3%		1/2%
Groundman	4.19	1.05	3%		1/2%
Truck drivers:					
Zone 3 - Group 1	8.67				
Group 2	8.75				
Group 3	9.00				
Group 4	9.15				
Group 5	9.30				
Group 6	9.50				
Group 7	9.85				

DECISION NO. LA 81-4027 - MOD. #7 (46 FR 24834 - May 1,1981) Bossier, Caddo & Calcasieu Pars., Louisiana	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
Electricians:					
Calcasieu Parish:					
New & old single or multiple family residence & apt. complex not to exceed 12 units, 2 story walk-ups:					
Electricians	$10.45	.55	3%+.40		3/10%
Other electricians:					
Electricians	16.75	.55	3%+.40		3/10%
Cable splicers	17.25	.55	3%+.40		3/10%
Truck drivers:					
Bossier & Caddo Pars.:					
Group 1	8.67				
Group 2	8.75				
Group 3	9.00				
Group 4	9.15				
Group 5	9.30				
Group 6	9.50				
DECISION NO. LA81-4046 - MOD. #4 (46 FR 34974 - July 6, 1981) Allen, Beauregard, Bossier, Caddo, Calcasieu, Cameron, Jefferson, Jefferson Davis, Orleans, Plaquemines, St. Bernard & St. Charles Pars., Louisiana					
CHANGE:					
Line construction:					
Zone 2 - Group 1	$16.75	.55	3%+.40		1/10%
Group 2	17.25	.55	3%+.40		1/10%
Group 3	14.75	.55	3%+.40		1/10%

Decision No.: MS81-1287 - MOD. # 1 (46 FR 44641 - September 4, 1981) Hancock, Harrison, Jackson, and Pearl River Counties, Mississippi Building Construction	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
ASBESTOS WORKERS:					
Harrison & Jackson Cos.	$13.65	.90	1.50		.03
DECISION #NE81-406A - Mod. #1 (46 FR 43632 - August 28, 1981) Douglas, Sarpy, Cass and Otoe Counties, Nebraska					
Change:					
Laborers:					
Common laborers	$9.76	.90	1.00	.90	
Buggymobile operators, mortar mixers, mason tenders	9.925	.90	1.00	.90	
Plasterers tenders	10.135	.90	1.00	.90	
Painters: (Douglas, Cass, and Sarpy Counties)					
Brush	13.42		1.00		.05
Structural steel	13.77		1.00		.05
Paperhangers	13.82		1.00		.05
Spray, swing stage, hazardous and sandblasting	14.02		1.00		.05
Sheet metal workers	15.15	.75	.44		.09
Sheet metal workers, residential	11.06	.75	.44		.09
Steamfitters	15.39	.95	.85		.15
Add:					
Carpenters:					
Millwrights	14.10	1.10	.70		.05

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DECISION NO. NY81-3016 - Mod. #4
(46 FR 15657 - March 6, 1981)
Dutchess County, New York

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
SPRINKLAYERS, CEMENT MASONS, PLASTERERS, POINTERS, CAULKERS, CLEANERS, MARBLE MASONS, TILE SETTERS AND TERRAZZO WORKERS					
Building	10.90	2.80	2.40		.06
Heavy & Highway	11.40	2.80	2.40		.06
ELEVATOR CONSTRUCTORS	14.54	1.345	1.085	a+b	.035
ELEVATOR CONSTRUCTORS' HELPER	10.18	1.345	1.085	a+b	.035
ELEVATOR CONSTRUCTORS' HELPER PROBATIONARY	7.27				
IRONWORKERS, Structural, Ornamental, & Reinforcing	11.75	1.86	4.25	1.60	.01
PAINTERS					
Brush	13.14	1.13	.60		
Structural Steel, bridges, towers, fire escapes, smoke stacks, flag poles, exposed areas 15 ft. or more in height, swing stage, window jacks, boat swain chair, safety belts and spray	14.14	1.13	.60		
ROOFERS					
Asphalt Built-up, Slate, Asbestos Tile or Tiles, Shingles, Ceramic Tile, Tectum, Spray Roofing & insolation	12.75	1.20	2.55	i	.35
Coal Tar pitch Application or Ripping off in all Built up Roofing	13.25	1.20	2.55	i	.35

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DECISION NO. NY81-3016 - Mod. #4 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS BUILDING CONSTRUCTION (Remainder of County)					
GROUP 1	12.82	1.15	1.25	a	.15
GROUP 2	12.91	1.15	1.25	a	.15
GROUP 3	13.08	1.15	1.25	a	.15
GROUP 4	13.35	1.15	1.25	a	.15
GROUP 5	13.80	1.15	1.25	a	.15
GROUP 6	14.02	1.15	1.25	a	.15
GROUP 7	14.31	1.15	1.25	a	.15
TRUCK DRIVERS					
Drivers on LeTourneau Tractors, double barrel Euclids, Athey wagon and similar equipment (except when hooked to scrapers), Low beds, I-Team, pole trailers, road oil distributors, tire trucks tractors and trailers with 5 axle and over	12.30	1.20	1.10	a	
Equipment 25 yards and over up to and including 30 yard bodies, cable dump trailers, powder and dynamite trucks	12.20	1.20	1.10	a	
Equipment up to and including 24 yard bodies, mixer trucks, dump crete trucks and similar types of equipment, fuel trucks and all other tractor trailers	12.00	1.20	1.10	a	
Ten wheelers, grease trucks and tiller men	11.90	1.20	1.10	a	
Straight trucks	11.80	1.20	1.10	a	
Pick-up trucks used for hauling material parts, escort man over the road	11.80	1.20	1.10	a	

DECISION NO. NY81-3016 - Mod. #4 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS, Building					
General laborers, mason tender, carpenter tender, labor striping, cleaning forms, labor sweepers, cleaners, grading, digging ditches	9.48	1.20	.91	1.70+a	
Hod carriers, plasterers tenders, scaffold builders (padlock and self supporting scaffold 14 feet or under all runways), mortar mixers (machine and hand), concrete mixers (by machine under 21E), vibrators, form setters, pipelayers, asphalt rakers, handling reinforcement rods, drillers, jackhammer operator, signalman, gunniting, motorbugs, water pump 2" or under, barco machine, wreckers, paving breakers, power saw operators, other machine operators	9.73	1.20	.91	1.70+a	
Blasters, laser beam operator	9.88	1.20	.91	1.70+a	
LABORERS, Heavy & Highway					
Concrete men, signal man, mason tender, pipe layers, riprap and dry stone layers, asphalt workers, screed bar operator, steel rod carrier, jackhammerman, wagon driller, airtrack operator, nippers, powder man high scalers, power buggy operator, vibratory operator compactor, wrecking laborers, gunite and sandblasting, coal passer, water pumps 2" or under	9.95	1.20	.96	1.30+a	
Concrete finisher on Highways, blaster, form setter, laser beam operator	10.30	1.20	.96	1.30+a	
General laborers	9.70	1.20	.96	1.30+a	

DECISION NO. NY81-3016 - Mod. #4 (Cont'd)

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Electrical Overhead & Underground Distrubution Work					
Journeyman Lineman & Technician	12.00	1.40	3%+1.00	a	
Cable Splicer	16.00	1.40	3%+1.00	a	
Groundman Digging Machine Operator, Groundman Dynamite Man	10.80	1.40	3%+1.00	a	
Groundman Mobile Equipment Operator, Mechanic First Class, Ground Truck Driver	9.60	1.40	3%+1.00	a	
Groundman Truck Driver (Tractor Trailer)	10.20	1.40	3%+1.00	a	
Driver Mechanic, Groundman - Experienced	9.00	1.40	3%+1.00	a	
All Overhead Transimission Line Work and Lighting for Athletic Fields					
Journeyman Lineman & Technician	13.80	1.40	3%+1.00	a	
Groundman Digging Machine Operator, Groundman Dynamite Man	12.42	1.40	3%+1.00	a	
Groundman Mobile Equipment Operator, Mechanic First Class, Groundman Truck Driver	11.04	1.40	3%+1.00	a	
Groundman Truck Driver (Tractor Trailer Unit)	11.73	1.40	3%+1.00	a	
Driver Mechanic, Groundman-Experienced	10.35	1.40	3%+1.00	a	
Sub-Station, Switching Structures (when not part of the line), Electrical, Telephone or CATV Commercial Work, Street Lighting & Signal Systems					
Journeyman Lineman & Technicians	14.55	1.40	3%+1.00	a	
Cable Splicer	16.005	1.40	3%+1.00	a	
Groundman Digging Machine Operator, Groundman Dynamite Man	13.095	1.40	3%+1.00	a	

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DECISION NO. NY81-3016 - Mod. #4 (Cont'd)

LINE CONSTRUCTION (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Groundman Mobile Equipment Operator, Mechanic First Class, Groundman Truck Driver	11.64	1.40	3%+1.00	a	
Groundman Truck Driver (Tractor Trailer Unit)	12.36	1.40	3%+1.00	a	
Driver Mechanic, Groundman-Experienced	10.91	1.40	3%+1.00	a	
All Pipe type Cable Installations, Maintenance Jobs or Projects					
Journeyman Lineman	14.55	1.40	3%+1.00	a	
Certified Lineman Welder	15.27	1.40	3%+1.00	a	
Cable Splicer	16.005	1.40	3%+1.00	a	
Groundman Equipment Operator	14.55	1.40	3%+1.00	a	
Groundman Truck Driver (Tractor Trailer Unit)	12.36	1.40	3%+1.00	a	
Groundman Truck Drivers	11.64	1.40	3%+1.00	a	
Groundman	10.91	1.40	3%+1.00	a	

FOOTNOTE:

a. Paid Holidays: New Year's Day, Washington's Birthday, Good Friday, Decoration Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and Election Day for the President of the United States and Election Day for the Governor of New York State, provided the employee works the day before or the day after a holiday

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DECISION NO. NY81-3024 - Mod. #4
(46 FR 20442 - April 3, 1981)
Bronx, Kings, Queens, New York, & Richmond Counties, New York

CHANGE:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
IRONWORKERS					
Fitters	13.24	4.18121	2.5156	1.324	
[illegible] killed	11.50	1.95	2.00		
PLASTERERS					
Bronx, New York	13.30	1.20	1.54	.90	.01
PAINTERS					
Brush & Roller	13.00	9½%	16½%	4%	.01
Spray & Scaffold	15.79	9½%	16½%	4%	.01
Fire Escape	14.86	9½%	16½%	4%	.01
SHEET METAL WORKERS	16.41	1.796	2.096		.16

DECISION NO. NY81-3033 - Mod. #1
(46 FR 30277 - June 5, 1981)
Broome & Chenango Counties,
New York

CHANGE:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS					
Broome County and Chenango County (Twps. of Afton and the southwest portion of Greene)					
Carpenters & Soft Floor Layers	12.06	.55	.70		
Millwrights & Piledrivermen	12.31	.55	.70		
Chenango County (Remainder of County)					
Carpenters, Dockbuilders, Millwrights & Piledrivermen	11.60	1.15	1.15	1.00	.05
ELECTRICIANS					
Chenango County (New Berlin & Sherburne)					
Electricians	14.80	.80	3%+ .85		.07
Cable Splicers	16.30	.80	3%+ .85		.07
ELEVATOR CONSTRUCTORS					
Broome County & Chenango County (except typs. of Columbus New Berlin & Sherburne)					
Elevator Constructors	12.22	1.345	1.085	a+b	.035
Elevator Constructors' Helper	8.55	1.345	1.085	a+b	.035
Elevator Constructors' Helper Probationary	6.11				
IRONWORKERS					
Chenango County (Twps. of Smyrna, Sherburne, New Berlin, Columbus, Plymouth, North & Norwich)					
Structural, Ornamental, Reinforcing, Rodmen, Riggers, Machinery Movers & Stone Derricknen	13.07	1.11	1.55		.04
Sheeters	13.32	1.11	1.55		.04
Sheeters, Bucker-up	13.195	1.11	1.55		.04
Broome County and Chenango County (Remainder of County)					
Structural, Ornamental, Reinforcing, Rodman, Riggers, Machinery Movers, Fence Erector, & Stone Derricknen	12.80	1.01	1.30		.02
Sheeters	13.05	1.01	1.30		.02
Sheeters, Bucker-up	12.925	1.01	1.30		.02

DECISION NO. NY81-3033 - Mod. #1 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS	11.35	.99	1.20		
SPRINKLER FITTERS	15.55	.95	40		.08
LINE CONSTRUCTION					
Electrical Overhead & Underground Distrubution Work					
Journeyman Lineman & Technician	12.00	1.40	3%+1.00	a	
Cable Splicer	16.00	1.40	3%+1.00	a	
Groundman Digging Machine Operator, Groundman Dynamite Man	10.80	1.40	3%+1.00	a	
Groundman Mobile Equipment Operator, Mechanic First Class, Ground Truck Driver	9.60	1.40	3%+1.00	a	
Groundman Truck Driver (Tractor Trailer)	10.20	1.40	3%+1.00	a	
Driver Mechanic, Groundman - Experienced	9.00	1.40	3%+1.00	a	
All Overhead Transimission Line Work and Lighting for Athletic Fields					
Journeyman Lineman & Technician	13.80	1.40	3%+1.00	a	
Groundman Digging Machine Operator, Groundman Dynamite Man	12.42	1.40	3%+1.00	a	
Groundman Mobile Equipment Operator, Mechanic First Class, Groundman Truck Driver	11.04	1.40	3%+1.00	a	
Groundman Truck Driver (Tractor Trailer Unit)	11.73	1.40	3%+1.00	a	
Driver Mechanic, Groundman-Experienced	10.35	1.40	3%+1.00	a	
Sub-Station, Switching Structures (when not part of the line), Electrical, Telephone or CATV Commercial Work, Street Lighting & Signal Systems					
Journeyman Lineman & Technicians	14.55	1.40	3%+1.00	a	
Cable Splicer	16.005	1.40	3%+1.00	a	
Groundman Digging Machine Operator, Groundman Dynamite Man	13.095	1.40	3%+1.00	a	

DECISION NO. NY81-3033 - Mod. #1 (Cont'd)

LINE CONSTRUCTION (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Groundman Mobile Equipment Operator, Mechanic First Class, Groundman Truck Driver	11.64	1.40	3%+1.00	a	
Groundman Truck Driver (Tractor Trailer Unit)	12.36	1.40	3%+1.00	a	
Driver Mechanic, Groundman-Experienced	10.91	1.40	3%+1.00	a	
All Pipe type Cable Installations, Maintenance Jobs or Projects					
Journeyman Lineman	14.55	1.40	3%+1.00	a	
Certified Lineman Welder	15.27	1.40	3%+1.00	a	
Cable Splicer	16.005	1.40	3%+1.00	a	
Groundman Equipment Operator	14.55	1.40	3%+1.00	a	
Groundman Truck Driver (Tractor Trailer Unit)	12.36	1.40	3%+1.00	a	
Groundman Truck Drivers	11.64	1.40	3%+1.00	a	
Groundman	10.91	1.40	3%+1.00	a	

FOOTNOTE:

a. Paid Holidays: New Year's Day, Washington's Birthday, Good Friday, Decoration Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and Election Day for the President of the United States and Election Day for the Governor of New York State, provided the employee works the day before or the day after a holiday

DECISION NO. NY81-3034 - Mod. #1
(46 FR 30271 June 5, 1981)
Oneida County, New York

CHANGE:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BRICKLAYERS, CEMENT MASONS, POINTERS, CAULKERS, CLEANERS, PLASTERERS AND STONE MASONS (Building)	12.20	.96	1.79		
ELECTRICIANS					
Verona and Vienna Twps. west of State Highway 13					
Electricians	14.70	.97	3%+1.70		.08
Cable Splicers	15.80	.97	3%+1.70		.08
Remainder of County					
Electricians	14.80	.80	3%+ .85		.07
Cable Splicer	16.30	.80	3%+ .85		.07
IRONWORKERS					
Structural, Ornamental, Reinforcing, Machinery Mover, Rigger, Rodmen, Fence Erector and Stone Derrickman	13.07	1.11	1.55		.04
Sheeters	13.32	1.11	1.55		.04
Sheeters, Bucker-up	13.195	1.11	1.55		.04
MARBLE SETTERS, TERRAZZO WORKERS & TILE SETTERS	10.65	.96	1.70		
ROOFERS	14.15	1.00	2.25		
SPRINKLER FITTERS	15.55	.95	1.40		.08

DECISION NO. NY81-3034 - Mod. #1 (CONT'D)

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Electrical Overhead & Underground Distrubution Work					
Journeyman Lineman & Technician	12.00	1.40	3%+1.00	a	
Cable Splicer	16.00	1.40	3%+1.00	a	
Groundman Digging Machine Operator, Groundman Dynamite Man	10.80	1.40	3%+1.00	a	
Groundman Mobile Equipment Operator, Mechanic First Class, Ground Truck Driver	9.60	1.40	3%+1.00	a	
Groundman Truck Driver (Tractor Trailer)	10.20	1.40	3%+1.00	a	
Driver Mechanic, Groundman - Experienced	9.00	1.40	3%+1.00	a	
All Overhead Transimission Line Work and Lighting for Athletic Fields					
Journeyman Lineman & Technician	13.80	1.40	3%+1.00	a	
Groundman Digging Machine Operator, Groundman Dynamite Man	12.42	1.40	3%+1.00	a	
Groundman Mobile Equipment Operator, Mechanic First Class, Groundman Truck Driver	11.04	1.40	3%+1.00	a	
Groundman Truck Driver (Tractor Trailer Unit)	11.73	1.40	3%+1.00	a	
Driver Mechanic, Groundman-Experienced	10.35	1.40	3%+1.00	a	
Sub-Station, Switching Structures (when not part of the line), Electrical, Telephone or CATV Commercial Work, Street Lighting & Signal Systems					
Journeyman Lineman & Technicians	14.55	1.40	3%+1.00	a	
Cable Splicer	16.005	1.40	3%+1.00	a	
Groundman Digging Machine Operator, Groundman Dynamite Man	13.095	1.40	3%+1.00	a	

DECISION NO. NY81-3034 - Mod. #1 (CONT'D)

LINE CONSTRUCTION (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Groundman Mobile Equipment Operator, Mechanic First Class, Groundman Truck Driver	11.64	1.40	3%+1.00	a	
Groundman Truck Driver (Tractor Trailer Unit)	12.36	1.40	3%+1.00	a	
Driver Mechanic, Groundman-Experienced	10.91	1.40	3%+1.00	a	
All Pipe type Cable Installations, Maintenance Jobs or Projects					
Journeyman Lineman	14.55	1.40	3%+1.00	a	
Certified Lineman Welder	15.27	1.40	3%+1.00	a	
Cable Splicer	16.005	1.40	3%+1.00	a	
Groundman Equipment Operator	14.55	1.40	3%+1.00	a	
Groundman Truck Driver (Tractor Trailer Unit)	12.36	1.40	3%+1.00	a	
Groundman Truck Drivers	11.64	1.40	3%+1.00	a	
Groundman	10.91	1.40	3%+1.00	a	

FOOTNOTE:

a. Paid Holidays: New Year's Day, Washington's Birthday, Good Friday, Decoration Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and Election Day for the President of the United States and Election Day for the Governor of New York State, provided the employee works the day before or the day after a holiday

DECISION NO. NY81-3038 - Mod. #1
(46 FR 30265 June 5, 1981)
Steuben County, New York

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
ASBESTOS WORKERS	14.77	1.40	1.25		.01
BOILERMAKERS	14.80	1.273	1.975		.03
BRICKLAYERS, CEMENT MASONS, MARBLE MASONS, PLASTERERS, TILE & TERRAZZO WORKERS	12.75		1.25		
CARPENTERS					
Twps. of Troupsburg, Hartville, Fremont, Wayland, Jasper, Hornellsville, Avoca, Cohocton, Bath, Canisteo, Howard, Dansville, Wheeler Wheeler, Cameron, Greenwood & West Union	Canisteo				
Carpenters & Soft Floor Layers	12.06	.90	1.46		.02
Millwrights & Piledrivers	12.31	.90	1.46		.02
Diver Tender	12.56	.90	1.46		.02
ELECTRICIANS	14.90	1.00	1.46		.02
IRONWORKERS					
Twps. of Atlantic and South Dansville					
Structural, Ornamental, Reinforcing, Riggers, Rodmen, Machinery Movers, Fence Erectors & Stone Derrickmen	14.17	.90	1.55		.10
Sheeters	14.42	.90	1.55		.10
Sheeters, Bucker-up	14.295	.90	1.55		.10
Remainder of County					
Structural, Ornamental, Reinforcing, Riggers, Rodman, Machinery Movers, Fence Erector & Stone Derrickmen	12.90	.85	1.30		.05
Sheeters	13.15	.85	1.30		.05
Sheeters, Bucker-up	12.96	.85	1.30		.05
PAINTERS					
Remainder of County					
Brush	13.00	1.63	1.40		.11
Steel, tanks, towers, stacks, flagpoles, bosun chair, radio TV towers	13.75	1.63	1.40		.11
35' from road level	15.415	1.63	1.40		.11
Taping	13.50	1.63	1.40		.11

DECISION NO. NY81-3038 - Mod. #1 (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLUMBERS & STEAMFITTERS					
Twps. of Avoca, Canisteo, Cohocton, Dansville, Fremont, West Union, Greenwood, Hartsville, Horoellville, Howard, Wheeler, Jasper, Prattsburg, Pultney, Troupsburg, Wayland, Woodhull, Cameron, Rathburne, & Tuscarora	15.08	1.025	3.38		.20
Remainder of County	14.15	.60	1.05		.15
SPRINKLER FITTERS	15.55		1.40		.08
LINE CONSTRUCTION					
Electrical Overhead & Underground Distrubution Work					
Journeyman Lineman & Technician	12.00	1.40	3%+1.00	a	
Cable Splicer	16.00	1.40	3%+1.00	a	
Groundman Digging Machine Operator, Groundman Dynamite Man	10.80	1.40	3%+1.00	a	
Groundman Mobile Equipment Operator, Mechanic First Class, Ground Truck Driver	9.60	1.40	3%+1.00	a	
Groundman Truck Driver (Tractor Trailer)	10.20	1.40	3%+1.00	a	
Driver Mechanic, Groundman - Experienced	9.00	1.40	3%+1.00	a	
All Overhead Transimission Line Work and Lighting for Athletic Fields					
Journeyman Lineman & Technician	13.80	1.40	3%+1.00	a	
Groundman Digging Machine Operator, Groundman Dynamite Man	12.42	1.40	3%+1.00	a	
Groundman Mobile Equipment Operator, Mechanic First Class, Groundman Truck Driver	11.04	1.40	3%+1.00	a	
Groundman Truck Driver (Tractor Trailer Unit)	11.73	1.40	3%+1.00	a	
Driver Mechanic, Groundman-Experienced	10.35	1.40	3%+1.00	a	

DECISION NO. NY81-3038 - Mod. #1 (Cont'd)

LINE CONSTRUCTION (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Sub-Station, Switching Structures (when not part of the line), Electrical, Telephone or CATV Commercial Work, Street Lighting & Signal Systems					
Journeyman Lineman & Technicians	14.55	1.40	3%+1.00	a	
Cable Splicer	16.005	1.40	3%+1.00	a	
Groundman Digging Machine Operator, Groundman Dynamite Man	13.095	1.40	3%+1.00	a	
Groundman Mobile Equipment Operator, Mechanic First Class, Groundman Truck Driver	11.64	1.40	3%+1.00	a	
Groundman Truck Driver (Tractor Trailer Unit)	12.36	1.40	3%+1.00	a	
Driver Mechanic, Groundman-Experienced	10.91	1.40	3%+1.00	a	
All Pipe type Cable Installations, Maintenance Jobs or Projects					
Journeyman Lineman	14.55	1.40	3%+1.00	a	
Certified Lineman Welder	15.27	1.40	3%+1.00	a	
Cable Splicer	16.005	1.40	3%+1.00	a	
Groundman Equipment Operator	14.55	1.40	3%+1.00	a	
Groundman Truck Driver (Tractor Trailer Unit)	12.36	1.40	3%+1.00	a	
Groundman Truck Drivers	11.64	1.40	3%+1.00	a	
Groundman	10.91	1.40	3%+1.00	a	

FOOTNOTE:

a. Paid Holidays: New Year's Day, Washington's Birthday, Good Friday, Decoration Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and Election Day for the President of the United States and Election Day for the Governor of New York State, provided the employee works the day before or the day after a holiday

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #OK81-4067-Mod. #1 46FR42613-August 21, 1981 Oklahoma, Cleveland, Caddo, Canadian, Kingfisher, Lincoln, Logan, McClain, Grady, Seminole & Pottawatomie Counties, Oklahoma					
CHANGE:					
Cement masons	$12.03	.75			
Sprinkler fitters	14.68	.95	1.40		.08
DECISION NO. OR81-5127 - Mod #4 (46 FR 35019 - July 6, 1981) Statewide Oregon					
CHANGE:					
ELECTRICIANS:					
Area 2:					
Lead Cable Splicers	$19.54	.95	3% + 1.30		.10
PLASTERERS:					
Area 2	15.07	1.15	2.00		.06
ROOFERS:					
Area 5	14.51	.95	1.65		.10
DECISION NO. PA81-3044 MOD. NO. 3 (46 FR 40477 - August 7, 1981) Bedford, Cambria, Cameron, Clarion, Clearfield, Jefferson, Crawford and Venango Counties, Pennsylvania					
CHANGE:					
Carpenters					
Zone I	$12.25	6½%	8%	10%	

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DECISION NO. RI81-3042 - Mod. #1
(46 FR 42615 August 21, 1981)
Statewide, Rhode Island

CHANGE:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Education and/or Appr. Tr.
BUILDING CONSTRUCTION					
ELEVATOR CONSTRUCTORS	13.67	1.345	1.085	a+b	.035
ELEVATOR CONSTRUCTORS HELPER	9.57	1.345	1.085	a+b	.035
ELEVATOR CONSTRUCTORS HELPER PROBATIONARY	6.835				
GLAZIERS	12.08	.62	1.60		.01
HEAVY & HIGHWAY CONSTRUCTION					
LABORERS					
Laborers, Carpenter, Cement Finisher Tenders & Wrecking Laborers	10.55	.75	1.10		.10
Adzeman, Asphalt Rakers, Barco-type Jumping Tampers, Chain Saw Ops.. concrete & Power Buggy Ops., Concrete Saw Ops., Demolition Burners, Fence & Guard Rail Erectors, Highway Stone Spreaders, Mason Tenders, Mechanical Grinder Ops., Mortar Mixers, Pipelayers, Pipe Trench Bracers, Pneumatic Tool Ops., Riprap & Dry Stonewall Builders, Scaffold Erectors, Setters of Metal Forms fur Roadways, Wagon Drill Ops., Wood Chipper Ops.	10.80	.75	1.10		.10
Air track drill ops., Brick Pavers, Block Pavers, Rammers, Curb Setters	11.30	.75	1.10		.10
Blasters & Powdermen	11.55	.75	1.10		.10
Open Air Caisson, Underpinning and Boring Crew:					
Bottom man	12.05	.75	1.10		.10
Laborer, Top Man	11.30	.75	1.10		.10
Driller	12.17	.75	1.10		.10

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	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TN81-1202 Mod #2 (46 FR 24886 - May 1, 1981) Shelby County, Tennessee					
CHANGE:					
PLUMBERS	$15.67	.75	.75		
PIPEFITTERS & AIR CONDITIONING MECHANICS	16.12	.75	.30		
DECISION #TN81-1204 Mod #3 (46 FR 25979 - May 8, 1981) Hamilton (Building & Heavy), Marion, Polk & Rhea (Building Construction only) Counties, Tennessee					
CHANGE:					
PLUMBERS & PIPEFITTERS	$13.35	.75	.75		.13
DECISION #TN79-1146 Mod #6 (44 FR 66147 - November 16, 1979) Davidson County, Tennessee					
CHANGE:					
PLUMBERS & PIPEFITTERS	$12.70	.85	.80		.09

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. TX80-4087 - MOD. #5 (45 FR 74365 - November 7, 1980) Gregg County, Texas					
CHANGE:					
Bricklayers	$12.95		.45		.05
Electricians:					
Electricians	13.15	.60	3%		1/4%
Cable splicers	13.50	.60	3%		1/4%
DECISION NO. TX81-4007 - MOD. #6 (46 FR 1548 - January 6, 1981) Ector & Midland Cos., Texas					
CHANGE:					
Carpenters	12.18				.07
Electricians:					
Zone 1	13.20	.60	3%		1/10%
Zone 2	13.90	.60	3%		1/10%
Zone 3	14.20	.60	3%		1/10%
DECISION NO. TX81-4009 - MOD. #5 (46 FR 1549 - January 6, 1981) Taylor County, Texas					
CHANGE:					
Electricians:					
Electricians	12.55	.60	3%+.25		1/4%
Cable splicers	12.80	.60	3%+.25		1/4%
Line construction:					
Lineman	12.55	.60	3%+.25		1/4%
Cable splicer	12.80	.60	3%+.25		1/4%
Groundman	9.41	.60	3%+.25		1/4%
Equipment operator	10.29	.60	3%+.25		1/4%
Flat bed truck driver	7.78	.60	3%+.25		1/4%

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. TX81-4016 - MOD. #7 (46 FR 20450 - April 3, 1981) Travis County, Texas					
CHANGE:					
Marble, tile & terrazzo workers	$11.10	.70			.05
Soft floor layers	14.00	.77	.65		.14
DECISION NO. TX81-4032 - MOD. #7 (46 FR 25981 - May 18,1981) Galveston & Harris Cos., Texas					
CHANGE:					
Soft floor layers	14.00	.77	.65		.14
DECISION NO. TX81-4038 - MOD. #6 (46 FR 30287 - June 5,1981) Collin, Dallas, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Rockwall, Tarrant & Wise Cos., Texas					
CHANGE:					
Electricians:					
Zone 1 - Electricians	13.80	.60	7%		1%
Cable splicers	14.05	.60	7%		1%
Line construction:					
Linemen	14.20	.60	8%		1/2%
Cable splicers	15.62	.60	8%		1/2%
Operators	14.91	.60	8%		1/2%
Groundmen	9.94	.60	8%		1/2%

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. TX81-4048 - MOD. #3 (46 FR 35903 - July 10, 1981) Bell, Bosque, Coryell, Falls, Hill & McLennan Cos., Texas					
CHANGE: Building Construction: Line construction:					
Zone 1:					
Linemen	12.06	.60	8%		1/2%
Cable splicers	13.27	.60	8%		1/2%
Groundmen	8.44	.60	8%		1/2%
Operators	12.66	.60	8%		1/2%
Zone 2:					
Linemen	13.80	.60	8%		1/2%
Cable splicers	15.18	.60	8%		1/2%
Groundmen	9.66	.60	8%		1/2%
Operators	14.49	.60	8%		1/2%
DECISION NO. TX81-4052 - MOD. #1 (46 FR 35903 - July 10, 1981) Cameron, Hidalgo, Starr & Willacy Cos., Texas					
CHANGE: Asbestos workers	14.29	.70	1.00		.04

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #UT81-5117-Mod. #6 (46 FR 25986 - May 8, 1981) Statewide, Utah					
Change: Ironworkers: Fence Erectors, Ornamental, Reinforcing and Structural	$14.25	$1.05	$1.60		.10
Omit: Entire Truck Drivers Schedule as previously issued					
Add: Truck Drivers: (Areas 1 and 2) (See attached)					

DECISION NO. UT81-5117 (Cont'd)

	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
			H & W	Pensions	Vacation	Education and/or Appr. Tr.
Dump Trucks - water level capacity (bottom, end, and side)(including Dumpster Truck, Turnawagons, Turnarockers and Dumpcrete):	AREA 1	AREA 2				
Less than 8 cu. yds.	$12.20	$14.20	$1.31	$1.25	$1.00	.10
8 cu. yds. and less than 14 cu. yds.	12.35	14.35	1.31	1.25	1.00	.10
14 cu. yds. and less than 35 cu. yds.	12.50	14.50	1.31	1.25	1.00	.10
35 cu. yds. and less than 55 cu. yds.	12.70	14.70	1.31	1.25	1.00	.10
55 cu. yds. and less than 75 cu. yds.	12.90	14.90	1.31	1.25	1.00	.10
75 cu. yds. and less than 95 cu. yds.	13.10	15.10	1.31	1.25	1.00	.10
95 cu. yds. and less than 105 cu. yds.	13.30	15.30	1.31	1.25	1.00	.10
105 cu. yds. and less than 130 cu. yds.	13.42	15.42	1.31	1.25	1.00	.10
All 130 cu. yds. and over to be paid one-half cent ($0.005) per cu. yd. capacity per hour in addition to rate for 105 yds. and less than 130 yds						
Flat Rack Trucks, Bulk Cement Trucks, Transport Trucks, Semi-trailer (carrying capacity):						
Pickup	12.025	14.025	1.31	1.25	1.00	.10
Less than 10 tons	12.10	14.10	1.31	1.25	1.00	.10
10 tons and less than 15 tons	12.25	14.25	1.31	1.25	1.00	.10
15 tons and less than 20 tons	12.35	14.35	1.31	1.25	1.00	.10
20 tons and over	12.50	14.50	1.31	1.25	1.00	.10
Transit Mix Trucks:						
Less than 8 cu. yds.	12.425	14.425	1.31	1.25	1.00	.10
Over 8 to 14 cu. yds.	12.525	14.525	1.31	1.25	1.00	.10
Concrete Pumping Trucks	12.425	14.425	1.31	1.25	1.00	.10

DECISION NO. UT81-5117 - (Cont'd)

	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
			H & W	Pensions	Vacation	Education and/or Appr. Tr.
Water, Fuel and Oil Trucks:	AREA 1	AREA 2				
Less than 1200 gallons	$12.075	$14.075	$1 31	$1.25	$1.00	.10
1200 gallons to less than 2500 gallons	12.20	14.20	1.31	1.25	1.00	.10
2500 gallons to less than 4000 gallons	12.35	14.65	1.31	1.25	1.00	.10
4000 gallons to less than 6000 gallons	12.65	14.65	1.31	1.25	1.00	.10
6000 gallons to less than 10,000 gallons	12.90	14.90	1.31	1.25	1.00	.10
10,000 gallons to less than 15,000 gallons	13.15	15.15	1.31	1.25	1.00	.10
15,000 gallons to less than 20,000 gallons	13.40	15.40	1.31	1.25	1.00	.10
20,000 gallons to less than 25,000 gallons	13.65	15.65	1.31	1.25	1.00	.10
25,000 gallons and over	13.90	15.90	1.31	1.25	1.00	.10
Oiler Spreader Operator (on single man operation where Boot Man is not required)	12.90	14.90	1.31	1.25	1.00	.10
Fork Lift, Straddle Truck	12.40	14.40	1.31	1.25	1.00	.10

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DECISION NO. WA81-5126 - Mod #6
(46 FR 35029 - July 6, 1981)
Statewide Washington

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
BRICKLAYERS; MARBLE SETTERS:					
Area 6	$16.75	.90	.80		
ROOFERS:					
Area 6:					
Roofers	15.60	.80	1.10		.10
Handling of irritating material (coal, tar, or epoxy)	15.85	.80	1.10		.10
Handling of irritating material (coal, tar, or epoxy) in a confined area	16.10	.80	1.10		.10

SUPERSEDEAS DECISION

STATE: ALABAMA

COUNTIES: Jefferson, Shelby, and St. Clair

DECISION NO.: AL81-1294

DATE: Date of Publication

Supersedes Decision No.: AL80-1091 dated September 5, 1980 in 45 FR 59094

DESCRIPTION OF WORK: Building Construction Projects (does not include residential construction consisting of single family homes and apartments up to and including 4 (four) stories).

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BRICKLAYERS	$12.63	.55	.60		.12
CARPENTERS	11.67	.80	.40		.09
CEMENT MASONS	8.35				
ELECTRICIANS	13.45	.55	3% + .40		.5%
GLAZIERS	11.04	1.10	.95	a	.005
IRONWORKERS	13.48	.76	.82		.06
PAINTERS	12.35		.70		
PLASTERERS	11.31	.60			.10
PLUMBERS & PIPEFITTERS	12.70	.75	1.00		.09
ROOFERS	10.25		.40		.10
SHEET METAL WORKERS	12.88	.79	1.07		.09
SPRINKLER FITTERS	13.69	.95	1.40		.08
TILE SETTERS	11.00		.60		
TRUCK DRIVERS	6.06				
WELDERS - Rate for Craft					

FOOTNOTE:

a. Paid Holidays include New Year's Day, Independence Day, Labor Day, Thanksgiving Day, Friday after Thanksgiving Day, and Christmas Day.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group A	$8.26	.45	.55		.03
Group B	8.19	.45	.55		.03
Group C	8.13	.45	.55		.03
Group D	8.06	.45	.55		.03
Group E	8.56	.45	.55		.03
Group F	9.11	.45	.55		.03
Group G	8.98	.45	.55		.03
Group H	9.04	.45	.55		.03
Group I	8.93	.45	.55		.03
Group J	8.75	.45	.55		.03
Group K	9.90	.45	.55		.03

Classification Definitions:

Group A - Air or electrical tool operators and asphalt rakers

Group B - Vibrator operators, chain saw operators, operators of mechanical equipment which replaces wheelbarrows or buggies, power mowers, mortar mixers, pipe layers, concrete and clay and muckers

Group C - Plasterers' tenders and hod carriers

Group D - Mason tenders and building laborers

Group E - Burners on demolition, wagon drill operators and tunnel laborers

Group F - Powderman

Group G - Caisson-driller (10' diameter)

Group H - Tunnel miner

Group I - Pneumatic concrete gun operator and nozzleman

Group J - Chuck Tender

Group K - Oxagon operator

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP A	$12.05	.60	.50		.10
GROUP B	11.40	.60	.50		.10
GROUP C	10.09	.60	.50		.10
GROUP D	12.92	.60	.50		.10
GROUP E	12.04	.60	.50		.10
GROUP F	10.25	.60	.50		.10

Classification Definitions:

GROUP A - Asphalt plant, boom tractor, bulldozer, cableways, core driller, compressors (2 or more), crane-derrick-dragline, dinky locomotive, dredges, forklift, front end loader, gradall, heavy-duty mechanic, hoist (1 drum or more), mixers, push tractor, scrapers, shovels, trenching machine, (and all similar equipment), winch trucks, motor graders, concrete pump, piledriver, rotary drill

GROUP B - Air compressor (over 125), asphalt spreaders, blade graders (pull type) boat operator, conveyor (2 or more up to 4), crawler tractor, distributors, (bituminous surface), farm tractors, finishing machine, pumps over 4 inches, rollers, welding machine (4 or more)

GROUP C - Air compressor (125 & under), oilers-fireman, conveyor (1 tended by oiler), pumps (under 4 inches), welding machines (3 or under)

STEEL ERECTION -

GROUP D - Crane, dragline, derricks, hoist, piledrivers, winch truck, forklift, tower cranes, climbing cranes, cherry picker, mechanics, locomotives, tug boat

GROUP E - Tractors, welding machine, gas or diesel driven welding machine (4 or more), air compressors over 125 (2 or less), power generating units (gas or diesel)

GROUP F - Gas or diesel driven welding machine (3 or less), air compressor 125 and under (2 or less), oiler, fireman, small boat

SUPERSEDEAS DECISION

STATE: California

COUNTIES: Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura

DECISION NUMBER: CA81-5154

DATE: Date of Publication

Supersedes Decision No. CA81-5128 dated July 6, 1981, in 46 FR 34951

DESCRIPTION OF WORK: Building Projects (does not include single family homes and apartments up to and including 4 stories), Heavy and Highway Projects and Dredging

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$19.25	$1.30	$1.45	$1.00	.07
BOILERMAKERS	17.61	1.30	1.25	1.00	.04
BRICKLAYERS; Stonemasons:*					
Area 1	17.59	1.20	1.75		.14
Area 2	15.74	1.15	2.21		.10
Area 3	17.55	1.15	1.75		.07
Area 4	17.50	1.15	2.20		.05
Area 5	16.20	1.50	2.60		.10
Area 6	16.72	1.75	2.25		.06
BRICK TENDERS	12.53	1.37	3.28	1.45	.12
CARPENTERS:*					
Area 1:					
Carpenters	15.81	1.63	2.21	1.00	.10
Saw Filers	15.89	1.63	2.21	1.00	.10
Table Power Saw Operators	15.91	1.63	2.21	1.00	.10
Shinglers, Piledrivermen, Bridge or Dock Carpenters	15.94	1.63	2.21	1.00	.10
Hardwood Floorlayers	16.01	1.63	2.21	1.00	.10
Penumatic Nailers	16.06	1.63	2.21	1.00	.10
Millwrights	16.31	1.63	2.21	1.00	.10
Area 2:					
Carpenters	13.81	1.63	2.21	1.00	.10
Saw Filers	13.89	1.63	2.21	1.00	.10
*Table Power Saw Operators	13.91	1.63	2.21	1.00	.10
Shinglers; Piledrivermen, Bridge or Dock Carpenters	13.94	1.63	2.21	1.00	.10
Hardwood Floorlayers	14.01	1.63	2.21	1.00	.10
Pneumatic Nailers	14.06	1.63	2.21	1.00	.10
Millwrights	14.31	1.63	2.21	1.00	.10
CEMENT MASONS:*					
Area 1:					
Cement Masons	17.24	1.60	2.00	1.70	.10
Cement Floating and Troweling Machine Operators	17.49	1.60	2.00	1.70	.10

*See AREA DESCRIPTIONS - Page 3

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CEMENT MASONS:* (Cont'd)					
Area 2:					
Cement Masons	$15.24	$1.60	$2.00	$1.70	.10
Cement Floating and Troweling Machine Operators	15.49	1.60	2.00	1.70	.10
DRYWALL INSTALLERS:*					
Area 1	16.63	1.63	2.21	1.00	.09
Area 2	14.63	1.63	2.21	1.00	.09
DIVERS:*					
Diver, wet	32.88	1.63	2.21	1.00	.10
Diver, stand-by	16.44	1.63	2.21	1.00	.10
Diver, tender	15.44	1.63	2.21	1.00	.10
ELECTRICIANS:*					
Area 1:					
Electricians	18.43	1.08	3%+2.04		.13
Cable Splicers	18.88	1.08	3%+2.04		.13
Area 2:					
Electricians; Technicians	18.30	1.10	3%+2.15		.15
Cable Splicers	20.13	1.10	3%+2.15		.15
Area 3:					
Electricians; Technicians	15.67	1.15	3%+2.70		.12
Cable Splicers	15.97	1.15	3%+2.70		.12
Area 4:					
Electricians	20.09	.81	3%+1.45		.02
Area 5:					
Electricians	17.54	1.12	3%+2.60		.06
Cable Splicers	18.04	1.12	3%+2.60		.06
Area 6:					
Electricians	16.65	1.51	3%+3.15		.04
Cable Splicers	17.15	1.51	3%+3.15		.04
Area 7:					
Electricians	19.28	1.43	3%+1.50		
Cable Splicers	21.21	1.43	3%+1.50		
Area 8:					
Electricians	19.30	1.30	3%+1.50		.03
Cable Splicers	20.80	1.30	3%+1.50		.03
Area 9:					
Electricians	19.11	1.20	3%+2.25		.02
Cable Splicers	21.02	1.20	3%+2.25		.02

*See AREA Descriptions - Page 3

AREA DESCRIPTIONS

BRICKLAYERS; Stonemasons:
Area 1: Imperial County
Area 2: Inyo, Kern, and Mono Counties
Area 3: Los Angeles and Orange Counties
Area 4: Riverside and San Bernardino Counties
Area 5: Santa Barbara and San Luis Obispo Counties
Area 6: Ventura County

CARPENTERS:
Area 1: Camp Roberts, Edwards Air Force Base, Naval Ordnance Test Station, Point Arguello and Vandenberg Air Force Base
Area 2: Remaining Counties

CEMENT MASONS:
Area 1: Camp Roberts, Edwards Air Force Base, Naval Ordance Test Station, Point Arguello and Vandenberg Air Force Base
Area 2: Remaining Counties

DRYWALL INSTALLERS:
Area 1: Camp Roberts, Edwards Air Force Base, Naval Ordnance Test Station, Point Arguello and Vandenberg Air Force Base
Area 2: Remaining Counties

DIVERS:*
Shall receive a minimum of 8 hours pay for any day or part thereof.

ELECTRICIANS:
Area 1: Imperial County
Area 2: Kern County (Remainder of County)
Area 3: Los Angeles County
Area 4: Orange County
Area 5: Riverside County
Area 6: Inyo, Mono, and San Bernardino Counties
Area 7: San Luis Obispo County
Area 8: Santa Barbara (Remainder of County)
Area 9: Ventura County

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS:* (Cont'd)					
Area 10:					
Electricians	$22.05	$1.30	3%+1.50		.03
Cable Splicers	23.55	1.30	3%+1.50		.03
Area 11:					
Electricians	22.05	1.10	3%+2.15		.15
Cable Splicers	24.26	1.10	3%+2.15		.15
ELEVATOR CONSTRUCTORS:*					
Area 1:					
Elevator Constructors	15.41	1.045	.82	a	.035
Helpers	70%JR	1.045	.82	a	.035
Probationary Helpers	50%JR				
Area 2:					
Elevator Constructors	16.37	.895	.82	a	.035
Helpers	70%JR	.895	.82	a	.035
Probationary Helpers	50%JR				
GLAZIERS:*					
Area 1	16.12	1.20	3.00		.07
IRONWORKERS:*					
Fence Erectors	13.46	1.39	3.11	2.15	.07
Structural, Ornamental, Reinforcing	14.35	1.39	3.11	2.15	.07
IRRIGATION and LAWN SPRINKLERS	11.12	10%	16%	13%	1½%
LATHERS:*					
Area 1	12.58	1.15	1.85	.90	.05
Area 2	14.00	1.26	1.99		.03
Area 3	17.75	1.63	2.63		.10
Area 4	14.80	1.05	2.50	1.00	.03
Area 5	15.87	.90	1.41	1.03	.01
LINE CONSTRUCTION:*					
Area 1:					
Groundman	12.40	.75	3%+1.60		
Lineman	16.13	.75	3%+1.60		
Cable Splicers	16.41	.75	3%+1.60		
Area 2:					
Groundman	13.73	1.10	3%+2.15		.15
Lineman	18.30	1.10	3%+2.15		.15
Cable Splicers	20.13	1.10	3%+2.15		.15

*See AREA DESCRIPTIONS - Page 6

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION:* (Cont'd)					
Area 3:					
Groundman	$14.73	.81	3%+1.45		.02
Lineman; Equipment Operators	18.09	.81	3%+1.45		.02
Cable Splicers	18.92	.81	3%+1.45		.02
Area 4:					
Groundman	9.86	1.25	3%+1.95		
Lineman	13.14	1.25	3%+1.95		
Cable Splicers	13.44	1.25	3%+1.95		
Area 5:					
Groundman	9.41	1.51	3%+3.15		.04
Lineman	16.67	1.51	3%+3.15		.04
Cable Splicers	17.15	1.51	3%+3.15		.04
Area 6:					
Groundman	13.17	1.12	3%+2.60		.06
Lineman; Equipment Operator	17.56	1.12	3%+2.60		.06
Cable Splicers	18.06	1.12	3%+2.60		.06
Area 7:					
Groundman	14.46	1.43	3%+1.50		.03
Lineman; Equipment Operators	19.28	1.43	3%+1.50		.03
Cable Splicers	21.21	1.43	3%+1.50		.03
Area 8:					
Groundman	17.69	1.20	3%+2.25		.02
Lineman; Equipment Operators	19.11	1.20	3%+2.25		.02
Cable Splicers	21.02	1.20	3%+2.25		.02
Area 9:					
Groundman	17.23	1.30	3%+1.50		.03
Lineman; Equipment Operators	22.05	1.30	3%+1.50		.03
Cable Splicers	23.55	1.30	3%+1.50		.03
Area 10:					
Groundman	16.54	1.10	3%+2.15		.15
Lineman	22.05	1.10	3%+2.15		.15
Cable Splicer	24.26	1.10	3%+2.15		.15
Area 11:					
Groundman	14.48	1.30	3%+1.50		.03
Lineman; Equipment Operators	19.30	1.30	3%+1.50		.03
Cable Splicers	20.80	1.30	3%+1.50		.03

*See AREA Descriptions - Page 6

AREA DESCRIPTIONS:

ELECTRICIANS: (Cont'd)
Area 10: Point Arguello and Vandenberg Air Force Base
Area 11: China Lake Naval Ordnance Test Station and Edwards Air Force Base

ELEVATOR CONSTRUCTORS:
Area 1: Imperial and Inyo Counties; Kern County (south of Tehachapi Range); Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura Counties
Area 2: Kern County (north of Tehachapi Range)

GLAZIERS:
Area 1: Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, San Luis Obispo, and Ventura Counties

IRONWORKERS:
Where the project is located 35 miles or more from the City Halls indicated below, the following amount shall be added to the Base Pay:
35 miles to 50 miles - $9.00 per day
50 miles to 60 miles - $14.00 per day
60 miles to 100 miles - $17.00 per day
100 miles and over - $23.00 per day

City Hall of San Francisco, Oakland, San Jose, Sacramento, Stockton, Fresno, Bakersfield, Eureka, Redding, Napa, Los Angeles, San Diego, San Bernardino, Ventura, and El Centro

LATHERS:
Area 1: Inyo, Kern, and Mono Counties
Area 2: Los Angeles County (except City of Lancaster)
Area 3: Ventura County
Area 4: Orange County
Area 5: Riverside County

LINE CONSTRUCTION:
Area 1: Imperial County
Area 2: Kern County (Remainder of County)
Area 3: Orange County
Area 4: Los Angeles County
Area 5: Inyo, Mono, and San Bernardino Counties
Area 6: Riverside County
Area 7: San Luis Obispo County
Area 8: Ventura County
Area 9: Point Arguello and Vandenberg Air Force Base
Area 10: China Lake Naval Ordnance Test Station and Edwards Air Force Base
Area 11: Santa Barbara (Remainder of County)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
MARBLE SETTERS:*					
Area 1	$12.42	$1.50	$1.62	$1.18	
Area 2	13.54	.81	1.17		.08
MARBLE FINISHERS:*					
Area 1	9.44	.81	1.17		.08
PAINTERS:*					
Area 1:					
Brush; Painter Burners	16.74	1.23	1.78	.75	.07
Paperhangers	17.24	1.23	1.78	.75	.07
Sandblaster; Iron, steel and Bridge (Swing Stage)	17.74	1.23	1.78	.75	.07
Sheet Rock Tapers	16.05	1.23	1.78	.75	.07
Brush (Swing Stage); Spray	16.99	1.23	1.78	.75	.07
Steeplejack	18.39	1.23	1.78	.75	.07
Area 2:					
Brush	15.29	1.29	1.33	.75	.10
Brush Painter, Structural Steel, Paint Burner	15.41	1.29	1.33	.75	.10
Swing Stage, under 13 stories; Sandblaster; Pressure Roller Operator; Paperhanger	15.54	1.29	1.33	.75	.10
Swing Stage, over 13 stories	15.66	1.29	1.33	.75	.10
Paste Machine Operator	15.77	1.29	1.33	.75	.10
Spray Painter; Steeplejack	16.54	1.29	1.33	.75	.10
Taper	15.89	1.29	1.33	.75	.10
Area 3:					
Brush	12.65	1.10	1.10		.07
Brush or Roller (swing stage); Paperhangers; Tapers (sheet rock)	13.15	1.10	1.10	1.10	.07
Spray; Sandblaster	13.65	1.10	1.10	1.10	.07
Steeplejack	14.65	1.10	1.10	1.10	.07
Area 4:					
Brush, Pot Tender	15.98	1.25	1.83		.03

*See AREA DESCRIPTIONS - Page 9

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:* (Cont'd)					
Area 4: (Cont'd)					
Paperhangers, Paste Machine Operators; Iron and Steel	$16.23	$1.25	$1.83		.03
Spray, Taper; Sandblaster	16.48	1.25	1.83		.03
Steeplejack	16.98	1.25	1.83		.03
Parkling Lot Striping Work and/or Highway Markers:					
Striper	10.83	.90	.55	b	
Traffic Delineating Device Applicator	11.22	.90	.55	b	
Wheel Stop Installer, Traffic Surface Sandblaster	10.83	.90	.55	b	
Slurry Seal Operation:					
Mixer Operator	10.83	.90	.55	b	
Squeegee Man	9.64	.90	.55	b	
Applicator Operator	9.64	.90	.55	b	
Shuttleman	9.64	.90	.55	b	
Top Man	8.10	.90	.55	b	
PLASTERERS:*					
Area 1	18.495	1.08	1.85		.12
Area 2	19.70				
Area 3	18.28				
Area 4	16.15	1.25	2.00		
Area 5	18.56	1.45	3.55		.02
Area 6	16.955	1.00	1.30		.02
Area 7	12.77	1.15	1.65	1.00	.06
PLASTERERS' TENDERS:*					
Area 1	15.02	1.37	3.28	1.65	
Area 2	11.25	1.25	2.90	1.20	
Area 3	14.875	1.37	3.28	1.60	
Area 4	12.48	1.25	2.90	1.20	
Area 5	13.83	1.25	2.90	1.20	
Area 6	17.59	1.37	2.90	1.45	
Area 7	14.25	1.25	2.90	1.20	
PLUMBERS; Steamfitters:*					
Area 1	16.85	1.69	2.70	2.19	.13
Area 2	17.59	1.28	2.25	1.45	.23

*See AREA DESCRIPTIONS - Page 9

AREA DESCRIPTIONS:

MARBLE SETTERS:
Area 1: Inyo and Mono Counties
Area 2: Imperial County

MARBLE FINISHERS:
Area 1: Imperial County

PAINTERS:
Area 1: Imperial, Orange, and Riverside Counties; Los Angeles County (Pomona Area); San Bernardino County (excluding western portion)
Area 2: Inyo County; Los Angeles County (except Pomona Area); Mono County; San Bernardino County (west of a line north of Trona including China Lake Area, Johannesburg, Boron, south including the Wrightwood Area); Kern County east of the Los Angeles Aqueduct)
Area 3: Kern County (except the portion lying east of the Los Angeles Aqueduct)
Area 4: San Luis Obispo, Santa Barbara and Ventura Counties

PLASTERERS:
Area 1: Los Angeles and Orange Counties
Area 2: Imperial, Riverside, and San Bernardino Counties
Area 3: San Luis Obispo County
Area 4: Santa Barbara County
Area 5: Ventura County
Area 6: Point Arguello and Vandenberg Air Force Base
Area 7: Kern, Inyo, and Mono Counties

PLASTERERS' TENDERS:
Area 1: Imperial, Inyo, Mono, Riverside, and San Bernardino Counties
Area 2: Kern County
Area 3: Los Angeles and Orange Counties
Area 4: San Luis Obispo County
Area 5: Santa Barbara County
Area 6: Ventura County
Area 7: China Lake Naval Ordnance Test Station and Edwards Air Force Base

PLUMBERS; Steamfitters:
Area 1: Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura Counties
Area 2: Inyo, Kern, and Mono Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLUMBERS; Steamfitters:* (Cont'd):					
Area 3	$22.59	$1.28	$2.25	$1.45	.23
Area 4	18.85	1.69	2.70	2.13	.13
refrigeration and AIR CONDITIONING:*					
Area 1	10.70	.96	.85	1.00	.05
Area 2	13.82	2.00	2.00	1.52	.30
ROOFERS:*					
Area 1	12.79	.80	1.05	1.00	
Area 2	12.80	.90	.60		.05
Area 3	14.65	.80	1.25	1.50	
Area 4	13.68	1.17	1.20	1.50	.065
Area 5	13.68	1.17	1.20	1.50	.065
Area 6	16.12	.645	1.49		
SHEET METAL WORKERS:*					
Area 1	16.34	1.20	2.64		.04
Area 2	16.73	1.20	2.13		.04
Area 3	18.12	1.20	3.32		.10
Area 4	14.16	1.14	2.64		.09
Area 5	15.30	1.14	1.91		.16
Area 6	17.82	1.20	2.57		.06
Area 7	16.975	1.00	1.30		.03
SOFT FLOOR LAYERS:*					
Area 1	15.28	.99	1.70		.15
Area 2	15.97	.86	1.30	.93	.08
Area 3	14.09	.95	.95	1.25	.09
SPRINKLER FITTERS:*					
Area 1	20.03	.95	1.40		.08
Area 2	16.62	1.10	1.80		.13
TERRAZZO WORKERS:*					
Area 1	12.69	.81	1.17		.08
Area 2	16.62	1.10	1.80		.10
TILE SETTERS:*					
Area 1	12.69	.81	1.17		.08
Area 2	16.43	1.06	2.00		.10
Area 3	15.89	1.50	2.35		.10
Area 4	15.60	1.15	2.20		
Area 5	14.75	.65	.65		
TILE FINISHERS:*					
Area 1	12.66	1.74	1.75		.16

*See AREA DESCRIPTIONS - Pages 11 and 12

FOOTNOTES:
a. Employer contributes 8% of basic hourly rate for over 5 years' service and 6% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.
b. Employer contributes $.23 per hour to Holiday Fund plus $.14 per hour to Vacation Fund for the first year of employment, 1 year but less than 5 years $.34 per hour to Vacation Fund, 5 years but less than 10 years $.44 per hour to Vacation Fund, over 10 years $.54 per hour to Vacation Fund.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

AREA DESCRIPTIONS

PLUMBERS: Steamfitters: (Cont'd)
Area 3: Edwards Air Force Base, Naval Weapons Center and China Lake Naval Ordnance Test Center,
Area 4: Point Arguello and Vandenberg Air Force Base

REFRIGERATION and AIR CONDITIONING:
Area 1: Riverside and San Bernardino Counties
Area 2: Los Angeles and Orange counties

ROOFERS:
Area 1: Imperial County
Area 2: Inyo, Kern, and Mono Counties
Area 3: Riverside and San Bernardino Counties
Area 4: Los angeles, Orange, and Ventura Counties
Area 5: San Luis Obispo and Santa Barbara Counties
Area 6: Point Arguello and Vandenberg Air Force Base

SHEET METAL WORKERS:
Area 1: Imperial County
Area 2: Kern County and all of Inyo and Mono Counties; Los Angeles County (that portion north of a straight line drawn between Gorman and Big Pines)
Area 3: Los Angeles County (remaining portion)
Area 4: Orange County
Area 5: Riverside and San Bernardino Counties
Area 6: San Luis Obispo, Santa Barbara, and Ventura Counties
Area 7: Point Arguello and Vandenberg Air Force Base

SOFT FLOOR LAYERS:
Area 1: Imperial County
Area 2: Los Angeles, Orange, Riverside, Santa Barbara, San Luis Obispo, San Bernardino, and Ventura Counties
Area 3: Kern, Inyo, and Mono Counties

AREA DESCRIPTIONS (Cont'd)

SPRINKLER FITTERS:
Area 1: Imperial, Inyo, Kern, and Mono Counties; Orange County (except Santa Ana); Riverside County; San Bernardino County (except Ontario); San Luis Obispo, Santa Barbara, and Ventura Counties
Area 2: Los Angeles City and Area witin 25 miles and Pomona Area; Orange County (Santa Ana); San Bernardino County (Ontario); and Ventura County (Santa Paula, Point Mugu and Port Hueneme)

TERRAZZO WORKERS:
Area 1: Imperial County
Area 2: Remaining Counties

TILE SETTERS:
Area 1: Imperial County
Area 2: Los Angeles, Orange, and Ventura Counties
Area 3: San Luis Obispo and Santa Barbara Counties
Area 4: Riverside and San Bernardino Counties
Area 5: Inyo, Kern, and Mono Counties

TILE FINISHERS:
Area 1: Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties

LABORERS:	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
			H & W	Pensions	Vacation	Education and/or Appr. Tr.
	AREA 1	AREA 2				
Group 1	$11.88	$13.88	$1.37	$3.28	$1.45	.12
Group 2	12.03	14.03	1.37	3.28	1.45	.12
Group 3	12.23	14.23	1.37	3.28	1.45	.12
Group 4	12.53	14.53	1.37	3.28	1.45	.12
Group 5	12.73	14.73	1.37	3.28	1.45	.12
GUNNITE:						
Group 1	14.12	--	1.37	3.28	1.45	
Group 2	13.32	--	1.37	3.28	1.45	
Group 3	12.16	--	1.37	3.28	1.45	
TUNNEL:						
Group 1	13.79	15.79	1.37	3.28	1.45	
Group 2	13.91	15.91	1.37	3.28	1.45	
Group 3	14.07	16.07	1.37	3.28	1.45	
Group 4	14.35	16.35	1.37	3.28	1.45	

AREA DESCRITPIONS:

Area 1: Remainder of Counties

Area 2: Point Arguello, Camp Roberts, Edwards Air Force Base, Naval Ordnance Test Center, Vandenberg Air Force Base

LABORERS

Group 1: Cleaning and handling of Panels Forms; Concrete Screeding for rough strike-off; Concrete, water curing; Demolition Laborer, the cleaning of brick and lumber; Dry packing of concrete, plugging, filling of Shee-bolt Holes; Fire Watcher, Limber, Brush Loaders, Pilers and Debris Handlers; Flagman; Gas, oil and/or water Pipeline Laborer; Laborer, general or construction; Laborer, general cleanup; Laborer, landscaping; Laborer, jetting, temporary water and air lines; Material Boseman (walls, slabs, floors and decks); Rigging and Signaling; Scaler; Slip Form Raisers; Slurry Seal Crews (Mixer Operator, Applicator Operator, Squeegee Man, Shuttle Man, Top Man); Striper, concrete or other paved surfaces; Tarman and Mortar Man; Tool Crib or Tool House Laborer; Traffic Delineating Device Applicator; Window Cleaner; Wire Mesh, pulling all concrete pouring operations

Group 2: Asphalt Shoveler; Cement Dumper (on 1 yard or larger Mixer and handling bulk cement); Cesspool Digger and Installer, Chucktender; Chute Man, pouring concrete, the handling of the Chute from Ready Mix Trucks, such as walls, slabs, decks, floors, foundations, footings, curb, gutters, and sidewalks; Concrete Curer, Impervious Membrane and Form Oiler; Cutting Torch Operator (demolition); Fine Grader, highways and street paving, airport, runways, and similar type heavy construction; Gas, oil and/or water Pipeline Wrapper; Pot Tender and Form Man; Guinea Chaser; Headerboard Man, asphalt; Laborer, packing rod steel and pans; Power Broom Sweepers (small); Riprap Stone-paver, placing stone or wet sacked concrete; Roto Scraper and Tiller; Sandblaster (Pot Tender); Septic Tank Digger and Installer (Leadman); Tank Scaler and Cleaner; Tree Climber, Faller, Chain Saw Operator, Pittsburgh Chipper and similar type Brush Shredders; Underground Laborer, including Caisson Bellower

Group 3: Asphalt Raker, Luteman, Ironer and Asphalt Spreader Boxes (all types); Buggymobile Man; Concrete Core Cutter, Grinder or Sander; Concrete Cutting Torch; Concrete Saw Man, cutting, scouring old or new concrete; Driller, Jackhammer, 2½ feet drill steel or longer; Dri Pak-it Machine; Gas, oil and/or water Pipeline Wrapper, 6" pipe and over, by any method, inside and out; Hydro Seeder and similar type; Impact Wrench Multi-plate; Kettlemen, Potmen and Men applying asphalt, Lay-kold, creosote, lime caustic and similar type materials ("applying" means applying, dipping, brushing or handling of such materials for pipe wrapping and waterproofing); Operators of pneumatic, gas, electric tools; Vibrating Machines, Pavement Breakers, Air Blasting, Come-alongs, and similar mechanical tools not separately classified herein; Pipelayer's Backup Man, coating, grouting, making of joints, sealing, caulking, diapering and including Rubber Gasket Joints, pointing and any and all other services; Rock Slinger; Rotary Scarifier or Multiple Head Concrete Chipping Scarifier; Steel Headerboard Man and Guideline Setter; Tampers, Barko, Wacker, and similar type; Trenching Machine, hand propelled

LABORERS (Cont'd)

Group 4: Cribber, Shorer, Lagging, Sheeting and Trench Bracing, Hand-guided Lagging Hammer; Head Rock Slinger; Laser Beam; Oversize Concrete Vibrator Operator, 70 lbs. and over; Pipelayer, including water, sewage, solid, gas or air; Prefabricated Manhole Installer; Sandblaster (Nozzleman), water blasting; Welding in connection with Laborers' work

Group 5: Blaster Powderman, all work of loading holes, placing and blasting of all powder and explosives of whatever type, regardless of method used for such loading and placing; Driller; All power drills, excluding Jackhammer, whether Core, Diamond, Wagon, Track, Multiple Unit, and any and all types of mechanical drills

GUNNITE

Group 1: Nozzlemen and Rodmen

Group 2: Gunmer

Group 3: Reboundmen

TUNNEL

Group 1: Batch Plant Laborers; Bull Gang Mucker, Trackman; Concrete Crew, including Rodders and Spreaders; Changehouseman; Dumpman; Dumpman (outside); Swamper (Brakeman and Switchman on tunnel work); Tunnel materials handling Man; Tool Man

Group 2: Cable Tender; Chuck Tender; Nipper; Steel Form Raiser and Setter's Helper; Vibratorman, Jackhammer, pneumatic tools (except Driller); Loading and unloading Agitator Cars; Pot Tender, using mastic or other materials

Group 3: Blaster, Driller, Powderman; Chemical Grout Jetman; Cherry Pickerman; Grout Gunman; Grout Mixerman; Grout Pumpman; Jackleg Miner; Jumbo Man; Kemper and other pneumatic concrete Placer Operator; Miner, tunnel (hand or machine); Powderman (Primer House); Primer Man; Shotcrete Man; Steel Form Raiser and Setter; Timberman; Retimber (wood or steel); Tunnel Concrete Finisher; Nozzleman; Operating Troweling and/or Grouting Machine; Sandblaster

Group 4: Shaft, Raise Miner; Diamond Driller

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS: DREDGING (Hydraulic Suction Dredges)					
Leverman	$15.45	$1.10	$2.80	.92	.04
Watch Engineer; Welder	14.87	1.10	2.80	.92	.04
Deckmate	14.87	1.10	2.80	.92	.04
Winchman (Stern Winch or Dredge)	14.32	1.10	2.80	.92	.04
Bargeman; Deckhand; Fireman; Oiler; Leveehand	13.78	1.10	2.80	.92	.04
(Clamshell Dredges)					
Leverman	15.45	1.10	2.80	.92	.04
Watch Engineer	14.87	1.10	2.80	.92	.04
Deckmate	14.87	1.10	2.80	.92	.04
Barge Mate	14.39	1.10	2.80	.92	.04
Bargeman; Deckhand; Fireman; Oiler	13.87	1.10	2.80	.92	.04
POWER EQUIPMENT OPERATORS:					
Group 1	15.35*	1.15	2.80	1.17	.14
Group 2	15.63*	1.15	2.80	1.17	.14
Group 3	15.92*	1.15	2.80	1.17	.14
Group 4	16.06*	1.15	2.80	1.17	.14
Group 5	16.28*	1.15	2.80	1.17	.14
Group 6	16.39*	1.15	2.80	1.17	.14
Group 7	16.51*	1.15	2.80	1.17	.14
Group 8	16.68*	1.15	2.80	1.17	.14
Group 9	16.81*	1.15	2.80	1.17	.14
When the home of any employee is over thirty(30) road miles from the center of the job or project on Vandenberg Air Force Base, a rate of $22.00 per scheduled work day shall be added to the base pay.					

POWER EQUIPMENT OPERATORS

Group 1: Brakeman; Compressor (less than 600 C.F.M.); Engineer Oiler; Generator; Heavy Duty Repairman; Helper; Pump; Signalman; Switchman

Group 2: Compressor (600 C.F.M. or larger); Concrete Mixer, skip type, Conveyor; Fireman; Hydrostatic Pump; Oiler Crusher (asphalt or concrete plant); Plant Operator; Generator, Pump or compressor; Rotary Drill Helper (Oilfield); Skiploader, wheel type up to 3/4 yard without attachments; Soils Field Technician; Tar Pot Fireman; Temporary Heating Plant; Trenching Machine Oiler; Truck Crane Oiler

Group 3: A-Frame or Winch Truck; Elevator Operator (inside); Equipment Greaser (rack); Ford Ferguson (with drag type attachments); Helicopter Radioman (ground); Power Concrete Curing Machine; Power Concrete Saw; Power driven Jumbo Form Setter; Ross Carrier (job site); Stationary Pipe Wrapping and Cleaning Machine

Group 4: Asphalt Plant Fireman; Boring Machine; Boxman or Mixerman (apshalt or concrete); Chip Spreading Machine; Concrete Pump (small portable); Bridge type Unloader and Turntable; Dinkey Locomotive or Motorman (up to and including 10 tons); Equipment Greaser (Greaser Truck); Helicopter Hoist; Highline Cableway Signalman; Hydra-Hammer-Aero Stomper; Power Sweeper; Roller (compacting); Screed (asphalt or concrete); Trenching Machine (up to 6 feet)

Group 5: Asphalt Plant Engineer; Backhoe (up to and including 3/4 yard); Batch Plant; Bit Sharpener; Concrete Joint Machine (canal and similar type); Concrete Planer; Deck Engine; Derrick Man (Oilfield type); Drilling Machine Operator (including water wells); Forklift (under 5 ton capacity); Hydrographic Seeder Machine (straw, pulp or seed); Machine Tool Operator; Maginnis Internal Full Slab Vibrator; Mechanic Berm, Curb or Gutter (asphalt or concrete); Mechanical Finisher (concrete-Clary, Johnson, Bidwell, or similar); Pavement Breaker (truck mounted); Road Oil Mixing Machine; Roller (asphalt or finish); Rubber-tired Earth Moving Equipment (single engine, up to and including 25 yards struck); Self-propelled Tar Pipelining Machine; Slip Form Pump (power driven hydraulic lifting device for concrete forms); Skiploader (Crawler and wheel type, over 3/4 yard and up to and including 1½ yards); Stinger Crane (Austin-Western or similar type); Tractor, Bulldozer, Tamper Scraper (single engine, up to 100 HP, flywheel and similar types, up to and including D-5 and similar types); Tugger Hoist, 1 drum; Tunnel Locomotive (over 10 tons up to and including 30 tons); Welder-general

POWER EQUIPMENT OPERATORS (Cont'd)

Group 6: Asphalt or Concrete Spreading (tamping or finishing); Asphalt Paving Machine (Barber Greene or similar type); Bridge Crane Operator; Cast-in-place Pipe Laying Machine; Combination Mixer and Compressor (Gunite work); Compactor, self-propelled; Concrete Mixer - paving; Concrete Pump (truck mounted); Crane Operator up to and including 25 ton capacity) (Long-boom pay applicable); Crushing Plant; Drill Doctor; Elevating Grader; Forklift (over 5 tons); Grade Checker; Grade-all; Grouting Machine; Heading Shield; Heavy Duty Repairman; Hoist Operator (Chicago Boom and similar type); Kolman Belt Loader and similar type; LeTourneau Blob Compactor or similar type; Lift Mobile; Lift Slab Machine (Vagtborg and similar types); Loader (Athey, Euclid, Sierra and similar type); Material Hoist; Mucking Machine (1/4 yard rubber tired, rail or track or similar type); Pneumatic Heading Shield (tunnel); Pumpcrete Gun; Rotary Drill (excluding Caisson type); Rubber-tired Earth Moving Equipment (single engine, Caterpillar, Euclid, Athey Wagon, and similar types with any and all attachments, over 25 yards struck); Rubber-tired Scraper (self-loading paddle wheel type, John Deere, 1040 and similar single unit); Skiploader (Crawler and wheel type, over 1½ yards, up to and including 6½ yards); Surface Heaters and Planer; Trenching Machine (over 6 feet depth capacity); Tower Crane; Tractor Compressor Drill Combination; Tractor (any type larger than D-5-100 flywheel HP and over, or similar); Bulldozer, Tamper, Scraper and Push Tractor (single engine); Tractor (boot attachments); Traveling Pipe Wrapping, Cleaning and Bending Machine; Tunnel Locomotive (over 30 tons); Shovel, Backhoe, Dragline, Clamshell (over 3/4 yard and up to 5 cu. yds. M.R.C.) (Long-boom pay applicable); Self-propelled Curb and Gutter Machine

POWER EQUIPMENT OPERATORS (Cont'd)

Group 7: Crane, over 25 ton up to and including 100 tons M.R.C. (Long boom pay applicable); Derrick Barge (Long boom pay applicable); Dual Drum Mixer; Heavy Duty Repairman, Welder combination; Hoist, Stiff-legs, Guy Derrick or similar type, up to and including 100 tons (Long boom pay applicable); Monorail Locomotive (diesel, gas or electric); Motor Patrol-blade Operator (single engine); Multiple Engine Tractor (Euclid and similar type, except Quad 9 Cat); Rubber-tired Earth Moving Equipment (single engine, over 50 yds. struck); Rubber-tired Earth Moving Equipment (multiple engine, Euclid, Caterpillar and similar) (over 25 yards and up to 5 cu. yds. struck); Shovel, Backhoe, Dragline, Clamshell (over 5 cu. yds. M.R.C.) (Long boom pay applicable); Tower Crane Repairman; Tractor Loader (Crawler and wheel type, over 6¼ yards); Welder, certified; Woods Mixer and similar Pugmill Equipment

Group 8: Auto Grader; Automatic Slip Form; Crane-over 100 tons (Long-boom pay applicable); Hoist, Stiff Legs, Guy Derrick or similar types (capable of hoisting 100 tons or more) (Long boom pay applicable); Mass Excavator, less than 750 cu. yds.; Mechanical Finishing Machine; Mobile Form Traveler; Motor Patrol, multi-engine; Pipe Mobile Machine; Rubber-tired Earth Moving Equipment (multiple engine, Euclid, Caterpillar and similar type, over 50 cu. yds. struck); Rubber-tired Self-loading Scraper (paddle wheel, auger type self-loading, 2 or more units); Rubber-tired Scraper, pushing one another without Push Cat. Push-pull (50¢ per hour additional to base rate); Tandem Equipment (2 units only); Tandem Tractor (Quad 9 or similar type); Tunnel Mole Boring Machine

Group 9: Canal Liner; Canal Trimmer; Helicopter Pilot; Highline Cableway; Remote Controlled Earth Moving Equipment ($1.00 per hour additional to base rate); Wheel Excavator (over 750 cu. yds.)

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$12.91*	$1.25	$1.33	$1.35	.15
Group 2	12.99*	1.25	1.33	1.35	.15
Group 3	13.05*	1.25	1.33	1.35	.15
Group 4	13.14*	1.25	1.33	1.35	.15
Group 5	13.17*	1.25	1.33	1.35	.15
Group 6	13.19*	1.25	1.33	1.35	.15
Group 7	13.23*	1.25	1.33	1.35	.15
Group 8	13.24*	1.25	1.33	1.35	.15
Group 9	13.29*	1.25	1.33	1.35	.15
Group 10	13.32*	1.25	1.33	1.35	.15
Group 11	13.37*	1.25	1.33	1.35	.15
Group 12	13.39*	1.25	1.33	1.35	.15
Group 13	13.44*	1.25	1.33	1.35	.15
Group 14	13.69*	1.25	1.33	1.35	.15
Group 15	13.94*	1.25	1.33	1.35	.15
Group 16	14.04*	1.25	1.33	1.35	.15
Group 17	14.14*	1.25	1.33	1.35	.15
Group 18	14.44*	1.25	1.33	1.35	.15
Group 19	14.94*	1.25	1.33	1.35	.15

*When the home of an employee is over thirty(30) road miles from the center of the job or project on Vandenberg Air Force Base, a rate of $20.00 per scheduled work day shall be added to the Base Pay.

Group 1: Warehouseman and Teamster

Group 2: Driver of vehicle or combinations of vehicles of 2 axles (including all vehicles less than 6 tons); Traffic Control Pilot Car, excluding moving heavy equipment permit load

Group 3: Truck mounted power Broom

Group 4: Drivers of vehicles or combination of vehicles of 3 axles

Group 5: Bootman; Cement Distributor; Fuel Truck; Road Oil Spreader Truck; Water Truck, 2 axle

Group 6: Dump, or less than 16 yards

TRUCK DRIVERS (Cont'd)

Group 7: Transit-mix, under 3 yards; Dumpcrete, less than 6½ yards

Group 8: Truck Repairman Helper

Group 9: Water Truck, 3 or more axles

Group 10: PB and similar type truck when performing within the Teamsters' jurisdiction; Pipeline and Utility working Truck including Winch, but limited to truck applicable to Pipeline and Utility work, where a composite crew is used; Slurry Driver; Truck Greaser and Tireman (50¢ per hour addition for Tireman)

Group 11: Transit-Mix, 3 yards or more; Dumpcrete, 6½ yards and over

Group 12: Driver or vehicle or combination of vehicles of 4 or more axles

Group 13: Dump, 16 yards but less than 25 yards

Group 14: A-Frame or Swedish Crane, or similar type of equipment Driver; Fork Lift Driver; Ross Carrier, highway

Group 15: All off-highway equipment within Teamsters' jurisdiction (off highway combination of vehicles or equipment with multiple power sources, $1.00 per hour additional); Dump, 25 yds. or more; Truck Repairman

Group 16: Truck Repairman Welder

Group 17: Low Bed Driver, 9 axle or over

Group 18: Water Pull, single engine with attachments

Group 19: Water Pull, twin engine with attachments

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

SUPERSEDEAS DECISION

STATE: Hawaii COUNTIES: Statewide
DECISION NUMBER: HI81-5153 DATE: Date of Publication
Supersedes Decision No. HI81-5141 dated August 14, 1981, in 46 FR 41312
DESCRIPTION OF WORK: Building Projects; Residential Projects (consisting of single family homes and apartments up to and including 4 stories); Heavy and Highway Projects and Dredging

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$13.88	.90	$ 2.90		.06
BOILERMAKERS	13.90	.93	1.25		.03
BRICKLAYERS; Stonemasons	12.83	1.45	2.45	.70	.20
CARPENTERS:					
Carpenters; Hardwood Floorlayers; Patent Scaffold Erectors; Pneumatic Nailer; Shinglers	11.00	1.44	1.95	1.00	.06
Power Saw Operator (2 HP and over)	11.15	1.44	1.95	1.00	.06
Millwrights	11.25	1.44	1.95	1.00	.06
CEMENT MASONS:					
Cement Masons	12.78	1.45	2.15	.70	.20
Troweling Machine Operators	12.93	1.45	2.15	.70	.20
DRAPERY INSTALLERS	6.45	.90	.40	b	
DRYWALL APPLICATOR	11.10	1.44	1.95	1.00	.07
Electricians; Linemen	13.64	1.22	15%+1.9%	11.6%	.55
Technicians	14.05	1.22	15%+1.9%	11.6%	.55
Cable Splicers	15.00	1.22	15%+1.9%	11.6%	.55
ELEVATOR CONSTRUCTORS	15.63	1.195	.95	a	.035
ELEVATOR CONSTRUCTORS' HELPERS	10.94	1.195	.95	a	.035
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	7.815				
FENCE ERECTORS:					
Chain Link	5.39	.23	.29	.10	.03
GLAZIERS	11.10	1.20	1.37	.97	.15
IRONWORKERS:					
Bridge; Ornamental; Reinforcing; Structural	12.75	1.15	1.30	1.70	.12
LINE CONSTRUCTION:					
Electricians; Linemen	13.64	1.22	15%+1.9%	11.6%	.55
Technicians	14.05	1.22	15%+1.9%	11.6%	.55
Heavy Equipment Operator	12.28	1.22	15%+1.9%	11.6%	.55
Groundmen	10.23	1.22	15%+1.9%	11.6%	.55
Cable Splicers	15.00	1.22	15%+1.9%	11.6%	.55
MARBLE SETTERS	12.83	1.45	2.15	.70	.20
PAINTERS:					
Brush	13.05	.84	3.00	1.00	.10
Tapers	13.30	.84	3.00	1.00	.10
Spray; Sandblaster	13.55	.84	3.00	1.00	.10

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLASTERERS	$13.04	$1.45	$2.45	.70	.21
PLUMBERS; Steamfitters	14.00	1.05	2.05	15%	.15
ROOFERS	12.90	1.25	1.70	.65	.15
SHEET METAL WORKERS	13.50	1.96	3.01		.44
SOFT FLOOR LAYERS	12.00	.75	1.75	.55	.29
SPRINKLER FITTERS	15.80	.95	1.40		.08
TERRAZZO WORKERS and TILE SETTERS:					
Terrazzo Base Grinder	10.31	1.30	2.00		.15
Terrazzo Floor Grinder and Finisher	9.22	1.30	2.00		.15
Terrazzo Workers and Tile Setters	12.83	1.45	2.15		.20

RIGGERS; WELDERS: Receive rate prescribed for craft performing operation to which rigging or welding is incidental

FOOTNOTES:

a. Employer contributes 8% of basic hourly rate for 5 years' service and 6% of basic hourly rate for 6 months' to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A thru F.

b. Seven Paid Holidays: A thru F plus Kamehaha Day. In order to be eligible for a Paid Holiday, employees must work the last working day before the Holiday and the first working day following the Holiday. If the employee did not work either of these two days due to illness or layoff, he shall be entitled to Holiday Pay. In case of illness, the Company may require proof of illness.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DREDGING Hydraulic Suction Dredges; Clamshell Dredges; Boat Operators; Derrick:					
Group 1	$14.45	$1.70	$2.45	.95	.05
Group 2	13.94	1.70	2.45	.95	.05
Group 3	13.39	1.70	2.45	.95	.05
Group 4	11.73	1.70	2.45	.95	.05
Group 5	11.73	1.70	2.45	.95	.05
Group 6	11.73	1.70	2.45	.95	.05
Group 7	14.20	1.70	2.45	.95	.05
Group 8	13.28	1.70	2.45	.95	.05
Group 9	13.90	1.70	2.45	.95	.05
Group 10	11.73	1.70	2.45	.95	.05

Group 1: Clamshell or Dipper Operator; Operators (Derricks, Piledrivers and Cranes)

Group 2: Mechanic or Welder; Assistant Engineer; Assistant Engineer (steam or electric)

Group 3: Deckmate; Barge Mate (Seagoing)

Group 4: Fireman

Group 5: Oiler; Deckhand (can operate Anchor Scow under direction of Deck Mate)

Group 6: Bargeman; Leveeman

Group 7: Leverman; Master Boat Operator

Group 8: Winchman (Stern Winch on Dredge)

Group 9: Boat Operator

Group 10: Boat Deckhand

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$8.61	$1.09	$1.56	.60	.08
Group 1-A	8.66	1.09	1.56	.60	.08
Group 1-B	9.01	1.09	1.56	.60	.08
Group 1-C	9.21	1.09	1.56	.60	.08
Group 1-D	9.06	1.09	1.56	.60	.08
Group 1-E	9.31	1.09	1.56	.60	.08
Group 1-F	9.36	1.09	1.56	.60	.08
Group 1-G	9.56	1.09	1.56	.60	.08
Group 2	8.86	1.09	1.56	.60	.08
Group 3	9.06	1.09	1.56	.60	.08

Group 1: All clean-up work of debris, grounds, buildings; Bridge Laborers; Construction Laborers; Dumpman; General Laborers; Limbers, Brush Loaders and Pilers

Group 1-A: Plaster Laborers

Group 1-B: Plaster Hod Carrier

Group 1-C: Plaster Mortar Mixer

Group 1-D: Mason Tender

Group 1-E: High Scaler

Group 1-F: Gunnite Operator

Group 1-G: Powderman

LABORERS (Con'td)

Group 2: Asphalt Shovelers; Cement Dumpers; Choke-setter and Rigger (clearing work); Concrete Chipping; Driller's Tender, Chuck Tender, Outside Nipper; Guinea Chaser (Stakeman); High Pressure Nozzleman-hydraulic Monitor (over 100# pressure) excluding levee work; Loading and unloading, carrying and handling of all rods and materials for use in reinforcing concrete construction; Sloper; All pneumatic, gas and electric tools not listed in Group 1

Group 3: Asphalt Ironers, Rakers and Hand Rollers; Barko and similar type Tampers; Buggymobile; Chainsaw, Faller, Logloader and Bucker; Concrete and Magnesite Mixer under 1/2 yard; Concrete Grinder; Concrete Pan Work; Concrete Saw (walking or hand type); Cribbers; Cut Granite Curb Setters; Form Raisers; Header Board; Mortar Mixers (block--brick-masonry); Jackhammer Operator Jackson and similar type Compactors; Lagging, Sheeting, Whaling, Bracing, Trench-jacking, Hand-guided Lagging Hammer; Magnesite and Mastic Workers (wet or dry); Mechanical Drillers not covered elsewhere; Pavement Breakers; Pipelayers, Caulkers, Bander; Pipewrappers, Kettlemen, Potmen and men applying asphalt, Lay-Kold, Creosote and similar type materials; Post Hole Diggers (hand type materials; Post Hole Diggers (hand held-gas, air and electric); Riprap, Stonepaver and Rockslinger, including placing of sacked concrete (wet or dry); Rotary Scarifier; Roto-tiller; Sandblasters; Tank Cleaners; Tree Climbers; Vibra-screed (Bull Float in connection with Laborers' work); Vibrator; Burning, welding, signaling and rigging in connection with Laborers' work; Concrete Pump Machine; Joy Drill Model TWM-2A, Gardner Denver DH-143 and similar type drills; Tract Drillers, Diamond, Core and Wagon Drillers; Davis Trencher T-66 or similar types; Concrete Laborers (wet or dry), including Bucket Tender for concrete

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LANDSCAPE and IRRIGATION LABORERS:					
Group 1	$7.75	$1.09	.80	.60	
Group 2	7.25	1.09	.80	.60	
Group 3	5.50	1.09	.80	.60	

Group 1: Install all Valves, Vacuum Breakers, Cooper; Galvanized, P.V.C., make tie-in to all main lines; Layout and installation of low voltage electricol lines; Install Heads, Risers, Valve Boxes; Install drinking fountains and all other portable water systems and tie-ins to main lines; Installing hydraulic or electrical Controller, make pressure test; All soldering with Torch or Soldering Iron; Shoot Grader Elevations; Check all plants and shrubs for proper size, caliber and condition; Rock and stone Setter; Concrete Chipping; Choke Setting, Signalling and Rigging for equipment Operators on job site; Concrete Laborers (wet and dry) including Bucket Tender for concrete; Vibrator, Concrete Grinder, Saw Cutter (hand or walking type), Concrete Pump Machine Operator; Concrete Mixer under 1/2 yard; Handheld gas, air and electric tools (i.e., Jackahmmer, Buster, Mud Gun, Jumping Jack, Jackson and similar Compactor, etc.); Chain Saw Tree Trimmers, Tree Climbers; Riding Trencher, Davis Trencher T-66 or similar type Fork Lift; Operation of Flatbed Truck up to and including 2½ tons; Hydro-mulching Machine Operator; Sit-down Mower; Operation of Hop-toe, Backhoe; John Deere or Case Light Dozer and similar types; Bantam or Grove 18 ton and under Cranes and similar types; Light Loaders or Rollers; Trucks requiring type seven and P.U.C. licenses and similar type sit-down driven machines not covered in Group 2

Group 2: Planting of trees, shrubs, ground covers, sprigging, hand-seeding, fertilizing, chemical spraying, raking, grubbing, guy-wiring, staking, propping, supporting trees, hand excavation (pick and shovel), hand rolling or tamping; Handheld gas, air or electric weed-eater; Cleaning and gluing pipe and fittings; Adjust Heads and Risers, staking and clamping Risers; Hand watering, watering by sprinkler system; Weeding, trimming and pruning

Group 3: Horticultural related work; Gardening and Yardman work; Maintenance of trees, shrubs, ground covers, and lawns; Fertilizing, chemical spraying, raking, guywiring, staking, propping, supporting trees; Cleaning and gluing pipe and fittings; Adjust Heads and Risers, staking and clamping Risers; Hand watering, watering by sprinkler system, weeding, trimming and prunning

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS (Except Piledriving and Steel Erection):					
Group 1	$11.45	$1.70	$2.45	.95	.05
Group 2	11.56	1.70	2.45	.95	.05
Group 3	11.73	1.70	2.45	.95	.05
Group 4	12.00	1.70	2.45	.95	.05
Group 5	12.31	1.70	2.45	.95	.05
Group 6	12.96	1.70	2.45	.95	.05
Group 7	13.28	1.70	2.45	.95	.05
Group 8	13.39	1.70	2.45	.95	.05
Group 9	13.50	1.70	2.45	.95	.05
Group 9-A	13.73	1.70	2.45	.95	.05
Group 10	13.79	1.70	2.45	.95	.05
Group 10-A	13.94	1.70	2.45	.95	.05
Group 11	14.09	1.70	2.45	.95	.05
Group 12	14.45	1.70	2.45	.95	.05
HELICOPTER WORK:					
Pilot of Helicopter	15.62	1.70	2.45	.95	.05
Copilot of Helicopter	15.45	1.70	2.45	.95	.05
Airborne Hoist Operator for helicopter	15.31	1.70	2.45	.95	.05
DIVER (Aqua Lung)	16.76	1.70	2.45	.95	.05
ASPHALT PAVING GROUP:					
Asphalt Raker	12.00	1.70	2.40	a	
Asphalt Spreader Operator	13.28	1.70	2.40	a	
Roller Operator:					
Over 5 tons	12.96	1.70	2.40	a	
5 tons and under	11.73	1.70	2.40	a	
Screed Man	12.31	1.70	2.40	a	
Hand Roller	11.50	1.70	2.40	a	

FOOTNOTE:

a. Employee who has completed two to five years' service shall receive a vacation of one week with pay; each additional year an additional one day vacation with pay; ten or more years, a vacation for two weeks each year; for each year of completed service thereafter to and including fifteen years' service, an addition of one day vacation with pay; fifteen or more years of service, a vacation of three weeks each year with pay.

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

Group 1: Partsman (heavy duty repair shop parts room when needed); Repairman Tender

Group 2: Compressor, electrically, diesel or gas powered etc.; Hydraulic Monitor; Material Loader and/or Conveyor Operator (handling building material); Mixer Box Operator (concrete plant); Pump Operator; Spreader Boxman (with screeds); Tar Pot Fireman (power agitated)

Group 3: Oiler; Fireman; Switchman; Brakeman; Deckhand; Tar Pot Fireman; Box Operator (bunker); Locomotive (up to and including 30 tons); Roller (5 tons and under); Screedman (except asphalt concrete paving); Self-propelled, automatically applied concrete Curing Machine (on streets, highways, airports and canals); Tugger Hoist, single drum; Rodman and Chainman

Group 4: Boom Truck or Dual Purpose "A" Frame Truck; Dinky Operator; Fork Lift or Lumber Stacker (construction job site); Material Hoist (1 drum); Straddle Truck; Ross Carrier and similar (job site)

Group 5: Agri-Cat (mini-cat); Concrete Mixer (up to 2 yards); Concrete Pumps or Pumpcrete Guns; Generators, gasoline or diesel driven (100 K.W.); Lubrication and Service Engineer (mobile and grease rack); Towermobile; Welding Machine (gasoline diesel)

Group 6: Combination Loader and Backhoe including Hopto (up to and including 1/2 yard); Concrete Batch Plants (wet or dry); Concrete Saws and/or Grinder (self-propelled unit on streets, highways, airports, and canals); Drilling Machinary not to apply to Waterliners, Wagon Drills or Jackhammers); Highline Cableway Signalman; Loader (up to and including 2½ cu. yds.); Lull High Lift; Maginnis Internal Full Slab Vibrator (on airports, highways, canals, and warehouses); Mechanical Finishers (concrete) (large Clary, Johnson Bidwell Bridge Deck or similar types); Mobile Crane Driver; Pavement Breakers; Portable Crushers; Power Jumbo Operator (setting slip forms, etc. in tunnels); Rollers (over 5 tons); Self-propelled Compactor (single engine); Slip Form Pumps (power driven hydraulic. electric, air, gas, etc. lifting device for concrete forms); Small Rubber-tired Tractors; Trenchers (up to and including 6 feet)

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection) (Cont'd)

Group 7: Crusher Plant; Dual Drum Mixer; Gradesetter (mechanical or otherwise); Hoist (2 drums); Loader (over 2½ cu. yds. up to and including 5 cu. yds.); Mechanical Finishers or Spreader Machine, Asphalt (Barber Greene and similar); Mine or Shaft Hoist; Mixermobile (over 5 tons); Pavement Breaker, truck mounted, with compressor combination; Pavement Breaker with compressor combination (operates 1 or 2); Pipe Cleaning Machine (tractor propelled and supported); Pipe Wrapping Machine (tractor propelled and supported); Pipe Bending Machine (pipe lines only); Self-propelled Elevating Grade Plane; Slusher Operator; Small Tractor (with boom D-6 or similar); Trencher (over 6 ft.); Water Tanker (pulled by Euclids, T-Pulls, DW-10, 20, 21 or similar); Instrument Man

Group 8: Boring Machine; Cast-in-place Pipe Laying Machine; Concrete Batch Plant (multiple units); Combination Loader and Hydraulic Backhoe (over 1/2 yd. up to and including 3/4 yd.); Conveyor (tunnel); Engineer, Locomotive (over 30 tons up to and including 100 tons); Finishing Machine Operator (airports and highways); Hydraulic Backhoe (over 1/2 yd. to and including 3/4 yard); Kolman Loader; Mechanic Trench Shield; Mucking Machine; No-joint Pipe Laying Machine; Portable Crushing and Screening Plants; Saurman type Dragline (under 5 yards); Self-propelled Boom type Lifting Device; Stationary Pipe Wrapping, Cleaning and Bending Machine; Surface Heater and Planer; Tunnel Badger; Tri-batch Paver

Group 9: Boom type Backfilling Machine; Combination Mixer and Compressor (gunite); Do-more Loader and Adams Elegrader; Lull Hi-lift (40' or over); Rubber-tired Earthmoving Equipment (up to 12 cu. yds.); Wheel Trencher (over 6")

Group 9-A: Dozers; Heavy Duty Repairman or Welder; Push Cats; Scrapers; Self-propelled Compactor with Dozer; Sheep Foot; Tractors; Tractors (with boom, larger than D-6 and similar)

Group 10: Chicago Boom; Hoist (3 drums); Koehring Skooper; Loader (over 5 yards up to and including 12 yards); Locomotive (over 100 tons)(single or multiple units); Power Blade Operator; Rubber-tired Earthmoving Equipment (up to and including 35 cu. yds., Euclid, T-Pulls, DW-10, 20, 21 and similar); Saurman type Dragline (5 yards or over); Soil Stabilizer (P & H equal); Sub-grader (Gurries or other automatic type); Track-laying type Earthmoving Machine (single engine with Tandem Scraper); Tractor, Compressor, Drill Combination; Tractor (tandem Scraper); Tractors (D-9 or equivalent); Chief of Party

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)

Group 10-A: Cranes (not over 25 tons); Power Shovels, Clamshells, Draglines, Backhoes, Gradealls (up to and including 1 cu. yd.)

Group 11: Automatic Slip Form Paver (concrete or asphalt); Cranes (over 25 tons); DW-10, 20, etc. (Tandem); Earthmoving Machine (multiple propulsion power units and two or more scrapers)(up to and including 35 cu. yds. struck MRC); High-line Cableway; Lift Slab Machine; Loader (over 12 yds.); Power Shovels, Clamshells, Draglines, Backhoes, Graoealls (over 1 yd. and up to 7 yds.); Power Blade Operator (16 or over); Pre-stress Wire Wrapping Machine; Self-propelled Compactor (with multiple propulsion power units); Single Engine Rubber Tired Earth Moving Machine (with tandem scraper); Tandem Cats; Tower Cranes, mobile; Trencher (pulling attached shield); Universal, Liebher, Linden and similar types of tower cranes; Wheel Excavator (up to and including 750 cu. yds. per hour)

Group 12: Band Wagon (in conjunction with wheel excavator); Derricks; Drill Rigs; Multi-propulsion Earth Moving Machines (2 or more scrapers) (over 35 cu. yds. "struck" MRC); Power Shovels and Draglines (7 cu. yds. M.R.C. and over); Rubber-tired Earthmoving Equipment (over 35 cu. yds., Euclids, T-Pulls, DW-10, 20, 21 and similar); Wheel Excavator (over 750 cu. yds.)

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$11.73	$1.70	$2.45	.95	.05
Group 2	12.00	1.70	2.45	.95	.05
Group 3	12.31	1.70	2.45	.95	.05
Group 4	12.96	1.70	2.45	.95	.05
Group 5	13.28	1.70	2.45	.95	.05
Group 6	13.39	1.70	2.45	.95	.05

Group 1: Flatbed

Group 2: Dump, 8 yards and under; Water Truck (up to and including 2,000 gallons)

Group 3: Water Truck (over 2,000 gallons)

Group 4: Semi-trailer or Semi-dump

Group 5: Slip-in or Pup

Group 6: End Dumps, unlicensed (Euclid, Mack, Caterpillar or similar); Tractor Trailer (hauling equipment); Trucks (hooked up to trailer hauling equipment)

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii))

SUPERSEDEAS DECISION

STATE: KENTUCKY COUNTY: DAVIESS
DECISION NO.: KY81-1293 DATE: DATE OF PUBLICATION
Supersedes Decision No. KY77-1155 dated DECEMBER 23, 1977 in 42 FR 64617
DESCRIPTION OF WORK: BUILDING CONSTRUCTION PROJECTS (does not include single family homes and apartments up to and including four stories

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Bricklayers	$9.20	.35	.30		
Carpenters	6.67				
Cement Masons	7.30				
Drywall Hangers	8.43				
Drywall Finishers	5.75				
Electricians	13.73	.55	3%		1/8of1%
Glaziers	9.305	.48	.50	.25	
Ironworkers	6.00				
Laborers:					
Unskilled	4.64				
Mason Tenders	6.85	.35	.35		
Painters	5.75				
Plumbers & Pipefitters	11.68	.50	.80		.10
Roofers	9.23	.50	.40		
Sheet Metal Workers	6.75				
Tile Setters	9.20	.35	.30		
Tile Finishers	8.30				
Truck Drivers	5.00				
Welder - Rate for craft					
POWER EQUIPMENT OPERATORS					
Backhoe	9.80	.35	.35		.05
Bulldozer	9.08				
Crane, Derrick & Dragline	8.35				
Tractor	5.25				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii))

SUPERSEDEAS DECISION

STATE: KENTUCKY COUNTIES: DAVIESS, HANCOCK, & OHIO
DECISION NUMBER: KY61-1292 DATE: DATE OF PUBLICATION
Supersedes Decision Number KY79-1158 dated December 7, 1979 in 44 FR 70634
DESCRIPTION OF WORK: RESIDENTIAL CONSTRUCTION PROJECTS - includes single family homes and apartments up to and including four stories

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
A/C & Heating Mechanics	$7.50				
Bricklayers	7.11				
Carpenters	6.25				
Cement Masons	7.30				
Drywall Hangers	8.43				
Electricians	13.28	.50	3%		1/8of1%
Insulation Installers	4.79				
Ironworkers	5.78				
Laborers:					
Common	4.64				
Mason Tenders	5.25				
Painters	5.58				
Plumbers	7.87				
Roofers	5.83				
Sheet Metal Workers	6.75				
Tile Setters	7.32				
Truck Drivers	4.64				
Welders - Rate for craft					
POWER EQUIPMENT OPERATORS					
Backhoe	7.05				
Bulldozer	9.08				
Front End Loader	8.29				
Grader	6.00				
Paver	6.39				
Roller	5.98				

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii))

SUPERSEDEAS DECISION

STATE: Oklahoma COUNTY: Oklahoma, Cleveland and Canadian
DECISION NO. OK81-4073 DATE: Date of Publication
SUPERSEDES DECISION #OK79-4019 dated January 5, 1979 in 44FR1665
DESCRIPTION OF WORK: Residential construction, single family homes and apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Air conditioning mechanic	$5.50				
Bricklayers	5.50				
Carpenters	4.85				
Cement masons	5.03				
Electricians	4.65				
LABORERS:					
Laborers	3.35				
Mason tenders	3.35				
Painters, brush	4.02				
Painters, spray	5.50				
Plumbers-Pipefitters	5.50				
Roofers	4.17				
Sheet metal workers	5.27				
Soft floor layers	4.10				
Tile setters	3.73				
Tile setters finishers	3.35				
Plasterers	4.98				
Sprinkler fitters	5.50				
POWER EQUIPMENT OPERATORS:					
Bulldozer	3.35				
Blade graders	3.50				
Backhoe	4.00				
Scrapers	3.50				
Shovels	4.00				

WELDERS--receive rate prescribed for craft performing operation to which welding is incidental.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii).

SUPERSEDEAS DECISION

STATE: Pennsylvania COUNTY: Berks
DECISION NO.: PA81-3069 DATE: Date of Publication
Supersedeas Decision No. PA80-3028 dated April 11, 1980, in 45 FR 25019.
DESCRIPTION OF WORK: Building Erection and Foundation Excavation, (does not include single family homes or apartments up to and including 4 stories), Excluding Sewage and Water Treatment Plant Projects.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Asbestos Workers	$14.01	1.12	.90		.01
Boilermakers	16.67	1.275	1.00		.02
Bricklayers & Stonemasons	12.15	1.00	1.25		
Carpenters	14.00	1.07	.95		
Cement Masons	10.79		1.65		
Electricians:					
Herford, Longswamp & Washington, Twps., portion of Maxatawney, Twp., east of Saccony Creek	13.25	.70	3%+.80		.04
Marion, Tulpehocken & Bethel Twps.	12.34	.65	3%+.67		1/4%
Remainder of County	14.49	.75	3%+.64		.04
Elevator Constructors	13.63	1.345	1.085	b+c	.035
Elevator Constructors' Helpers	70%JR	1.345	1.085	b+c	.035
Elevator Constructors' Helpers (Prob.)	50%JR				
Glaziers	9.19	.40	.30		.01
Ironworkers, structural & ornamental, bridge	14.30	1.49	1.46		.05
Ironworkers, reinforcing	14.30	1.49	1.46		.05
General Laborers	8.45	.45	.50		
Operators of jackhammer, paving breaking and other pneumatic, electrical and mechanical tools coming under the jurisdiction of laborer, laying of all clay, terra cotta, ironstone, vitrified concrete or non-metallic pipe and the making of joints for same, wagon drill operators and concrete power buggies	8.68	.45	.50		
Cofferdam, (below 10'), tunnel free air muckers	8.73	.45	.50		
Handling and using cutting or burning torches in the wrecking of buildings, plasterer tenders, scaffold builders and removal for plasterers	8.84	.45	.50		
Mason tenders, scaffold builders, removal for mason and power buggies	8.88	.45	.50		
Blasters	8.90	.45	.50		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Lathers	$11.78		.25		.01
Lead Burners	10.75	.40	.25	a	.01
Line Construction:					
Lineman	14.28	.60	3%		3/8%
Groundman	8.57	.60	3%		3/8%
Winch truck operator	10.00	.60	3%		3/8%
Millwrights	14.52	1.07	.95		
Painters:					
Brush	11.05	1.10	1.00		
Bridge, tower, stacks & tanks	12.50	1.10	1.00		
Spray and steel	12.10	1.10	1.00		
Piledrivermen	12.97	3.13	1.40	e	.13
Plasterers	10.81		1.65		.01
Plumbers	15.08	1.10	1.40		.14
Roofers:					
Albany, Maxstany and Windsor Composition and slate	12.28		1.50		
Remainder of County	15.67	1.40	.95	d	
Roofer Assistant	7.75	1.40	.95	d	
Sheet metal workers	11.66	1.44	1.18		.14
Soft floor layers	14.00	1.07	.95		
Sprinkler Fitters	15.56	.95	1.40		.08
Steamfitters	15.01	.95	2.05		.11
Stone masons	12.15	1.25	1.00		

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS (Where Applicable):
A-New Year's Day; B- Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. 9 paid holidays, A through F and Washington's Birthday, Good Friday and Christmas Eve provided the employee has worked 45 full days for the employer during the 120 days prior to the holiday, and is available for work the days preceding and following the holiday.

b. Employer contributes 8% basic hourly rate for 5 years or more of service or 6% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

c. Six paid holidays: A through F, plus the Friday after Thanksgiving.

d. Paid holidays: Election Day and Labor Day.

e. Paid Holidays: Washington's Birthday; Good Friday; Memorial Day; Labor Day; Presidential Election Day; Veteran's Day and Thanksgiving Day.

"Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii))."

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$14.27	10%	10.3%	a	1.3%
GROUP 2	13.98	10%	10.3%	a	1.3%
GROUP 3	13.11	10%	10.3%	a	1.3%
GROUP 4	12.34	10%	10.3%	a	1.3%
GROUP 5	11.87	10%	10.3%	a	1.3%
GROUP 6	10.96	10%	10.3%	a	1.3%
GROUP 7	14.52	10%	10.3%	a	1.3%
GROUP 7-A	14.77	10%	10.3%	a	1.3%
GROUP 7-B	15.01	10%	10.3%	a	1.3%

CLASSIFICATIONS DEFINITIONS

GROUP 1: Machines doing book work, any machine handling machinery, cable spinning machines, helocopters, machines similar to the above

GROUP 2 : All types of cranes, all types of backhoes, cableways, draglines, keystones, all types of shovels, derricks, trench shovels, trenching machines, hoist wirh two towers, pavers 21E and over, all types overhead cranes, building hoists (double drum) gradalls, mucking machines in tunnel, all front end loaders 3-½ c.y. and over, tandem scrapers, pippin type bachoes, boat Captains, batch plant operators (concrete) drills, self-contained rotary drills, fork lifts, 20 ft. lift and over machine to the above

GROUP 3: Conveyors, building hoists (single drum) scrapers and tournapulls, spreaders, high or low pressure boilers, concrete pumps, well drillers, bulldozers and tractors, asphalt palnt engineers, roller (high grade finishing), ditch witch type trencher, all loaders under 3-½ cu. yds., mechanic-welders, motor patrols, drill helper-self contained rotary drills, core drill operator, forklift trucks under 20 ft. lift, machines similar to the above

GROUP 4: Welding machines, well points, compressors, pumps, heaters, farm tractors, form line graders, fine grade machines, road finishingmachines concrete breaking machines, rollers, seaman pulverizing mixer, power broom, seeding spreader, tireman (for power equipment) machines similar to above

GROUP 5: - Fireman, grease truck

GROUP 6: Oilers and deck hands (personnel boats), core drill helper

GROUP 7: All machines with booms (including jib, masts, leads, etc): 100 ft. and over

GROUP 7-A: 150 ft. and over
GROUP 7-B: 200 ft. and over

FOOTNOTES:
a. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, provided the employee works the day before and after the holiday.

SUPERSEDEAS DECISION

STATE: Pennsylvania COUNTY: Lebanon
DECISION NO.: PA81-3068 DATE: Date of Publication
Supersedeas Decision No PA80-3029 dated April 25, 1980, in 45 FR 28069.
DESCRIPTION OF WORK: Building Erection and Foundation Excavation, (does not include single family homes or apartments up to and including 4 stories)., Excluding Sewage and Water Treatment Plant Projects.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Asbestos Workers	$14.01	1.12	.90		.01
Boilermakers	16.67	1.275	1.00		.02
Bricklayers	11.52	.95	.72		.02
Carpenters	12.72	.70	.90		.05
Cement Masons:					
West of Rte. 501	11.33	.80	.80		
East of Rte. 501	10.79		1.65		
Electricians:					
That portion of Lebanon County that is North and West of Interstate Route 81, including all of the Fort Indianwown Gap Military Reservation	13.56	.65	3%+.67		½ of 1%
That portion of Lebanon County which extends South and East of Interstate Route 81	12.34	.65	3%+.67		1/4%
Elevator Constructors	12.84	1.345	1.085	a+b	.035
Elevator Constructors' Helpers	8.99	1.345	1.085	a+b	.035
Elevator Constructors' Helpers (Prob.)	6.42				
Glaziers:					
Twps. of Bethel, Jackson, Mill Creek, Lebanon., E. of Rte. 72, Heidlberg & Richland	9.19	.40	.40		.01
Remainder of County	11.71	.70	.65		.01
Ironworkers	14.265	1.49	1.46		.045
General Laborers	8.80	.50	.50		
Operator of jackhammer, paving breaking and other pneumatic, electrical and mechanical tools, laying of all clay, terra cotta, ironstone vitrified concrete or non-metallic pipe and the making of joints for same, wagon drill operator, cofferdam (below 10') tunnel free air, handling and using cutting or burn-					

DECISION NO. PA81-3068 PAGE 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS (CONT'D)					
-ing torches in the wrecking of buildings blasters, plasterer tenders, mason tenders scaffold builders and removal of power buggies	8.90	.50	.50		
Lathers	12.72	.70	.90		.05
Lead Burners	10.75	.40	.25	c	.01
Line Construction:					
Linemen & cable splicers	14.23	.60	3%		3/8%
Groundmen	8.54	.60	3%		3/8%
Winch truck operator	9.96	.60	3%		3/8%
Marble Setters	11.52	.95	.72		.01
Millwrights	14.42	.70	.90		.05
Painters (East of Route 72)					
Brush	11.05	1.10	1.00		
Structural Steel & Spray	12.10	1.10	1.00		
Highway bridges	12.50	1.10	1.00		
Painters (West of Route 72)					
Brush	10.77	.55	.38		.02
Structural steel	11.22	.55	.38		.02
Spray	11.52	.55	.38		.02
Piledrivermen	12.97	3.13	1.40	d	.13
Plasterers:					
East of Rte. 501	10.81		1.65		.01
West of Rte. 501	10.31	.80	.80		.01
Plumbers & steamfitters:					
East of Rte. 501	15.33	.85	1.40		.14
West of Rte. 501	13.30	1.02	1.00		.11
Roofers:					
Anniville, Cold Springs, East Hanover, North Anniville, North Cornwall, North Londonderry, South Anniville, South Londonderry, Union, West Cornwall Twps.:					
Compositions	10.76	.80	.55		
Remainder of County:					
Composition, damp & Waterproofing	15.67	1.40	.95	e	.05

DECISION NO. PA81-3068 PAGE 3

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Sheet Metal Workers	$11.66	1.44	1.18		.14
Soft Floor Layers	10.98	.70	.90		.05
Sprinkler Fitters	15.56	.95	1.40		.08
Stonemasons	11.52	.95	.72		.02
Terrazzo Workers	12.15	.95	.72		
Tile Setters	12.15	.95	.72		
Truck Drivers:					
Pick-ups, dump, flat trucks to & including 2 highway license plates	9.47	f	g		
Transit-mix, winch trucks, tractor trailers, all types euclids, ross lumber carriers & trucks over 2 plates	9.72	f	g		

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 8% basic hourly rate for 5 years or more of service or 6 % basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. Six paid holidays: A through F, plus the Friday after Thanksgiving Day.

c. 8 paid holidays, A through F and Washington's Birthday, Good Friday and Christmas Eve, provided the employee has worked 45 full days for the employer during the 120 days prior to the holiday and is available for work the days preceding and following the holiday.

d. Paid Holidays: Washington's Birthday; Good Friday; Memorial Day; Labor Day; Presidential Election Day; Veterans Day; Thanksgiving Day and Christmas Day.

e. Paid holidays: Election Day and Labor Day, July 4th.

f. $93.03 per month for employees who have worked sixty hours or more during the month.

g. $57.89 per month for employees who have worked sixty hours or more during the month.

Welders - rate for craft

"Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii))."

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$14.27	10%	10.3%	a	1.3%
GROUP 2	13.98	10%	10.3%	a	1.3%
GROUP 3	13.11	10%	10.3%	a	1.3%
GROUP 4	12.34	10%	10.3%	a	1.3%
GROUP 5	11.87	10%	10.3%	a	1.3%
GROUP 6	10.96	10%	10.3%	a	1.3%
GROUP 7	14.52	10%	10.3%	a	1.3%
GROUP 7-A	14.77	10%	10.3%	a	1.3%
GROUP 7-B	15.01	10%	10.3%	a	1.3%

CLASSIFICATIONS DEFINITIONS

GROUP 1: Machines doing hook work, any machine handling machinery, cable spinning machines, helocopters, machines similar to the above

GROUP 2 : All types of cranes, all types of backhoes, cableways, draglines, keystones, all types of shovels, derricks, trench shovels, trenching machines, hoist wirh two towers, pavers 21E and over, all types overhead cranes, building hoists (double drum) gradalls, mucking machines in tunnel, all front end loaders 3-½ c.y. and over, tandem scrapers, pippin type bachoes, boat Captains, batch plant operators (concrete) drills, self-contained rotary drills, fork lifts, 20 ft. lift and over machine to the above

GROUP 3: Conveyors, building hoists (single drum) scrapers and tournapulls, spreaders, high or low pressure boilers, concrete pumps, well drillers, bulldozers and tractors, asphalt palnt engineers, roller (high grade finishing), ditch witch type trencher, all loaders under 3-½ cu. yds., mechanic-welders, motor patrols, drill helper-self contained rotary drills, core drill operator, forklift trucks under 20 ft. lift, machines similar to the above

GROUP 4: Welding machines, well points, compressors, pumps, heaters, farm tractors, form line graders, fine grade machines, road finishingmachines concrete breaking machines, rollers, seaman pulverzing mixer, power broom, seeding spreader, tireman (for power equipment) machines similar to above

GROUP 5: - Fireman, grease truck

GROUP 6: Oilers and deck hands (personnel boats), core drill helper

GROUP 7: All machines with booms (including jib, masts, leads, etc): 100 ft. and over

GROUP 7-A: 150 ft. and over
GROUP 7-B: 200 ft. and over

FOOTNOTES:
a. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, provided the employee works the day before and after the holiday.

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federal register

Friday
September 25, 1981

Part III

Department of Health and Human Services

Food and Drug Administration

Certain Topical Anti-Infective Drug Products; Drugs for Human Use; Drug Efficacy Study Implementation; Revocation of Exemption; Notice of Opportunity for Hearing

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 80N-0012; DESI Nos. 8884, 8924, 9049, 9405, 10367, 10826, 50168, 50234]

Certain Topical Anti-Infective Drug Products; Drugs for Human Use; Drug Efficacy Study Implementation; Revocation of Exemption; Notice of Opportunity for Hearing

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: This notice revokes the temporary exemption for continued marketing of certain prescription drug products that are single-entity antibiotics or combination anti-infective products for dermatologic use. Under the exemption, the drugs have been allowed to remain on the market for continued study beyond the time limit scheduled for implementing the Drug Efficacy Study. This notice also reclassifies the drugs to lacking substantial evidence of effectiveness, proposes to withdraw approval of the new drug applications, and offers an opportunity for a hearing on the proposal.

DATES: The revocation of the temporary exemption is effective September 25, 1981; requests for hearing by October 26, 1981; material submitted to support hearing request by November 24, 1981.

ADDRESSES: Communications in response to this notice should be identified with Docket No. 80N-0012 and the appropriate DESI number, and directed to the attention of the appropriate office named below.

Request for hearing, supporting data and information, reports of studies, and other comments: Dockets Management Branch (formerly the Hearing Clerk) (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

Requests for opinion of the applicability of this notice to a specific product: Division of Drug Labeling Compliance (HFD-310), Bureau of Drugs, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Suzanne O'Shea, Bureau of Drugs (HFD-32), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3650.

SUPPLEMENTARY INFORMATION: In notices published in the **Federal Register** of June 17, 1971 (36 FR 11675) (DESI 8884), June 6, 1972 (37 FR 11281, 11283) (DESI 8924, 9049), June 20, 1972 (37 FR 12166, 12171) (DESI 10367, 50168, 50234), June 29, 1972 (37 FR 12856) (DESI 10826), and July 27, 1972 (37 FR 15033) (DESI 9405), the Food and Drug Administration (FDA classified various prescription drug products as possibly effective for all their labeled indications relating to use in dermatologic and anogenital conditions, or as anti-infective agents. The products were topical single-entity antibiotic drugs, antibiotic/antibiotic combinations, and anti-infective/corticosteriod combinations (including antibiotic/corticosteroid combinations). The antibiotic combinations were rated less than effective because evidence was not available to show that each component contributed to the effectiveness of the product. In the case of anti-infective/corticosteroid combinations, FDA questioned the usefulness of the anti-infective component in treating corticosteroid-sensitive dermatoses.

Subsequently, in a notice published in the **Federal Register** of December 14, 1972 (37 FR 26623), certain single-entity and combination topical antibiotic products were temporarily exempted from the time limits established for implementing the Drug Efficacy Study. In a notice published in the **Federal Register** of October 9, 1974 (39 FR 36365), FDA stated the conditions for marketing the durgs under the exemption and extended the exemption to certain other antibiotic combinations and products containing one or more anti-infectives (including antibiotics) combined with a corticosteroid with or without other components, provided the corticosteroid was present in an effective amount. In a notice published in the **Federal Register** of August 6, 1976 (41 FR 32937, Docket No. 76N-0244, DESI 10959) calcium undecylenate/corticosteroid combination products were included in the exemption.

The decision to extend the exemption, both in scope and in time, rested on several factors: Many topical antibiotic and anti-infective/corticosteroid combinations have had wide medical acceptance as useful drugs and appeared to be a unique class of drugs. The components in most of these products had already been proven effective as single-entity drugs. Unanswered, however, was the question whether each component contributed to the claimed effects of a combination product composed of two or more of the components. There was a need to establish, by appropriate studies, whether these prodcuts were effective as combination products. Another factor in the agency's decision to exempt the products was that many of their components are also components of over-the-counter (OTC) drugs and subject to review as part of the ongoing OTC study (21 CFR Part 330). To deal with all such products in a rational and consistent manner, FDA permitted them to remain on the market pending evaluation of all relevant scientific data, including data submitted for the OTC review and the results of studies conducted in compliance with the temporary exemption for prescription drugs.

Because of the complexities in designing and conducting clinical trials on multicomponent drug products, the 1974 notice established two stages for studies on the products containing a corticosteroid. The first stage was to develop evidence that the anti-infective component taken as a whole and the corticosteroid component both contribute to the effectiveness of the product in the treatment of infected steroid-sensitive dermatoses. (Clinical evaluation of combinations containing an antifungal agent were to be directed at the cutaneous or mucocutaneous indication.) The second stage was to develop evidence that each of the specific drugs in the multi-ingredient anti-infective component contributes to the effectiveness of the product, making use of either the deliberations of the OTC Antimicrobial II Panel or any studies conducted by the sponsors. Determination of the effectiveness of products with one or more antibiotics but no corticosteroid would also make use of the final report of the OTC Antimicrobial II Panel.

Revocation of Exemption

Neither the findings of the OTC Antimicrobial II Panel nor the data submitted by the sponsors in response to the temporary exemption demonstrate that each component of these combination products makes a contribution to the claimed effects. Therefore, the temporary exemption granted by the December 14, 1972, October 9, 1974, and August 6, 1976 notices, as it pertains to all products covered by the exemption, is revoked. The specific products are listed below.

Drug Products

The following nonantibiotic anti-infective drug products were subject to the exemption and are covered by this notice of opportunity for a hearing.

1. NDA 10-412; Vioform-Hydrocortisone Cream and Ointment containing iodochlorihydroxyquin and hydrocortisone; Ciba Pharmaceutical Co., 566 Morris Ave., Summit, NJ 07901.

2. NDA 10-822; Cor-Tar-Quin Cream containing coal tar solution,

diiodohydroxyquin, and hydrocortisone; Dome Laboratories, Division of Miles Laboratories, Inc., 400 Morgan Ln., West Haven, CT 06516.

3. NDA 10-959; Caldecort Ointment containing calcium undecylenate 3% and hydrocortisone acetate 1%; Pennwalt Corp., Pharmaceutical Division, P.O. Box 1710, Rochester, NY 14603.

4. NDA 11-207; Cor-Tar-Quin Lotion containing coal tar solution, diiodohydroxyquin, and hydrocortisone; Dome Laboratories.

There are no new drug applications for the following nonantibiotic anti-infective drugs for which the sponsors have submitted information intended to support the drug products' effectiveness:

1. Iodochlorhydroxyquin with Hydrocortisone Cream; Byk-Gulden, Inc., P.O. Box 730, Hicksville, NY 11802.

2. Racet Cream containing iodochlorhydroxyquin and hydrocortisone; Lemmon Pharmacal Co., P.O. Box 30, Sellersville, PA 18960.

3. Ze-Tar-Quin Cream containing diiodohydroxyquin, coal tar, and hydrocortisone; Dermik Laboratories, 500 Virginia Dr., Fort Washington, PA 19034.

4. Zetone Cream containing coal tar and hydrocortisone; Dermik Laboratories, Inc.

5. Vytone Cream containing diiodohydroxyquin with hydrocortisone; Dermik Laboratories, Inc.

In the **Federal Register** of October 28, 1980 (45 FR 71354), FDA amended the antibiotic regulations to exempt dermatologic drug products from certification requirements. The regulation was amended because FDA had determined that batch-by-batch testing by FDA is not necessary to ensure the strength, quality, and purity of the drugs. The antibotics exempted from batch certification are considered new drugs subject to the requirements of section 505 of the act (21 U.S.C. 355). Further, as stated in the October 28, 1980 regulation, antibiotic drug products exempted from certification that are subject to the DESI review must continue to conform to the requirements of the review. Thus, the following Form 5's (indicated by numbers in the "50,000" series) are now considered "deemed approved" NDA's (NDA's approved with no showing of effectiveness; that is, on the basis of safety only). The following Form 6's (indicated by numbers in the "60,000" series) are now considered conditionally approved ANDA's (ANDA's based on "deemed approved" NDA's temporarily exempted from the time limits established for implementing the Drug Efficacy Study). FDA will maintain the certification regulations in the Code of Federal Regulations as public standards until the effectiveness of the products formerly certified under them is finally resolved.

The following products are subject to this notice of opportunity for a hearing and were being certified when the temporary exemption for continued marketing was granted, or were certified later with the understanding that they would be subject to the exemption as well. For convenience, the products have been listed according to the monographs under which they were previously certified.

I. 21 CFR 444.542a Neomycin sulfate-ointment.

a. Neomycin sulfate-flurandrenolone acetonide (flurandrenolide) ointment:

1. NDA 50-345; Cordran-N Ointment; Eli Lilly & Co., P.O. Box 618, Indianapolis, IN 46206.

b. Neomycin sulfate-fluorometholone ointment:

1. NDA 60-480; Neo-Oxylone Ointment; The Upjohn Co., 7171 Portage Rd., Kalamazoo, MI 49001.

c. Neomycin sulfate-hydrocortisone acetate ointment:

1. NDA 60-387; American Pharmaceutical Co., P.O. Box 448, Passaic, NJ 07055.

2. NDA 60-751; Neo-Cortef Ointment; The Upjohn Co.

3. NDA 60-922; (0.5%, 1%, and 2.5%); Biocraft Laboratories, Inc., 92 Route 46, East Paterson, NJ 07407.

4. NDA 61-154; Ambix Laboratories, Division of Organic Corporation of America, 1615 East 51st St., North Bergen, NJ 07047.

d. Neomycin sulfate-hydrocortisone ointment:

1. NDA 60-202; (1% and 2.5%); Kasco-Efco Laboratories, Inc., Division of Byk-Gulden, Inc.

2. NDA 60-205; Cortomycin Ointments (1% and 2.5%); Bryant Pharmaceutical Corp., 70 MacQueston Pwky., South Mount Vernon, NY 10550.

3. NDA 60-315; (0.5%, 1%, and 2.5%); Byk-Gulden, Inc.

4. NDA 60-410; Nycin-HC Ointment; Schlicksup Drug Co., Inc., 420-22 Southwest Washington St., Peoria, IL 61602.

5. NDA 60-904; Premo Pharmaceutical Laboratories, Inc., 111 Leuning St., South Hackensack, NJ 07606.

6. NDA 61-106; Doak Pharmacal Co., Inc., 700 Shames Dr., Westbury, L.I., NY 11590.

7. NDA 61-319; Ferndale Laboratories, Inc., 780 West Eight Mile Rd., Ferndale, MI 48220.

8. NDA 62-104; Clay-Park Laboratories, Inc., 3339 Park Ave., Bronx, NY 10456.

e. Neomycin sulfate-hydrocortamate hydrochloride ointment:

1. NDA 10-697; Neo-Magnacort Ointment, Pfizer Laboratories, Division of Charles Pfizer & Co., Inc., 235 East 42d St., New York, NY 10017.

2. NDA 12-454; The Ulmer Pharmacal Co., Division of Physicians and Hospitals Supply Co., 2440 Fernbrook Ln., Minneapolis, MN 55441.

f. Neomycin sulfate-prednisolone acetate ointment:

1. NDA 61-036; Neo-Delta-Cortef Ointment; The Upjohn Co.

g. Neomycin sulfate-triamcinolone acetonide ointment:

6. NDA 61-064; Neo-Aristocort Ointment; Lederle Laboratories, North Middletown Rd., Pearl River, NY 10965.

h. Neomycin sulfate-hydrocortisone-coal tar extract ointment:

1. NDA 10-826; Neo-Tarcortin Ointment; Reed & Carnrick, 30 Boright Ave., Kenilworth, NJ 07033.

i. Neomycin sulfate-hydrocortisone acetate-calcium undecylenate ointment:

1. NDA 60-651; Caldecort Ointment; Pennwalt Pharmaceutical Division, Pennwalt Corp.

II. 21 CFR 444.542b Neomycin sulfate-——— cream.

a. Neomycin sulfate-betamethasone cream:

1. NDA 50-340; Celestone Cream with Neomycin; Schering Corp., Galloping Hill Road, Kenilworth, NJ 07033.

b. Neomycin sulfate-dexamethasone sodium phosphate cream:

1. NDA 50-323; Neo-Decadron Cream; Merck Sharp & Dohme, Division of Merck & Co., Inc., West Point, PA 19101.

c. Neomycin sulfate-sodium dexamethasone cream:

1. NDA 13-539; Neo-Decadron Cream; Merck Sharp & Dohme.

d. Neomycin sulfate-dichlorisone cream:

1. NDA 12-303; Neo-Diloderm Cream; Schering Corp.

e. Neomycin sulfate-fluocinolone acetonide cream:

1. NDA 60-700; Neo-Synalar Cream; Syntex Laboratories, Inc., 3401 Hillview Ave., Palo Alto, CA 94304.

f. Neomycin sulfate-methylprednisolone acetate cream:

1. NDA 60-611; Neo-Medrol Acetate; The Upjohn Co.

g. Neomycin sulfate-triamcinolone acetonide cream:

1. NDA 60-710; Neo-Aristocort Cream; Lederle Laboratories.

III. 21 CFR 444.542c Neomycin sulfate-——— lotion.

a. Neomycin sulfate-hydrocortisone acetate lotion:

1. NDA 50-374; Neo-Cortef Lotion; The Upjohn Co.

b. Neomycin sulfate-hydrocortisone lotion:

1. NDA 10-116; Hydromet; Merck Sharp & Dohme.

2. NDA 50-307; Neo-Cort-Dome Lotion (0.5% and 1%); Dome Laboratories.

c. Neomycin sulfate-prednisolone acetate lotion:

1. NDA 61-038; Neo-Delta-Cortef Lotion; The Upjohn Co.

d. Neomycin sulfate-prednisolone sodium phosphate lotion:

1. NDA 10-990; Neo-Hydeltrasol; Merck Sharp & Dohme.

e. Neomycin sulfate-flurandrenolone lotion:

1. NDA 50-164; Cordran-N Lotion; Eli Lilly & Co.

IV. 21 CFR 444.542f Neomycin sulfate-gramicidin-triamcinolone acetonide ointment.

1. NDA 60-935; Kenalog-S Ointment; E. R. Squibb & Sons, Inc., P.O. Box 191, New Brunswick, NJ 08903.

V. 21 CFR 444.542g Neomycin sulfate-gramicidin-triamcinolone acetonide cream.

1. NDA 60-928; Kenalog-S Cream; E. R. Squibb & Sons, Inc.

VI. 21 CFR 444.542h Neomycin sulfate-gramicidin-——— lotion.

a. Neomycin sulfate-gramicidin-triamcinolone acetonide lotion.
1. NDA 60-929; Kenalog-S Lotion; E. R. Squibb & Sons, Inc.
b. Neomycin sulfate-gramicidin-fludrocortisone acetate lotion.
1. NDA 9-554; Florinef; E. R. Squibb & Sons.
VII. 21 CFR 444.542i Neomycin sulfate-——— topical aerosol.
a. Neomycin sulfate-triamcinolone acetonide topical aerosol.
1. NDA 61-065; Neo-Aristoderm Foam; Lederle Laboratories.
b. Neomycin sulfate-dexamethasone topical aerosol:
1. NDA 50-325; Neo-Decaspray Aerosol; Merck Sharp & Dohme.
VIII. 21 CFR 446.567a Oxytetracycline hydrochloride-hydrocortisone ointment.
1. NDA 61-011; Terra-Cortril Topical Ointment; Pfizer Laboratories.
IX. 21 CFR 446.567e Oxytetracycline hydrochloride-polymyxin B sulfate-hydrocortisone topical aerosol.
1. NDA 60-632; Terra-Cortril Topical Aerosol; Pfizer Laboratories.
X. 21 CFR 448.513c Bacitracin zinc-neomycin sulfate-polymyxin B sulfate-hydrocortisone ointment.
1. NDA 60-338; Neo-Polycin HC Ointment; The Dow Chemical Co., P.O. Box 68511, Indianapolis, IN 46268.
XI. 21 CFR 448.513d Bacitracin zinc-neomycin sulfate-polymyxin B sulfate topical powder.
1. NDA 50-166; Neosporin Topical Powder; Burroughs-Wellcome & Co., Inc., 3030 Cornwallis Rd., Research Triangle Park, NC 27749.
XII. 21 CFR 448.513e Bacitracin zinc-neomycin sulfate-polymyxin B sulfate topical aerosol.
1. NDA 50-167; Neosporin Aerosol; Burroughs-Wellcome & Co., Inc.
XIII. 21 CFR 449.550c Nystatin-neomycin sulfate-gramicidin-——— ointment.
a. Nystatin-neomycin sulfate-gramicidin-triamcinolone acetonide ointment.
1. NDA 60-572; Mycolog Ointment; E. R. Squibb & Sons, Inc.
2. NDA 62-045; Myco Triacet; Premo Laboratories.
3. NDA 62-135; Byk-Gulden, Inc.
4. NDA 62-186; Tri-Statin Topical Cream; Clay-Park Laboratories.
5. NDA 62-280; Clay-Park Laboratories, Inc.
b. Nystatin-neomycin sulfate-gramicidin-fluorocortisone acetate ointment:
1. NDA 60-650; Myconef Ointment; E. R. Squibb & Sons, Inc.
XIV. 21 CFR 449.550e Nystatin-neomcyin sulfate-gramicidin-triamcinolone acetonide cream.
1. NDA 60-576; Mycolog Cream; E. R. Squibb & Sons, Inc.
2. NDA 61-954; Premo Laboratories.
3. NDA 62-136; Byk-Gulden, Inc.
XV. 21 CFR 452.510a Erythromycin ointment.
1. NDA 8-945; Erythromycin Ointment; The Upjohn Co.
2. NDA 50-184; Erythrocin Ointment; Abbott Laboratories.
3. NDA 50-368; Ilotycin; Dista Products Co., Division of Eli Lilly & Co., P.O. Box 1407, Indianapolis, IN 46206.
4. NDA 60-646; Ilotycin No. 90 Ointment; Eli Lilly & Co.
XVI. 21 CFR 455.503a Calcium amphomycin-neomcyin sulfate-hydrocortisone acetate cream.
1. NDA 50-350; Amphocortrin Cream; Warner-Chilcott Laboratories.

As stated in the October 28, 1980 notice, dermatologic antibiotic products that in the absence of certificate regulations are released are exempt from batch certification in the same manner and to the same extent as those products subject to published regulations. Thus, the following Form 5's and Form 6's are considered "deemed approved" NDA's and conditionally approved ANDA's, respectively. The following products are covered by this notice, and were being released when the temporary exemption for continued marketing was granted, or were subsequently released with the understanding that they would be subject to the exemption as well.

a. Polymyxin B sulfate-neomycin sulfate:
1. NDA 50-175; Neosporin Lotion; Burroughs-Wellcome & Co., Inc.
b. Polymyxin B sulfate-neomycin sulfate-gramicidin:
1. NDA 50-176; Neosporin-G Cream; Burroughs-Wellcome & Co., Inc.
c. Hydrocortisone-neomycin sulfate-polymyxin B sulfate-gramicidin:
1. NDA 50-218; Cortisporin Cream; Burroughs-Wellcome & Co., Inc.
d. Hydrocortisone-neomycin sulfate:
1. NDA 50-237; Neo-Cort-Dome Cream (0.5% and 1%); Dome Laboratories.
2. NDA 50-284; Neo-Hytone Cream; Dermik Laboratories, Inc.
e. Hydrocortisone acetate-neomycin sulfate:
1. NDA 61-049 (listed in intital classification as 61-409); Neo-Cortef Creams (1% and 2.5%); The Upjohn Co.
2. NDA 60-319; Hydrocortisone-Neomycin Cream (0.5% and 1%); Byk-Gulden.
f. Hydrocortisone-neomycin sulfate-nystatin:
1. NDA 50-242; Neo-Nysta-Cort Ointment; Dome Laboratories.
g. Hydrocortisone-neomycin sulfate-iodochlorhydroxyquin:
1. NDA 50-234; Neo-Domeform-HC Cream; Dome Laboratories.
h. Hydrocortisone-neomycin sulfate-bacitracin zinc:
1. NDA 60-295; Hydroderm Ointment; Merck Sharp & Dohme.
i. Hydrocortisone-neomcyin sulfate-resorcinol monoacetate-sulfur:
1. NDA 50-373; Neo-Resulin-F Cream; Schieffelin & Co., 562 Fifth Ave., New York, NY 10036.
j. Hydrocortisone-nystatin:
1. NDA 50-244; Nysta-Cort Lotion; Dome Laboratories.
k. Hydrocortisone-nystatin-iodochlorhydroxyquin:
1. NDA 50-234; Nystaform-HC Ointment; Dome Laboratories.
2. NDA 50-236; Nystaform-HC Lotion; Dome Laboratories.
l. Neomycin sulfate-prednisolone sodium phosphate:
1. NDA 50-378; Neo-Hydeltrasol Ointment; Merck Sharp & Dohme.
m. Neomycin sulfate-prednisolone:
1. NDA 50-187; Meti-Derm with Neomycin Aerosol; Schering Corp.
2. NDA 50-361; Meti-Derm with Neomycin Ointment; Schering Corp.
n. Neomycin sulfate-flurandrenolide:
1. NDA 50-346; Cordran-N Cream; Eli Lilly & Co.
o. Bacitracin zinc-neomycin sulfate-polymyxin B sulfate-hydrocortisone ointment:
1. NDA 50-168; Cortisporin Ointment; Burroughs-Wellcome & Co., Inc.
p. Bacitracin zinc-neomycin sulfate-polymyxin B sulfate-hydrocortisone acetate ointment:
1. NDA 60-795; ICN Pharmaceuticals, 222 N. Vincent Ave., Covina, CA 91722.
q. Bacitracin-neomycin sulfate-polymyxin B sulfate-hydrocortisone acetate ointment:
1. NDA 60-215; Byk-Gulden, Inc.
2. NDA 60-335; Dow Chemicals, Inc.
3. NDA 60-920; Biocraft Laboratories.
4. NDA 61-299; ICN Pharmaceuticals.

Data Reviewed

Data have been submitted and reviewed for 18 of the products listed above. None of the data submitted, however, justify classifying the products as effective. Several studies investigated too few patients to permit evaluation of the effectiveness of the product. Furthermore, none of the data submitted for any combination product demonstrate that each component makes a significant contribution to the claimed effects of the product, as required by 21 CFR 300.50(a). The data submitted by the products' sponsors are fully discussed below.

In addition to the data submitted by the products' sponsors, FDA has reviewed the findings of its Advisory Review Panel on OTC Antimicrobial (II) Drugs on topical antibiotics (42 FR 17642). The Panel's findings do not support classifying these products as effective. The Panel reported that a "reasonable expectation * * * [of] clinically significant relief" had not been conclusively demonstrated for the OTC use of topical antibiotic products as skin wound antibiotics. Specifically, the Panel concluded that the available data were insufficient to permit final classification of the following antibiotics: bacitracin; gramicidin D; neomycin sulfate; polymyxin B sulfate; and tetracyclines (chlortetracycline hydrochloride, oxytetracycline hydrochloride, and tetracycline hydrochloride). In addition, the Panel concluded that the available data were insufficient to support a final classification of the following combinations of antibiotics: neomycin-polymyxin-bacitracin; bacitracin-neomycin; bacitracin-polymyxin; tetracycline-polymyxin; and gramicidin-neomycin. No data were submitted on

combinations of antibiotics with nonantibiotics, and the Panel made no finding on the effectiveness of this type of combination product.

1. *Vioform-Hydrocortisone Cream (iodochlorhydroxyquin and hydrocortisone) manufactured by Ciba Pharmaceutical Co.* Ciba submitted the results of two multicenter studies comparing the effectiveness of Vioform-Hydrocortisone Cream, Vioform (iodochlorhydroxyquin) Cream, Hydrocortisone Cream, and placebo cream. In the first study (Carpenter et al.), seven investigators examined 690 patients. Patients were to enter the study only if they had (a) secondary bacterial or fungal infections, or both, in association with dermatitis, eczematoid dermatitis, neurodermatitis, atopic dermatitis, or intertriginous eruptions, or (b) primary fungal infections where anti-inflammatory and antifungal action was indicated. Of the 690 patients entered, there were 231 analyzable with bacterial infections, and 49 analyzable with only fungal infections. The treatment period was 7 days, with one pretreatment visit, one interim visit, and one end-of-treatment visit.

The sponsor analyzed the patients' global response, and symptomatic relief of pruritis, burning, and erythema at visit two and at the final visit. Pathogen conversion was evaluated at the final visit. In comparing Vioform-Hydrocortisone to its two components for the patients with bacterial infections, the sponsor found statistically significant differences favoring the combination over the Vioform in pruritis, burning, and global evaluation, at the second and the final visit. The sponsor found a statistically significant difference favoring the combination over hydrocortisone in global evaluation at the second visit.

The study fails to demonstrate the contribution of Vioform to the combination product. At the only visit where the combination was considered more effective than hydrocortisone alone (second visit, global evaluation) the base cream was more effective in global evaluation than Vioform alone. This paradoxical result and the failure to demonstrate a contribution by Vioform to response in any other measure or at the other evaluation time detract from the single statistically significant difference between Vioform-Hydrocortisone-treated patients and hydrocortisone-treated patients.

In the second study (Brecker et al.), 23 investigators studied 557 patients. Each patient was initially diagnosed as having acute cutaneous fungal infection indicated by KOH examination, a test to determine presence of fungal elements. The protocol calls for independent laboratory verification of fungal infection. Two laboratory tests were employed, a replication of the KOH test and culturing of material from the infected area. The protocol states that a positive result with either test would represent confirmation of fungal infection. The sponsor counted 354 patients as having verified fungal infections. The patients and the physicians each evaluated the patients' global response. Symptomatic relief of erythema, scaling, itching, exudation, and vesiculation was also evaluated. Evaluations were made at the second and third visits, and the "last visit." "Last visit" was visit 2 for 18 of 354 verified patients, and visit 3 for the other 336 verified patients. Cultural conversion and KOH conversion were also evaluated at the third visit.

For patients with culturally verified infections, at the third visit, the sponsor found Vioform-Hydrocortisone to be superior to Vioform alone only in physician evaluation and erythema. Vioform-Hydrocortisone was superior to hydrocortisone and vehicle for all analyses performed: erythema, scaling, itching, patient evaluation, physician evaluation, cultural conversion, and KOH conversion. Comparisons on the "last visit," virtually all (95 percent) of which were the third visit, produced the same results as the visit 3 comparisons. The sponsor concluded that the superiority of the combination product is demonstrated by this study.

Because all investigators followed the same protocol, Ciba pooled the data from all patients. There is no analysis showing that the data are appropriate for pooling, or that the data are consistent across physicians. Disregarding the possibility of physician effect is particularly unacceptable with variables which require subjective judgment, such as physician evaluation (21 CFR 314.111(a)(5)(ii)(*a*)(*5*)).

According to the protocol, patients whose laboratory verification showed fungal infection were to be statistically analyzed separately from patients whose laboratory verification showed no fungal infections. The possibility of an interaction between infection status and treatment was to be examined. Ciba interpreted laboratory verification as being cultural verification (i.e., confirmation by repeat KOH was not sufficient), and found that the results were different for the verified and unverified patients, the combination performing better in the verified group. Ignoring the results of the laboratory KOH test in determining which patients are verified requires justification, if the verified/unverified distinction is to be the basis for concluding that the combination is effective. In addition, the sponsor does not appear to have reported all factors used to distinguish between infected, uninfected, and unacceptable patients because its frequency distributions of verified and unverified patients are not duplicable.

Even if only the patients Ciba considered verified are analyzed, the results of the study provide little evidence that hydrocortisone makes a significant contribution to the complete formulation (21 CFR 300.50(a)). All patients evaluated their own response to vesiculation, exudation, erythema, scaling, and pruritus. Vesiculation and exudation are not very useful as indices of response because initially visiculation was absent in 72 percent of the patients and exudation was absent in 79 percent. Patients also evaluated scaling and pruritus—conditions that can vary with inconstant factors such as rubbing, scratching, sweating, anxiety, or temperature—and found almost no difference in the effectiveness of Vioform-Hydrocortisone and Vioform in treating these conditions. The patients also evaluated their global response. Both Vioform-Hydrocortisone and Vioform eliminated or greatly decreased discomfort in 59 percent of the patients. Thus, only for erythema was there any evidence of a contribution for hydrocortisone. Clearly, analysis of patient responses indicates that hydrocortisone contributed very little to the combination (21 CFR 300.50(a)).

All patients initially showed fungal infection by at least one positive KOH examination. The percentage of patients in each treatment group who were KOH-negative by the end of the study was:

Vioform-Hydrocortisone—47.1%

Vioform—57%

Hydrocortisone—23.1%

Placebo—32%

Hydrocortisone is somewhat less effective than placebo by this measurement, and perhaps even inhibits the effectiveness of the complete formulation (21 CFR 300.50(a)). Only 61 percent of the patients had positive initial cultures. The percentage of initially positive cultures in each treatment group that by the final visit became negative was:

Vioform-Hydrocortisone—67.1%

Vioform—75.6%

Hydrocortisone—23%

Placebo—30%

As in the KOH conversion measurements, hydrocortisone is less effective than placebo, and even seems

to inhibit slightly the effectiveness of the combination product (21 CFR 300.50(a)).

The sponsor's results favoring Vioform-Hydrocortisone over Vioform in the verified group are not supported by results for all patients, including unverified patients. It should be appreciated that the "unverified" patients did have verification in 57 percent by repeat KOH test—an acceptable means of evaluation. Thus, the only results that suggest contribution of hydrocortisone depend on an after-the-fact choice of verification method and, at best, involve a minor symptom (erythema) and a physician global evaluation unverified by patient evaluation. Measurements of fungal cure rate suggest that, if anything, Hydrocortisone inferferes with cure.

2. *Cor-Tar-Quin Cream (coal tar solution, diiodohydroxyquin and hydrocortisone) manufactured by Dome Laboratories.* Dome submitted the results of three studies that compared the effectiveness of Cor-Tar-Quin Cream, a three-component combination, and each of the possible two-component combinations that could be made from its three ingredients. Each patient was to have an infected dermatosis. The medications were applied three times daily. The subjects returned at weekly intervals for 3 weeks. Cultures were taken and a clinical evaluation was performed at each visit.

The pooled results indicate that in the clincial evaluation of the patients in that treatment group, satisfactory results were obtained with:

Cor-Tar-Quin Cream—73.4%
Hydrocortisone plus diiodohydroxyquin—75%
Hydrocortisone plus liquor carbonis detergens—73.4%
Liquor carbonis detergens and diiodohydroxyquin—68.6%
Base—52.9%

There was also a similar response in the percentage of culture conversions:

Cor-Tar-Quin—62%
Hydrocortisone plus diiodohydroxyqiun—65.5%
Hydrocortisone plus liquor carbonis detergens—60.9%
Liquor carbonis detergens and diiodohydroxyqiun—62.8%
Base—73.5%

Clearly, these studies do not show that each ingredient contributes to the effect of the combination (21 CFR 300.50(a)).

3. *Racet Cream (no NDA) (iodochlorhydroxyquin and hydrocortisone) manufactured by Lemmon Pharmacal Co.* Lemmon's submission consists of the tablulated results of two private practitioners who used the drug product in 47 patients, and copies of 10 published papers from the literature. The patients were diagnosed as having 15 different conditions. The results were stated to have been excellent in 7 patients, good in 27, fair in 3, and poor in 10. No adverse reactions occured.

The submission is on its face not an adequate and well-controlled study. There is no comparison of the drug with a control (21 CFR 314.111(a)(5)(ii)(*a*)(*4*)). Moreover, no attempt was made to assess the contributions of each component of the combination (21 CFR 300.50(a)). In addition, there is no report of the diagnostic criteria used to select the patients and no assurance that the patients were suitable for the purposes of the study (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)). In the absence of any control group there was no attempt to minimize bias on the part of the observer, nor was there any explanation of the methods of observation or recording the results (21 CFR 314.111(a)(5)(ii)(*a*)(*3*)). There is no summary of the methods of analysis, nor is there a statistical evaluation of the data derived from the study (21 CFR 314.111(a)(5)(ii)(*a*)(*5*)).

The 10 published papers all concern the use of Vioform-Hydrocortisone Cream manufactured by Ciba. They are critiqued here because Vioform-Hydrocortisone Cream and Racet Cream contain the same active ingredients. Therefore, the papers may have some bearing on the effectiveness of Racet Cream.

The first paper (Carpenter, C. L., et al., "Combined Steroid-Anti-infective Topical Therapy in Common Dermatoses: A Double-Blind, Multi-Center Study of Iodochlorhydroxyquin-Hydrocortisone in 227 Patients," *Current Therapeutic Research*, 15(9):649–659, September 1973) is a report of a multicenter, randomized, double-blind study in which all investigators followed the same protocol and in which the results were pooled. The patients were divided into four treatment groups and received either the combination product (iodochlorhydroxyquin-hydrocortisone cream), iodochlorhydroxyquin cream, hydrocortisone cream, or the cream base (placebo). The patients had primary diagnoses of contact dermatitis, eczematoid dermatitis, atopic dermatitis, neurodermatitis, or intertriginous eruption, together with suspected secondary bacterial or fungal infection. Patients with primary fungal infections were also accepted if they seemed to need anti-inflammatory and antifungal treatment. At the end of the study, patients were judged on their overall response, their symptomatic improvement, and the number of pathogens eliminated.

The authors assert that for the patients given the combination product, the rate of "good to excellent" overall responses was significantly better, the response to pruritus was more satisfactory, and pathogen conversion rate was significantly higher than that obtained in the hydrocortisone and placebo groups.

The study is not adequate and well controlled. It is not adequately blinded. Iodochlorhydroxyquin cream and iodochlorhydroxyquin-hydrocortisone cream may cause yellow staining of skin, hair, nails, and fabrics. The cream base and hydrocortisone cream cause no stains. Thus, the placebo and one of the active control preparations do not resemble the test drug and the sponsor has not minimized bias (21 CFR 314.111(a)(5)(ii)(*a*)(*3*)).

The other nine papers report on studies that are inadequately controlled and largely testimonial. None has a control group or attempts to compare the combination with its components (21 CFR 314.111(a)(5)(ii)(*a*)(*4*) and 21 CFR 300.50(a)).

The Baker paper (Baker, K. C., "Vioform-Hydrocortisone Cream: A Clinical Report," *Arizona Medicine*, 15(3):189–190, March 1958) reports on the results of treating 155 patients with Vioform-Hydrocortisone. The patients were diagnosed as having 14 different conditions. The best results were obtained in patients with seborrheic dermatitis, chronic eczematous dermatitis, and intertrigo with eczematous dermatitis.

The study is totally uncontrolled and does not explore the contribution of each component. Moreover, the method and duration of the treatment are not stated.

The third paper (Brooking, D. G. W. and J. B. Howell, "Vioform-Hydrocortisone Cream in Selected Dermatoses," *Texas State Journal of Medicine*, 54:792–795, November 1958) described the treatment of 84 patients with 10 different diagnoses. The cream was applied three or four times daily for varying lengths of time. Results were described as very good for seborrheic dermatosis, nummular eczema, eczematoid dermatitis of the hands, and lichen simplex chronicus.

The authors said a simultaneous paired comparison was made whenever possible with "another medication," but the reference drug was not named (21 CFR 314.111(a)(5)(ii)(*a*)(*4*)). The study is thus essentially uncontrolled and does not assess the contribution of each component. The authors did not

describe the scoring method used. Thus, the protocol is inadequate as to method or scoring, followup schedule, and duration of therapy (21 CFR 314.111(a)(5)(ii)(*a*)(*3*)).

The fourth study (James, A. P. R., Iodochlorhydroxyquinoline (Vioform) Hydrocortisone Cream and Lotion in Superficial Fungus Infections," *Antibiotic Medicine and Clinical Therapy,* 5(4):266–269, April 1958) describes results obtained in 207 cases of primary and secondary superficial fungus infections in which the fungi were demonstrated microscopically. Results were described as excellent in 97 patients and as satisfactory in 93 patients.

Again the study was uncontrolled and did not assess the contribution of each component. The study's protocol is also inadequate. There was no fixed duration of the study and some of the patients were still under treatment when the paper was written. In addition, the frequency of application of the drug was not stated. An unspecified number of patients received concomitant therapy, for example superficial roentgen therapy (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*iii*)). No confirmatory cultures were taken (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*i*)). The method of scoring was not described (21 CFR 314.111(a)(5)(ii)(*a*)(*3*)).

The fifth paper (James, B. M. and J. A. Hunt, "Vioform-Hydrocortisone Cream in Selected Dermatoses with Emphasis on Industrial Cases," *Industrial Medicine and Surgery,* 27:199–201, April 1958) is a report of results in treating 118 cases of industrial contact dermatitis, 61 cases of nonindustrial contact dermatitis, and 221 cases of 12 other skin diseases (atopic dermatitis, chronic eczema, monilial paronychia, psoriasis, lichen simplex chronicus, nummular eczema, seborrheic dermatitus, stasis dermatitis, pruritus ani et vulvi, tinea, pyoderma, and otitis externa). The drug was applied two to four times daily, and duration of treatment was 1 to 8 weeks. The authors state that results of "cured" or "good" were obtained in 94 percent of industrial contact dermatitis and 90 percent of nonindustrial contact dermatitis. Results of cured or good for the other diagnoses ranged from 18 percent for psoriasis to 90 percent for monilial paronychia.

The study had no control and did not assess the contribution of each component. This study's protocol was also inadequate in that the return visit schedule was not specified, nor were the criteria for scoring specified (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*iii*) and 21 CFR 314.111(a)(5)(ii)(*a*)(*3*)).

Another paper (Montgomery, R. M. and S. Brezak, "Topical Use of Vioform Hydrocortisone in Podiatry," *Journal of the American Podiatry Association,* 48(8):364–366, August 1958) is a report of results using the drug two or three times daily on 26 patients with four different conditions involving the feet: atopic eczema, contact dermatitis, neurodermatitis, and stasis dermatitis. The author asserts that all patients but three obtained good results.

The study was uncontrolled and did not assess the contribution of each component.

The seventh paper (Montgomery, R. M. and W. M. Lavette, "Topical Use of Vioform-Hydrocortisone in Dermatology," *Clinical Medicine,* 6(1):29–32, January 1959) is a report of clinical experience of 21 patients with Vioform-Hydrocortisone Ointment. Of the 69 total patients in the study, 18 had contact dermatitis and 23 had seborrheic dermatitis. The other patients were diagnosed as having moniliasis, rosacea, psoriasis, nummular eczema, stasis dermatitis, neurodermatitis, asteatosis, atopic eczema, dermatophytid, dermatophytosis. The authors claim that good results occurred in 91.3 percent of the patients.

The study was uncontrolled and did not assess the contribution of each component. The protocol is also inadequate in other respects. The frequency of application of the drug, duration of treatment, and criteria for scoring are not mentioned (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*iii*) and(*3*)).

Another paper (Pearlstein, S. M., "Treatment of Nummular Eczema," *Medical Times,* 86(10):1238–1239, October 1958) is a report of the author's results in treating 50 cases of nummular eczema with Vioform-Hydrocortisone Cream twice daily. The author asserts that in 98 percent of the patients the results were "excellent," with a 2 percent failure rate "due to primary irritancy."

The study was uncontrolled and did not assess the contribution of each component. The study's protocol is also inadequate in failing to specify the duration of treatment and the criteria for scoring (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*iii*) and(*3*)).

The ninth paper (Riley, K. A., "Management of Chronic Eczematoid Dermatitis of the Hands," *International Record of Medicine,* 173:300–302, May 1960) is a report of the results obtained by 41 patients with chronic eczematoid dermatitis of the hands treated with Vioform-Hydrocortisone Cream applied morning and night and after washing hands during the day. Treatment duration varied from 2 weeks to 24 weeks. Some of the patients used aqueous benzalkonium solution for hand cleansing, and three patients were given oral antihistamines. The author states that at the end of 2 weeks, 95.5 percent of the patients had improved, and at the final examination after 24 weeks, 65.9 percent of the patients showed completely clear skin.

The study was uncontrolled and did not assess the contribution of each component. In addition, the protocol is inadequate in that not all patients received the same frequency, duration, or kind of treatment (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*iii*)). The criteria for scoring results are unspecified (21 CFR 314.111(a)(5)(ii)(*a*)(*3*)).

The tenth paper (Wexler, L., "Seborrheic Dermatitis: Treatment with an Iodochlorhydroxyquin-Hydrocortisone Compound," *Clinical Medicine,* 8:505, March 1961) is a report of the results of 100 patients with seborrheic dermatitis of the scalp treated with the cream once daily. The treatment was continued until the lesions disappeared, and the time required for clearing was noted. If the disorder recurred, the recurrence dates were noted and treatment resumed. The clearing time was again noted.

The author states that 92 patients showed complete clearing or marked improvement in an average of 4.7 days. Eight failed to improve. There were many recurrences in the patients who had showed improvement. The relapses required an average of 2.9 days to clear.

The study was uncontrolled and did not assess the contribution of each component. The study's protocol is also inadequate in that nothing is said about concomitant treatment, such as shampooing (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*iii*)). The rating scale for scoring results is not specified (21 CFR 314.111(a)(5)(ii)(*a*)(*3*)).

4. *Iodochlorhydroxyquin with Hydrocortisone Cream (no NDA) manufactured by Byk-Gulden, Inc.* Byk-Gulden submitted a report of a study employing 81 subjects in four parallel groups comparing (1) cream base (placebo), (2) cream base and hydrocortisone, (3) cream base and iodochlorhydroxyquin, and (4) cream base, iodochlorhydroxyquin, and hydrocortisone (the product). The diagnostic selection criterion was "acute eczematous eruptions with secondary bacterial infection." A bacterial culture was taken at the beginning and end of the study. At each of four weekly visits the following conditions were to be evaluated: pruritus, excoriations, inflammation, and epidermal disruptions. The results submitted include the investigator's overall clinical evaluation (excellent, good, fair, or no

response), a statistical analysis of the investigator's evaluation, and a tabulation of culture results.

The study is not adequate and well-controlled. No raw data were submitted; the results are given in summary tabular form only. The protocol does not state the diagnostic criteria for acute eczematous dermatitis (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*i*)). There is no indication that steps were taken to minimize bias in assigning patients to test groups (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*ii*)). The protocol does not assure comparability in test groups of the following variables: age, sex, and severity or duration of disease (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*iii*)). It appears that the study was not blinded (21 CFR 314.111(a)(5)(ii)(*a*)(*4*)). The test creams that contain iodochlorhydroxyquin cause yellow stains on the skin, but plain base or hydrocortisone creams do not. The plain base and hydrocortisone creams could have been formulated so that they too would cause a yellow stain. Thus the unblinding was avoidable. In addition, the evaluations of pruritus, excoriation, inflammation, and epidermal disruption were not submitted, nor were the results of the bacterial cultures analyzed (21 CFR 314.111(a)(5)(ii)(*a*)(*5*)).

Byk-Gulden's statistical analysis of the overall clinical results is incomplete and inadequate. In analyzing the overall clinical evaluations, the sponsor has combined the "excellent," "good," and "fair" responses, and determines that iodochlorhydroxyquin with hydrocortisone is significantly superior to each of its components. the sponsor offered no justification for combining treatment groups, and without case reports it is difficult to tell whether a response of good is nearly excellent or somewhat better than no response. In addition, when the number of patients in each response category (excellent vs. good vs. fair vs. no response) for iodochlorhydroxyquin with hydrocortisone is compared with the number of patients in each response category for the iodochlorhydroxyquin component, there are no significant differences in the response patterns of the treatment groups, indicating that hydrocortisone makes no contribution to the effectiveness of the combination. When the response categories for all treatment groups are collapsed differently from the way suggested by the sponsor (excellent/good vs. fair/no response; excellent vs. good/fair/no response), there is no statistically significant difference among the treatments. Thus, a significant contribution of each ingredient can be shown only if all patients with "good" or "fair" responses are joined with the "excellent" responses. Because the result is so heavily dependent on the way in which the responses are collapsed into categories, it is essential that some explanation be provided of how analyst bias was avoided, but none was (21 CFR 314.111(a)(5)(ii)(*a*)(*5*)). Because the study is not well controlled it cannot demonstrate the contribution of each ingredient to the effect of the combination (21 CFR 300.50(a)).

5. *Products manufactured by Dermik Laboratories (no NDA's).* Dermik submitted data on the effectiveness of Ze-Tar-Quin Cream, Zetone Cream, and Vytone Cream. Studies were conducted for each product comparing the complete formulation with that of its components. However, no study investigated more than 15 patients. Therefore, in each study the data were insufficient to draw any conclusion on the effectiveness of the product.

6. *Mycolog Cream (triamicinolone acetonide, neomycin sulfate, gramicidin, and nystatin), manufactured by E. R. Squibb & Sons.* Squibb submitted a clinical study to support the possibly effective indication for cutaneous candidiasis. Fourteen investigators studied 331 patients. The protocol called for a randomized double-blind comparison of Mycolog Cream, nystatin and triamcinolone acetonide cream, nystatin cream, triamcinolone acetonide cream, and placebo cream. As a criterion for admission to the study, all patients were to have had a clinical diagnosis of cutaneous candidiasis, confirmed by potassium hydroxide (KOH) and culture examinations. Some patients also exhibited pathogenic bacteria. A total of 18 to 36 patients were to be studied by each investigator. The medications were applied twice daily until the lesions cleared. Patients were observed at day 0, 3, 7, 14, 21, and 28, at which time individual symptoms were evaluated and graded on a four-point scale. Followup KOH examinations were to be performed only if at the last visit the symptoms persisted. No followup cultures were performed.

The evaluation of response was based solely on the clinical assessment of symptoms of the disease. Squibb claims that the data pooled from all studies indicate that patients with clinically significant bacteria made the fastest and best response when treated with Mycolog. Specifically, Squibb claims that those patients showed significantly greater improvement than patients treated with nystatin alone and triamicinolone acetonide alone at visit 2 and patients treated with all other treatments at visits 3 and 4.

The October 9, 1974 **Federal Register** notice specified the kind of study needed for any steroid/anti-infective combination: steroid alone, anti-infective (whether one or more drugs) alone, total combination, and placebo. For products like Mycolog, which contain an antifungal as well as other anti-infectives, two other groups are needed: antifungal alone and antifungal/steroid. The notice states it is not necessary to test the anti-infective alone or the anti-infective/steroid combination. This could be confusing at first glance, as the term "anti-infective" is used first to refer to all anti-infectives (including antifungals) and later to refer to anti-infectives other than antifungals. In context, however, it is apparent that the groups to be omitted are the anti-infectives other than antifungals and the combination of these with a steroid. There still must be a group receiving all the anti-infectives, i.e., antifungal and other anti-infectives, for the study to test the contribution of the steroid. Unfortunately, Squibb omitted this group, examining only five combinations of the components of Mycolog: the complete combination product, nystatin alone, triamicinolone acetonide alone, nystatin-triamcinolone acetonide, and placebo. There should have been a nystatin-neomycin-gramicidin group as well. If the overall anti-infective component (nystatin-neomycin sulfate-gramicidin) of the product contributed to the effectiveness of the combination product, it could be demonstrated by Squibb's selection of treatment groups, but the contribution of the triamicinolone cannot be shown without the additional group. This defect alone is sufficient to consider the study incapable of satisfying the requirements of the combination policy, 21 CFR 300.50. In addition, the OTC Antimicrobial II Panel concluded that there are not sufficient data to determine the effectiveness of a neomycin sulfate-gramicidin combination. Therefore, it has not been demonstrated that every component contributes to the combination product as required by 21 CFR 300.50(a).

It should be noted that the protocol for the study was not approved by the agency. The October 9, 1974 notice required the firm to obtain agency approval of the protocol before beginning the study.

In addition to its fundamental defect in design, the study demonstrates little difference between Mycolog and the other treatment groups in time to cure for all patients, regardless of presence of

bacteria. The cumulative percentage of patients claimed to be cured at each visit was:

Visit	Mycolog (percent)	Nystatin triamcinolone acetonide (percent)	Nystatin (percent)	Triamcinolone acetonide (percent)	Placebo (percent)
1	0	0	0	0	0
2	1	0	0	0	0
3	21	13	8	10	6
4	42	41	27	20	17
5	55	58	41	24	22

The study is also flawed because, as Squibb states, in some cases there was no visit made between study days 2 and 4 (visit 2 study day range), but a visit was made on day 5 and a second visit was made within the visit 3 range. "In those cases the day 5 visit was considered visit 2; and the second visit was considered visit 3. Likewise, in some cases, there was no visit made between study days 5 and 10. . . ." The subsequent visits were then handled in a manner similar to the visit 2 data. This tends to distort the time scale in a process that is time dependent. Squibb did not specify how many mistimed observations there were, nor did it demonstrate that the method of handling the mistimed observations did not bias the analysis (21 CFR 314.111(a)(5)(ii)(*a*)(*3*)).

Squibb acknowledges that there is little difference between Mycolog cream and nystatin-triamcinolone acetonide cream in overall clinical effectiveness. The percent of patients claimed by the sponsor to be in each response category regardless of presence of bacteria, at the end of the study was:

	Cured (percent)	Markedly improved (percent)	Slightly improved (percent)	No improvement (percent)
Mycolog	58	11	16	16
Nystatin-triamcinolone acetonide	59	7	19	15
Nystatin	43	10	24	22
Triamcinolone acetonide	27	4	35	33
Placebo	28	11	11	50

The factors that might contribute significantly to any observed variation between treatment groups include site of infection, pretreatment severity, duration of therapy, frequency of application, and presence of clinically significant bacteria. Of all these possible significant sources of variation, Squibb examined only the last one and found no significant differences between treatment groups in overall response. The percentage of patients claimed by the sponsor to be in each response category was:

PATIENTS WITH SIGNIFICANT BACTERIA AT FIRST VISIT

	Cured (percent)	Markedly improved (percent)	Slightly improved (percent)	No improvement (percent)
Mycolog	64	18	14	4
Nystatin-triamcinolone acetonide	55	5	26	14
Nystatin	57	5	19	19
Triamcinolone acetonide	30	9	39	22
Placebo	33.3	33.3	0	33.3

PATIENTS WITH LESS SIGNIFICANT BACTERIA AT FIRST VISIT

	Cured (percent)	Markedly improved (percent)	Slightly improved (percent)	No improvement (percent)
Mycolog	54	6	17	23
Nystatin-triamcinolone acetonide	61	9	14	16
Nystatin	32	14	29	25
Triamcinolone acetonide	25	0	32	43
Placebo	23	0	17	58

It is clear that the study does not demonstrate the contribution of each component studied to the clinical effectiveness of the combination product (21 CFR 300.50(a)).

Squibb has not shown that patients were comparable for any of the other factors listed above, nor has it discussed the possibility that the other factors or an interaction between factors is the source of observed differences among treatment groups (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*iii*)).

Bacteriological cultures, KOH, and fungal cultures were not performed to confirm the clinical appearance of cure (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*i*)). Thus, a useful and fully objective method of assessment of the treatments over the entire course of the study was ignored.

No clear statement of the statistical model used to analyze the results was submitted (21 CFR 314.111(a)(5)(ii)(*a*)(*5*)). The parametric analysis of variance fails to include an algebraic expression of the model used, including main effects and interactions or covariates as necessary, along with any underlying distributional assumptions. It has not been demonstrated that parametric methods are the appropriate ones to use in this case. Squibb did not provide a complete analysis of variance table associated with each statistical model where appropriate test statistics and their associated degrees of freedom are displayed. A comparison of the treatments over the entire course of the study was not submitted. Moreover, whenever analyses of subsets of data (in this case patients with clinically significant bacteria at baseline) are used, some correction must be made for the multiple comparisons that arise (i.e., all patients, patients with bacteria, patients without bacteria). Squibb has not analyzed this problem.

The protocol specified 18–36 patients for each investigator. However, six studies included 11 or fewer patients. Pooling the results from these small studies relies on assumptions (such as the lack of a treatment by investigator interaction) which it is not possible to test because of the small number of patients per investigator-treatment category. Even where the number of patients supports such scrutiny, Squibb has pooled the data without examining investigator homogeneity or treatment by investigator interaction.

Squibb has conducted no study on Mycolog Ointment, a product covered by this notice and containing the same active ingredients as Mycolog Cream. In a letter of January 3, 1975 the firm implied that the results of the study on the cream could be extrapolated to the ointment formulation. Squibb has presented no evidence to demonstrate that the results of the study on the cream are in fact extrapolable to the ointment. Even if it had, however, all of the defects outlined above would pertain.

None of the nine references and articles submitted supports the effectiveness of Mycolog. The Arndt and the Swartz and Weinberg references are from textbook chapters which discuss bacterial infections of the skin in general. Neither mentions *Candida albicans* or *Monilia*. The Louria article and the Nilsson and Henning article discuss *Candida albicans* but do not discuss Mycolog Cream. The Polano and Clark articles report on studies in which a product other than Mycolog was tested. The Howell article is a discussion of an uncontrolled open study in which only about two-thirds of the patients treated with Mycolog Ointment had candidiasis. In addition to being uncontrolled and failing to address the combination of Mycolog's components, the study is unacceptable because of inappropriate patient population and the lack of confirmatory diagnosis at appropriate intervals (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*i*)), use of concomitant therapy in many patients (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*iii*)), and because Mycolog Ointment, not the cream, was studied (21 CFR 314.111(a)(5)(ii)(*b*)). The Olansky article

is a discussion of an uncontrolled study in which 118 patients received Mycolog Ointment, but only 30 of the patients had candidiasis or moniliasis (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*i*)). The study is uncontrolled and does not assess the contribution of the components of Mycolog and is also unacceptable because there were no confirming laboratory tests (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*i*)), there was concomitant therapy and no defined treatment period (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*iii*)), and the standards of evaluating the response were not given (21 CFR 314.111(a)(5)(ii)(*a*)(*3*)). The Beverate article is a report of a bilateral paired comparison study on 30 patients with proven candidial lesions. However, Mycology Cream was not one of the drug products used (21 CFR 314.111(a)(5)(ii)(*b*)), and the results of the study seem to indicate that the single ingredient drug, nystatin cream, is just as effective in the treatment of candidiasis. In addition, most investigators consider bilateral paired comparison a poor way to determine effectiveness because of problems with crossover.

7. *Ilotycin Ointment No. 90 (1% erythromycin), manufactured by Eli Lilly & Co.* Lilly submitted the results of a study investigating the effectiveness of Ilotycin Ointment No. 90 in treating impetigo. Five investigators followed the same protocol. The protocol called for a single-blind comparison of Ilotycin Ointment and placebo capsules with placebo ointment and Ilosone Capsules or Solution (250 milligrams erythromycin). Ilosone, another Lilly product, is approved for the treatment of impetigo. According to the protocol, the ointment was applied four times daily after cleaning the area with warm compresses. At the initial visit, a complete bacteriological evaluation was performed on each patient, and each patient's condition was classified as mild (as many as 6 lesions), moderate (6 to 20 lesions), or severe (20 or more lesions). Patients were to return every other day for 6 days, when they would be evaluated as cleared, improved, unchanged, or worse. Two final evaluations were to be made: the patient's clinical response as excellent, satisfactory, or poor; and the clinical treatment as success or failure. The drug was to be discontinued if there was no improvement in 4 days, or if reinfection occurred.

Because Ilosone is already approved for impetigo, Lilly has only to show that Ilotycin Ointment is as effective as Ilosone Capsules or Solution. Lilly performed an analysis comparing the patients with excellent or satisfactory responses with the patients who responded poorly. No significant differences were found among treatments. Lilly also analyzed the clinical treatment evaluation. According to Lilly's analysis, 96 percent of the Ilotycin Ointment patients were successes, and 97 percent of the Ilosone patients were successes. However, there are several deficiencies in the study which call these results into question.

It was not necessary for the study to have been single-blind. The study could have been conducted as a double-blind trial without much additional effort because placebo capsules were administered to the Ilotycin ointment group, and placebo ointment was given to the Ilosone capsules group. Thus, it is not clear that all possible steps were taken to minimize bias on the part of the observer (21 CFR 314.111(a)(5)(ii)(*a*)(*3*)).

A major deficiency in the study is the manner in which patients were assigned to treatment groups. In the Rex, Folan, and Finnerty studies, significantly more patients with severe cases were assigned to the Ilosone group, while more patients with mild cases were assigned to the Ilotycin group. For the three investigators, the percent assigned to each group was:

	Mild (percent)	Moderate (percent)	Severe (percent)
Dr. Rex:			
Ilotycin ointment	0	80	20
Ilosone capsules	0	50	50
Dr. Folan:			
Ilotycin ointment	33	57	10
Ilosone capsules	5	90	5
Dr. Finnerty:			
Ilotycin ointment	13	48	39
Ilosone capsules	0	39	61

This assignment of patients suggests a confounding of severity of illness and treatment effect. Lilly has not explained the assignment of patients to treatment groups. (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*ii*)).

There are several discrepancies in the data which call its quality into question. The classifications of clinical response between excellent and satisfactory were ambiguous and inconsistent, even within individual investigators. For example, in the majority of cases, patients' responses were classified as excellent if their final clinical status was "cleared," and their responses were classified satisfactory if the final clinical status was "improved." However, in the Rex, Folan, and Finnerty investigations, there were patients who were rated as having an excellent response, but who had only "improved," or in some cases "worse," clinical status. In the Goldberg study, all of the patients but one were required to change treatment at the final visit, indicating treatment inadequacies. However, the clinical responses for those patients were classified as satisfactory and their therapies were considered successes. These inconsistencies show that the method of evaluation and recording results has not been adequately specified, a fatal defect (21 CFR 314.111(a)(5)(ii)(*a*)(*3*)). In addition, when Lilly performed its analyses demonstrating the effectiveness of Ilotycin Ointment, it combined the patients who had excellent and satisfactory responses. No explanation is provided for combining the response groups in this manner, nor is there any assurance that the analysis was unbiased (21 CFR 314.111(a)(5)(ii)(*a*)(*5*)).

There were other deficiencies as well. The protocol called for a 6-day course of thereapy, with patients returning for evaluation every other day. However, a majority of the patients had a 6- to 8-day course of therapy, with two return visits instead of the three visits called for in the protocol. Other patients had a course of therapy ranging from 2 to 14 days. There is no explanation of these protocol deviations. Lilly included patients with an unusual course of therapy in its analysis. Certainly, a realistic analysis of the results would include some assessment of how those patients whose course of therapy greatly differs from the majority of patients fared.

8. *Cordran-N Cream (flurandrenolide and neomycin sulfate) manufactured by Eli Lilly.* Lilly submitted reports of three studies designed to compare the effectiveness of Cordran-N Cream, Cordran Cream (flurandrenolide), nemoycin cream, and placebo cream. All patients had secondary bacterial infections confirmed by bacteriological cultures. The investigators rated the patients' overall response as excellent, good, partial improvement, no improvement, or worse. Each patient's signs and symptoms were documented in addition to the overall evaluation. At the end of the study there was a tabulation of the severity of the symptoms at the first and final visits.

The studies are not adequate and well-controlled because of partial unblinding (21 CFR 314.111(a)(5)(ii)(*a*)(*3*)). The medication was labeled with a drug code. The presence of the drug code allowed the investigator to identify patients who had been treated with the same drug, thus possibly influencing the perception of a patient's response. Runs of consecutive

patients who had been treated alike receiving the same evaluation score suggest that an investigator's evaluation of one patient was not independent of knowledge of how previous patients had reacted to the same drug. For example, in the Finnerty study, 9 of the last 10 Cordran-N patients were evaluated as excellent after only 6 of the first 12 Cordran-N patients had been evaluated as obtaining excellent results. In the Folan study, partial improvement was observed in 3 of the first 6 neomycin patients, and in all of the last 16. In addition, Dr. Folan observed a sensitivity reaction in the nineteenth patient to receive Cordran-N, who judged "worse." After that observation, the investigator judged only 4 of the last 9 patients on Cordran-N to be excellent, 3 of the last 9 to be good, and 2 patients to be partially improved. Before the "worse" judgment, however, 10 of 12 patients were rated as "excellent," and 2 were evaluated as "good". The pattern of dependence between observations indicates that the results are too unreliable to make valid statistical inferences.

Moreover, even if the partial unblinding is ignored, the data provide minimal evidence that neomycin sulfate contributes to the effectiveness of the combination product (21 CFR 300.50(a). In the overall evaluation (the most subjective of the evaluation made), Cordran-N Cream was slightly superior to Cordran Cream in two studies, but in the third study there was no statistically significant difference between Cordran-N Cream and Cordran Cream. Moreover, for individual symptoms (possibly less influenced by the unblinded nature of the study) no investigator observed a significant difference between Cordran-N Cream and Cordran Cream in any change-in-symptom scores at the final visit. Lilly's analysis of variance of sum of symptoms scores is not useful unless further partitioning of sums of squares is performed to find out what part of the significant drug effect is due to differences between Cordran-N and Cordran. The measures tested here is more efficiently analyzed using change-in-symptom scores.

9. *Neo-Synalar Cream (neomycin sulfate and fluocinolone acetonide), manufactured by Syntex Laboratories, Inc.* Syntex submitted the results of a double-blind, multiclinic, parallel study comparing Neo-Synalar Cream (neomycin sulfate-fluocinolone acetonide) with Synalar Cream (fluocinolone acetonide), an approved product. There were 240 analyzable patients in the study and 15 investigators. Each investigator studied from 2 to 39 patients. Investigators assigned the patients to treatment groups in a randomized manner.

The study was conducted on patients clinically diagnosed as having secondarily infected corticosteroid-responsive dermatoses: impetigenized atopic dermatitis, impetigenized seborrheic dermatitis, and other impetigenized dermatoses. In addition to the clinical evaluations, patients were evaluated bacteriologically at a central laboratory. The bacteriologic evaluation confirmed infection in 141 of the 240 patients with analyzable data ("infected" patients). In the remaining 99 patients, the initial laboratory findings were negative or could not confirm infection ("uninfected" patients).

The study period was 8 days. Treatment consisted of 7 days of non-occluded applications of the assigned drug to the affected areas three times daily. In order to control accidental exposure to other topical antibacterial products, all patients were given unmedicated soap and shampoo. At the initial visit, each patient's symptoms were evaluated as absent, mild, moderate, or severe. On the eighth day of the study the symptoms were again evaluated clinically, and the clinical response was scored on a five-point scale: excellent, moderate improvement, slight improvement, no improvement, or worse. Infected patients were again evaluated bacteriologically.

The sponsor performed a statistical analysis on the infected patients separately from uninfected patients. It analyzed the clinical responses and laboratory bacteriological findings. The six clinics with the largest patient enrollment were analyzed separately, but the data from the remaining clinics were pooled, ignoring investigator.

In its analysis of infected patients, the sponsor found a statistically significant difference in favor of Neo-Synalar in infections cleared and clinical response. Symptom severity scores favored Neo-Synalar as well, but the difference was not statistically significant. The sponsor found no differences between Synalar and Neo-Synalar in the analysis of uninfected patients and patients with unconfirmed infection.

There are flaws in the sponsor's statistical analysis which lessen the significance of the results. In the study's protocol, the sponsor proposed to analyze all patients for clinical effectiveness and to examine effectiveness within subgroups based on demographic characteristics, disease entity, disease status, bacterial organism, and location of lesions to see in which subgroups the drug is differentially active or inactive. The only analysis Syntex reported, however, is stratified on the basis of laboratory confirmation of infection. This is not the primary analysis called for by the protocol, and this deviation was not explained. Moreover, there was no correction of the analysis for the multiple comparsions carried out.

In addition, in its analysis Syntex pooled the data of all the clinics, ignoring clinic as a possible blocking factor. From the manner of presentation of the data, it is impossible to treat clinic as a blocking factor in analyzing the data from eight of the investigators. Syntex combined the data of all eight investigators and presented them in a joint report. These investigators treated a total of 85 patients. Even when investigators have small patient samples, the results of each investigator should be presented separately. Another instance of improper pooling is the inclusion of the results of Dr. Clement's 4 patients with the results of Dr. Clark's 18 patients. The 22 patients have been presented as results at one clinic. (Both investigators are located in Rochester, New York).

Failure to adjust for investigator effects is particularly disturbing when the treatment groups may be imbalanced. One investigator stands out as particularly imbalanced in the distribution of patients to treatment. Dr. Carpenter had eight infected patients treated with Neo-Synalar, and three infected patients treated with Synalar. Two of the three Synalar patients were under 5 years old, while all of the Neo-Synalar patients were over 5 years old.

FDA performed a statistical analysis on the data submitted using a blocked Wilcoxon test. In the infected patients, the results were statistically significant in favor of Neo-Synalar in both clinical and bacteriological responses. However, FDA disagrees with Syntex's conclusion that there is no difference between Synalar and Neo-Synalar in uninfected patients. A blocked analysis of the clinical response of uninfected patients yielded a result in favor of Synalar. In addition, FDA examined the results of uninfected patients at the individual clinics, and found that Dr. Carpenter obtained a statistically significant difference favoring Synalar. In the eight clinics reported jointly, Synalar was superior to Neo-Synalar in clinical response of uninfected patients. The positive results obtained with Synalar lessen the impact of the favorable results obtained with Neo-Synalar, and indicate the importance of correcting analyses of subgroups to account for the highest probability of finding spurious

"significant differences" when many comparisons are made.

It is important to note that the uninfected patients exhibiting clinical symptoms are not necessarily free of bacteria and the bacteriologic classification of "infected," "uninfected," or "questionably infected" are not mentioned or defined in the protocol, and may not be clinically appropriate in particular patients. For these reasons, and because the original protocol calls for an analysis that is not stratified on the basis of bacteriological confirmation of infection, FDA performed an analysis of clinical response ignoring laboratory confirmation of infection. This analysis demonstrated no significant difference between the effectiveness of Synalar and Neo-Synalar:

	Neo-synalar	Synalar
Excellent	58	51
Moderate improvement	29	30
Slight improvement	7	12
No Change	2	3
Worse	4	5

The study fails to demonstrate the contribution of neomycin sulfate to the combination product (21 CFR 300.50(a)).

In addition to the defects in the statistical analysis, there is a deficiency in the study's protocol. The protocol does not specify the number of clinics in the study or the number of patients to be entered at each clinic. Sample sizes per investigator range from 2 to 39, with a median of 17 patients. The protocol should state the number of patients enrolled at each clinic. This would discourage discontinuation of the study at the point where it looks most impressive. In addition, the sponsor should provide some explanation of the differences between investigators in the number of patients entered.

10. *Neo-Cort-Dome Creme (hydrocortisone and neomycin sulfate), manufactured by Dome Laboratories.* The submission in support of Neo-Cort-Dome Creme consists of a report of three clinical studies, and a published article (Marples and Kligman).

Each clinical investigator followed the same protocol for a double-blind, paired comparison study which compared the total formulation, each of its components, and a placebo in patients with infected dermatoses. The first investigator enrolled only five patients in his study, and discontinued it before completion. The second investigator studied 112 patients with infected dermatoses. The overall satisfactory response rate was:
Neo-Cort-Dome Creme—90%
Hydrocortisone cream—88.9%
Neomycin cream—90%
Placebo cream—83.3%

The third investigator studied 98 patients. The overall satisfactory response rate was:
Neo-Cort-Dome Creme—59.5 percent
Hydrocortisone cream—64.1 percent
Neomycin cream—29.6 percent
Placebo cream—41.2 percent

The sponsor concluded, and FDA agrees, that there is no significant difference in the effectiveness of Neo-Cort-Dome Creme, its individual components, and the placebo.

The Marples and Kligman article points out an inadequacy in the design of this type of study. The authors discuss the spread of a drug from the site of application, which may give rise to false interpretations when one patient is treated with more than one drug product. A better study would be to assign one product to each patient in a random fashion.

11. *Nystaform-HC Ointment (nystatin, iodochlorhydroxyquin, and hydrocortisone), manufactured by Dome Laboratories.* Dome submitted an outline of three clinical studies as they were planned. Each investigator was to study 90 patients with bilateral lesions of cutaneous candidiasis complicated by infection with bacteria sensitive to iodochlorhydroxyquin. The test formulations studied were (1) Nystaform-HC Ointment, (2) nystatin and iodochlorhydroxyquin in the product vehicle, (3) hydrocortisone in the product vehicle, and (4) the product vehicle. Using a double-blind pared lesion design, the patients were randomly assigned to one of three treatment groups. The three groups involved a comparison of the complete formulation with each of the other test formulations.

Due to a scarcity of cases of candidiasis, only 35 patients with an initial positive culture for bacteria or *Candida* were enrolled in the three studies. Of these patients, only 15 exhibited a positive culture for both *Candida* and bacteria. The percent of these patients in whom satisfactory results were obtained are:
Nystaform-HC—80.6%
Nystatin and iodochlorhydroxyquin—55%
Hydrocortisone—73.3%
Vehicle—75%

FDA agrees with the sponsor that the number of patients in the pooled results is too small for a valid evaluation. Moreover, the results obtained show a superiority of the complete formulation only over the antimicrobial agent, but not over the vehicle or the hydrocortisone alone (21 CFR 300.50(a)). The microbiological response could not be evaluated as the number of patients with both positive bacterial and fungal cultures was too small.

12. *Cortisporin Cream (polymyxin B sulfate, gramicidin, neomycin, sulfate, and hydrocortisone) manufactured by Burroughs-Wellcome Co.* Burroughs-Wellcome submitted results of an incomplete investigation that compared Cortisporin Cream to Neosporin-G Cream (polymyxin B sulfate, neomycin sulfate, and gramicidin) and to hydrocortisone cream in 147 patients. Of the patients studied, 37 had atopic dermatitis, 13 had insect bites, 37 had intertriginous eruptions, 1 had atopic contact dermatitis, 17 had neurodermatitis, 39 had contact dermatitis, 2 had atopic insect bite, and one had no dermatitis.

The study is not adequate and well-controlled, because, as Burroughs-Wellcome acknowledges, the patients may not be comparable in primary diagnoses and inciting organisms. In addition, the firm notes that because of all of the conditions studies are self-limiting, the time of evaluation must be considered (21 CFR 314.111(a)(5)(ii)(*a*)(*2*)(*iii*)). The firm suggests, therefore, that the patients be analyzed in a manner taking these variables into account. No such analyses were submitted, however, and the firm noted that under these analyses the numbers of patients would be too small to draw meaningful conclusions.

In addition, when these variables are ignored, the study indicates no significant difference between the effectiveness of Cortisporin and the product's antibiotic component (Neosporin-G), whether clinical or microbiological response is measured. The sponsor claims that the percentage of patients showing clinical response was:

	Marked improvement (percent)	Some improvement (slight or marked) (percent)
Placebo	24	60
Hydrocortisone	50	82
Neosporin-G	64	88
Cortisporin	70	89

According to the sponsor, the percentage of patients obtaining microbiological response was:
Placebo—24%
Hydrocortisone—38%
Neosporin-G—67%
Cortisporin—50%

Thus, the study fails to demonstrate a contribution of hydrocortisone to the

effectiveness of Cortisporin. (21 CFR 300.50(a)).

The sponsor claims that Neosporin-G cream is signficantly more effective than placebo, both clinically and microbiologically. However, the firm has not shown that each component of Neosporin-G contributes to its effectiveness. In addition, the OTC Antimicrobial II Panel concluded that there was insufficient information to determine the effectiveness of combination skin wound antibiotics containing neomycin sulfate, polymyxin B sulfate, and gramicidin.

In a second submission the author of an editorial argues that antibiotic/steroid combinations are the drugs of choice for treating eczema with secondary bacterial infections but admits that the drugs are not indicated in primary pyoderma such as impetigo.

13. *NeoDecadron Cream (dexamethasone sodium phosphate and neomycin sulfate) manufactured by Merck Sharp & Dohme.* Merck Sharp & Dohme submitted reports of studies by 38 investigators. Each study was conducted under the same protocol. They were double-blind, randomized, parallel group comparisons of the complete formulation and the individual components in patients with impetiginized eczematous dermatitis. Applications were made three times daily for 10 days, and the lesions were soaked in salt water once daily. The patients were to be seen at days four and ten, at which time the status of the eczema and infection were rated. Eczema was rated according to the amount of lichenification, erythema, scaling, and pruritus. Infection was rated as to the amount of peri-lesion erythema, crusting, tenderness, and prurulence. A total of 180 patients were studied. Because the number of patients in the individual studies was too small for independent evaluation, the results of all studies were pooled.

The results of the studies show no superiority of the complete formulation over the individual ingredients. According to the sponsor's statistical analysis, the only significant difference between the treatment groups was that Neo-Decadron and Neomycin were both superior to the vehicle in treating eczema and infection. Therefore, the studies fail to show that each ingredient lends some effect to the combination (21 CFR 300.50(a)).

14. *Noe-Medrol Acetate (methylprednisolone acetate and neomycin sulfate) manufactured by The Upjohn Co.* Upjohn submitted reports of two double-blind paired group comparisons of the complete formulation, the individual ingredients, and the vehicle. There were to be 15 patients per treatment group in each study. The patients were diagnosed as having secondary bacterial infections superimposed upon any of the following: contact dermatitis, neurodermatitis, atopic dermatitis, intertriginous eruptions, or small burns. The treatment lasted for 7–9 days, after which the symptoms and signs were rated. A bacterial culture was done only initially.

The first study investigated 66 patients. The second study included only 8, an insufficient number of patients for evaluation.

Of the patients in the larger study, those who showed good to excellent improvement were:
Neo-Medrol—19%
Neomycin—28%
Methylprednisolone—20%
Vehicle—24%

This study does not demonstrate any benefit of the complete formulation over that of the individual ingredients, nor is it possible to determine the contribution of the components to the combination (21 CFR 300.50(a)).

15. *Neo-Cortef Ointment (hydrocortisone acetate and neomycin sulfate) manufactured by The Upjohn Co.* Upjohn submitted reports of two double-blind paired group comparisons of the complete formulation, the individual ingredients, and the vehicle in 117 patients. The patients had secondary bacterial infections superimposed upon any of the following: contact dermatitis, neurodermatitis, atopic dermatitis, intertriginous eruptions, and small burns. Clinical evaluations of the change in various symptoms and signs and the degree of overall improvement were made.

Upjohn concluded, and FDA agrees, that neither of the studies show any significant difference between the complete formulation and its components. Therefore, the data submitted do not demonstrate the contribution of each of the components of the combination (21 CFR 300.50(a)).

16. *Neo-Hytone Cream (hydrocortisone and neomycin sulfate) manufactured by Dermik Laboratories.* Two studies were performed comparing the effectiveness of the total formulation, its components, and placebo. Leibsohn investigated 17 patients and Olansky studied 11 patients. As stated by the sponsor, these data are insufficient to form a conclusion on the effectiveness of Neo-Hytone Cream.

Notice of Opportunity for Hearing

On the basis of all of the data and information available to him, the Director of the Bureau of Drugs is unaware of any adequate and well-controlled clinical investigation, conducted by experts who are qualified by scientific training and experience, meeting the requirements of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and 21 CFR 314.111(a)(5) and 21 CFR 300.50(a) that provides substantial evidence of effectiveness of any of the products listed above.

Therefore, notice is given to the holders of the new drug applications and to all other interested persons that the Director of the Bureau of Drugs proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)), withdrawing approval of the new drug applications and all amendments and supplements thereto on the ground that new information before him with respect to the drug products, evaluated together with the evidence available to him when the applications were approved, shows there is a lack of substantial evidence that the drug products will have the effect they purport or are represented to have under the conditions of use prescribed, recommended, or suggested in the labeling.

In addition to the holders of the new drug applications specifically named above, this notice of opportunity for hearing applies to all persons who manufacture or distribute a drug product that is identical, related, or similar to a drug product named above, as defined in 21 CFR 310.6. It is the responsibility of every drug manufacturer or distributor to review this notice of opportunity for hearing to determine whether it covers any drug product that the person manufactures or distributes. Such person may request an opinion of the applicability of this notice to a specific drug product by writing to the Division of Drug Labeling Compliance (address given above).

In addition to the ground for the proposed withdrawal of approval stated above, this notice of opportunity for hearing encompasses all issues relating to the legal status of the drug products subject to it (including identical, related, or similar drug products as defined in 21 CFR 310.6) e.g., any contention that any such product is not a new drug because it is generally recognized as safe and effective within the meaning of section 201(p) of the act or because it is exempt from part or all of the new drug provisions of the act under the exemption for products marketed before June 25, 1938, contained in section 201(p) of the act, or under section 107(c) of the Drug Amendments of 1962 or for any other reason.

In accordance with section 505 of the act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Parts 310, 314), the applicants and all other persons subject to this notice under 21 CFR 310.6 are hereby given an opportunity for a hearing to show why approval of the new drug applications should not be withdrawn and an opportunity to raise, for administrative determination, all issues relating to the legal status of a drug product named above and of all identifical, related or similar drug products.

Any applicant or any other person subject to this notice under 21 CFR 310.6 who decides to seek a hearing, shall file (1) on or before October 26, 1981, a written notice of appearance and request for hearing, and (2) on or before November 24, 1981, the data, information, and analyses relied on to justify a hearing, as specified in 21 CFR 314.200. Any other interested person may submit comments on this notice. The procedures and requirements governing this notice of opportunity for hearing, a notice of appearance and request for hearing, a submission of data, information, and analyses to justify a hearing, other comments, and a grant or denial of hearing are contained in 21 CFR 314.200.

The failure of an applicant or any other person subject to this notice under 21 CFR 310.6 to file timely written appearance and request for hearing as required by 21 CFR 314.200 constitutes an election by the person not to make use of the opportunity for a hearing concerning the action proposed with respect to the product and constitutes a waiver of any contentions concerning the legal status of any such drug product. Any such drug product may not thereafter lawfully be marketed, and the Food and Drug Administration will initiate appropriate regulatory action to remove such drug products from the market. Any new drug product marketed without an approved NDA is subject to regulatory action at any time.

A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for the hearing that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of the application, or when a request for hearing is not made in the required format or with the required analyses, the Commissioner of Food and Drugs will enter summary judgment against the person(s) who requests the hearing, making findings and conclusions, denying a hearing.

All submissions in response to this notice must be filed in quintuplicate. The submissions, except for data and information prohibited from public disclosure under 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the Dockets Management Branch (formerly the office of the Hearing Clerk) between 9 a.m. and 4 p.m., Monday through Friday.

(Secs. 502, 505, 52 Stat. 1050–1053 as amended (21 U.S.C. 352, 355) and under authority delegated to the Director of the Bureau of Drugs (21 CFR 5.70, 5.82))

Dated: April 1, 1981.

J. Richard Crout,

Director, Bureau of Drugs.

[FR Doc. 81-27725 Filed 9-24-81; 8:45 am]

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Friday
September 25, 1981

Part IV

Department of Agriculture

Food and Nutrition Service

Special Supplemental Food Program for Women, Infants and Children; Eligibility

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

7 CFR Part 246

[Amdt. 3]

Special Supplemental Food Program for Women, Infants and Children; Income Eligibility Criteria

AGENCY: Food and Nutrition Service, USDA.

ACTION: Emergency final rule.

SUMMARY: These final regulations set forth the income eligibility criteria for participation in the Special Supplemental Food Program for Women, Infants and Children (WIC). The regulations implement provisions of Child Nutrition Amendments of 1978 (Public Law 95–627) and the Omnibus Budget Reconciliation Act of 1981 (Public Law 97–35) regarding the income criteria standards to be used in conjunction with the nutritional risk criteria in determining eligibility of persons for participation in the WIC Program as specified in the final rules published on January 23, 1981, at 46 FR 7846 and July 27, 1979, at 44 FR 44422.

DATES: Effective date: As required by Public Law 97–35, these provisions are effective upon the date of enactment of legislation which was August 13, 1981.

Implementation date: State and local agencies currently using income eligibility standards that are greater then 185 percent of the Office of Management and Budget's (OMB's) nonfarm income poverty guidelines must begin applying the new income eligibility standards at the time of each regular certification. WIC participants are certified approximately every 6 months and for this reason, the new income standards cannot be immediately implemented for all participants.

FOR FURTHER INFORMATION CONTACT: Barbara Hallman, Chief, Policy and Program Development Branch, Supplemental Food Programs Division, U.S. Department of Agriculture, FNS, Washington, D.C. 20250, (202) 447–8421.

SUPPLEMENTARY INFORMATION:

Nonmajor Economic Impact

The final action has been reviewed under USDA procedures established in Secretary's Memorandum 1512–1 to implement Executive Order 12291, and has been determined to be nonmajor. The final action will not have an annual effect on the economy of $100 million or more, will not cause a major increase in costs or prices, and will not have a significant economic impact on competition, employment, investment, productivity, innovation or on the ability of the U.S. enterprises to compete. The final action has been reviewed with regard to the requirements of the Regulatory Flexibility Act and will not have a significant economic impact on a substantial number of small entities.

History of Income Eligibility.

Public Law 95–627, enacted on November 10, 1978, requires the Secretary to establish income eligibility standards, to be used with nutritional risk criteria, for determining a person's eligibility for participation in the program. The law also provides that persons will be eligible only if they are members of families that satisfy the income standards prescribed for reduced price school meals under section 9 of the National School Lunch Act.

The Omnibus Reconciliation Act of 1980 (Public Law 96–499), enacted December 5, 1980, set the income criteria for reduced price meals at 195 percent of OMB's nonfarm income poverty guidelines plus a standard deduction. The Department published a final rule on January 23, 1981, at 46 FR 7846 implementing the provisions of both these laws. The rule also discussed the means by which income can be determined and what constitutes income. The final rule also provided that State agencies may not set State income requirements for participants that are less than 100 percent of the OMB nonfarm income poverty guidelines.

On June 12, 1981, at 46 FR 31035, the Department published a notice containing the income poverty guidelines by family size to be used in conjunction with the Eligibility Criteria Regulation published on January 23, 1981. The rule provided that by August 1, 1981, State and local agencies were to begin applying the new income eligibility standards to new applicants as well as to all ongoing participants at the time of each participant's next regular certification.

On August 13, 1981, Public Law 97–35 amended Section 9 of the National School Lunch Act. This law reduces the income criteria for reduced price school meals from 195 percent plus a standard deduction, to 185 percent of the OMB nonfarm income poverty guidelines. The law does not allow for the use of a standard deduction nor hardship deductions when calculating a family's income using 185 percent of the income poverty guidelines. Income poverty guidelines implementing the incomes by family size previously included a standard deduction as determined by the Secretary in accordance with Public Law 96–499. Public Law 97–35 states that a family's gross income cannot exceed 185 percent of OMB's nonfarm income poverty guidelines. Therefore, State agencies may only consider hardship deductions if their income standards are set far enough below 185 percent to preclude a family's gross income from exceeding that level. The OMB nonfarm income poverty guidelines will be adjusted annually each July 1 based on changes in the Consumer Price Index.

Income Eligibility Regulation Amendment

In accordance with the provisions of the new law, regulations governing income eligibility are being amended to reduce the income criteria for the WIC Program from 195 percent plus a standard deduction to 185 percent of OMB's nonfarm income poverty guidelines.

Also, there are currently excluded from consideration income or benefits from several programs in the determination of eligibility to participate in the program. Some of these exclusions are currently set forth in notice form, while one is contained in § 246.7(c)(3)(ii). For purposes of simplification of finding these exclusions, a nonsubstantive change is made to include all such exclusions in that section.

Additionally, a technical revision is being made to the paragraph on certification forms. There has been some confusion because the requirement in § 246.7(h)(3) of the July 27, 1979, regulations is not consistent with the new eligibility criteria published in the January 23, 1981, regulations. This revision will require that the certification form contain information used to determine a person's income eligibility for the program, rather than the general criteria used to determine income eligibility. The application form for income determination as specified in the January 23, 1981, regulations at 46 FR 7846 would be part of the certification form. State agencies need not revise their certification form. Also, it is still at the discretion of the State agency to determine whether or not to verify a person's income.

G. William Hoagland, Administrator of the Food and Nutrition Service, has determined pursuant to 5 U.S.C. 553(b) and (d) that good cause exists for making this rule effective earlier than 30 days after publication because Public Law 97–35 mandates that this rule be effective on August 13, 1981. Solicitation of public comments is unnecessary and

contrary to the public interest because the provisions of this rule are nondiscretionary. It is impracticable for the agency to follow the procedures of Executive Order 12291 if the eligibility provisions mandated under Public Law 97–35 are to be achieved.

Since the authorizing legislation for the WIC Program is tied to Section 9 of the National School Lunch Act for the purpose of establishing income criteria, the Department will use the wording contained in the authorizing legislation when discussing the maximum income standard for WIC in 7 CFR Part 246. Specific income criteria by family size will be published by notice annually for use by State and local agencies administering the WIC Program. A notice effecting the new criteria in accordance with this regulation and Public Law 97–35 appears in this edition of the **Federal Register**.

(Child Nutrition Amendments of 1978, Public Law 95–627, Section 3, 92 Stat. 3614, and Omnibus Budget Reconciliation Act of 1981, Public Law 97–35, August 13, 1981)

PART 246—SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN

Therefore, Part 246 is amended as follows:

1. In § 246.7:

a. Paragraph (b)(2) is revised;

b. The second sentence of paragraph (c)(2) is revised;

c. Paragraph (c)(3)(ii) is revised; and

d. Paragraph (h)(3) is revised.

The changes read as follows:

§ 246.7 Certification.

* * * * *

(b) * * *

(2) The State agency shall provide the local agencies with income guidelines and procedures to be used in income determinations which establish eligibility for the program. The State agency may prescribe different income limits for use by different local agencies as long as these limits are used by the local agencies for eligibility for free and reduced price health care. The income guidelines established by the State agency for use in any local agency shall not be less than the applicable State or local income limit for free or reduced price health care. In any event, the State agency's income guidelines shall not be greater than the income criteria established under Section 9 of the National School Lunch Act for reduced price school meals not less than 100 percent of the income poverty guidelines for each family size. Each State agency shall annually announce and transmit to each local agency the State agency's family size income guidelines to be used in making income determinations immediately, and after that, each July 1 unless changes in the income poverty guidelines do not affect the State agency's income guidelines. State and local agencies submit to the new income guidelines shall apply them immediately, and in subsequent years by July 1, to all applicants at certification.

* * * * *

(c) * * *

(2) * * * The State agency's definition of income may include deductions from income for expenses due to hardships if the State agency can demonstrate that a household's gross income does not exceed the income criteria for reduced price school meals as provided for in Section 9 of the National School Lunch Act. * * *

(3) * * *

(ii) When determining eligibility for the WIC Program, income or benefits from the following programs are excluded from consideration:

(A) Reimbursements from the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91–646, section 216).

(B) Any payment to volunteers under Title II (RSVP, foster grandparents, and others) and Title II (SCORE and ACE) of the Domestic Volunteer Service Act of 1973 (Public Law 93–113, section 404(g)) as amended. Payments under Title I, part A, (VISTA) to volunteers shall be excluded for those individuals receiving food stamps or public assistance at the time they joined VISTA.

(C) Income derived from certain submarginal land of the United States which is held in trust for certain Indian tribes (Public Law 94–114, section 6).

(D) Payments or allowances received pursuant to the Home Energy Assistance Act of 1980 (Public Law 96–223, Title III, Section 313(c)(1)).

(E) Payments received from the youth employment demonstration programs (Public Law 95–524, Title IV, part A, section 446).

(F) Income derived from the disposition of funds to the Grand River Band of Ottawa Indians (Public Law 94–540, section 6).

(G) The value of assistance to children or their families under the National School Lunch Act, the Child Nutrition Act of 1966 and the Food Stamp Act of 1977.

* * * * *

(h) * * *

(3) Information regarding the person's income eligibility for the program as specified in paragraph (c)(1) of this section.

* * * * *

Note.—This regulation does not contain reporting and recordkeeping requirements subject to approval by OMB under the Paperwork Reduction Act.

(Catalog of Federal Domestic Assistance Program No. 10.577, National Archives Reference Service)

Dated: September 9, 1981.

Darrel E. Gray,

Acting Administrator, Food and Nutrition Service.

[FR Doc. 81-27798 Filed 9-24-81; 8:45 am]

BILLING CODE 3410-30-M

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Determining Eligibility for Special Supplemental Food Program for Women, Infants and Children; Income Proverty Guidelines

AGENCY: Food and Nutrition Service, USDA.

ACTION: Notice.

SUMMARY: The Department announces income poverty guidelines to be used by State agencies in determining income eligibility for participation in the Special Supplemental Food Program for Women, Infants and Children (WIC Program). These income poverty guidelines are to be used in conjunction with the final regulation on eligibility criteria published in this edition of the **Federal Register** at 46 FR which implements provisions of Public Laws 95–627 and 97–35 regarding income criteria standards.

EFFECTIVE DATE: As required by Public Law 97–35, these provisions are effective upon the date of enactment of legislation which was August 13, 1981.

IMPLEMENTATION DATE: State and local agencies currently using income eligibility standards that are greater than the figures outlined in this notice for 185 percent of the Office of Management and Budget's (OMB's) nonfarm income proverty guidelines must begin applying the new income eligibility standards at the time of each regular certification.

FOR INFORMATION CONTACT: Barbara Hallman, Chief, Policy and Program Development Branch, Supplemental Food Programs Division, U.S. Department of Agriculture, FNS, Washington, D.C. 20250, (202) 447–8421.

SUPPLEMENTARY INFORMATION:

Nonmajor Economic Impact

The final action has been reviewed under USDA procedures established in Secretary's Memorandum 1512–1 to implement Executive Order 12291, and has been determined to be nonmajor. The final action will not have an annual effect on the economy of $100 million or more, will not cause a major increase in costs or prices, and will not have a significant economic impact on competition, employment, investment, productivity, innovation, or on the ability of the U.S. enterprises to compete. The final action has been reviewed with regard to the requirements of Public Law 96–354 and will not have a significant economic impact on a substantial number of small entities.

History of Income Eligibility

Public Law 95–627, enacted on November 10, 1978, requires the Secretary to establish income criteria, to be used with nutritional risk criteria, to be used in determining a person's eligibility for participation in the WIC Program. The law provides that persons will be eligible for the WIC Program only if they are members of families that satisfy the income standard prescribed for reduced price school meals under section 9 of the National School Lunch Act. Under Public Law 97–35, enacted August 13, 1981, the income limit for reduced price school meals is 185 percent of the OMB's nonfarm income poverty guidelines. No standard deduction nor hardship deductions are allowed when calculating a family's income using 185 percent of the income poverty guidelines. These guidelines are to be adjusted annually for changes in the Consumer Price Index each July 1.

The Department published an emergency final rule in Part IV of this issue of the **Federal Register** implementing the provisions of Public Laws 95–627 and 97–35 which require State agencies to set an income limit on eligibility to participate in the WIC Program. The rule specifies that State agencies establish income guidelines that are not less than the guidelines that have been established for State or local free or reduced price health care, except that the State agency's income standard may not be greater than the income criteria established under Section 9 of the National School Lunch Act for reduced price school meals nor less than 100 percent of the income poverty guidelines for each family size.

New Income Levels

At this time the Department is publishing the maximum and minimum income limits by household size for the period from the effective date of this notice to June 30, 1982. The first table of this notice contains the income limits by household size for the 48 States, District of Columbia and Territories excluding Guam. Because the income poverty guidelines for Alaska, Hawaii and Guam are higher than for the 48 States, a separate table has been included for the convenience of those State agencies.

Effective From August 13, 1981 to June 30, 1982

[48 States, District of Columbia, Territories Excluding Guam]

Family size	Poverty guidelines (100 percent) (yearly)	185 percent RP lunches (yearly)
1	4,310	7,970
2	5,690	10,530
3	7,070	13,080
4	8,450	15,630
5	9,830	18,190
6	11,210	20,740
7	12,590	23,290
8	13,970	25,840
For each additional family member add	1,380	2,550
Alaska		
1	5,410	10,010
2	7,130	13,190
3	8,850	16,370
4	10,570	19,550
5	12,290	22,740
6	14,010	25,920
7	15,730	29,100
8	17,450	32,280
For each additional family member add	1,720	3,180
Hawaii and Guam		
1	4,980	9,210
2	6,560	12,140
3	8,140	15,060
4	9,720	17,980
5	11,300	20,910
6	12,880	23,830
7	14,460	26,750
8	16,040	29,670
For each additional family member add	1,580	2,920

(Child Nutrition Amendments of 1978, Public Law 95–627, Section 3, 92 Stat. 3614, and Omnibus Budget Reconciliation Act of 1981, Public Law 97–35 (August 13, 1981))

Dated: September 9, 1981.

Darrel E. Gray,

Acting Administrator, Food and Nutrition Service.

[FR Doc. 81–27789 Filed 9–24–81; 8:45 am]

BILLING CODE 3410–30–M

federal register

Friday
September 25, 1981

Part V

Environmental Protection Agency

Hazardous Waste Management System: Identification and Listing of Hazardous Waste

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 261

[SW-FRL 1921-6]

Hazardous Waste Management System: Identification and Listing of Hazardous Waste

AGENCY: Environmental Protection Agency.

ACTION: Interim final rule with request for comments.

SUMMARY: The Environmental Protection Agency is today revising the regulations for hazardous waste management under the Resource Conservation and Recovery Act to conditionally exempt from regulation waste samples and other samples collected for the purpose of monitoring or testing. EPA is taking this action because the Agency believes that the risk posed to human health and the environment from the management of these samples is not substantial and that the full set of hazardous waste regulations is in many ways inappropriate for these samples. This amendment will substantially reduce the regulatory burden to those individuals who have applied the regulations for hazardous waste management to managing these samples.

DATES: Interim final rule effective September 25, 1981; the Agency will accept comments on this amendment until November 24, 1981.

ADDRESSES: Comments on this amendment should be sent to the Docket Clerk (Docket No. 3001/Samples Exemption), Office of Solid Waste (WH-562), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460.

The public docket for this interim final rule is located in Room 2711, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460. The public docket is available for viewing from 9:00 a.m. to 4:00 p.m. Monday through Friday, except on legal holidays.

FOR FURTHER INFORMATION CONTACT: RCRA Hotline, toll free at (800) 424-9346, or at (202) 554-1404. For technical information contact Claire Welty, Office of Solid Waste (WH-565), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460, (202) 755-9187.

SUPPLEMENTARY INFORMATION:

I. Introduction

Beginning in February and May of 1980, as part of its regulations to implement Subtitle C of the Resource Conservation and Recovery Act (RCRA), as amended, EPA promulgated a series of regulations which define solid waste and hazardous waste (Part 261), and establish requirements applicable to generators (Part 262), transporters (Part 263), and persons who treat, store and dispose of hazardous wastes (Parts 264 through 267). These regulations also require owners and operators of hazardous waste treatment, storage and disposal facilities to obtain EPA permits under RCRA (Parts 122 and 124). These regulations are designed to ensure the proper handling and management of hazardous wastes from their generation to ultimate disposition.

Persons wishing to determine whether a waste which they generate is hazardous normally collect a sample of the waste and send the waste sample to an analytical laboratory for testing, although testing is not required by the regulations. Testing may include a determination of the sample's characteristics or analysis for specific constituents. Samples of ground water, surface water, or soil which are collected pursuant to monitoring requirements or are suspected of being contaminated by a hazardous waste from a spill, leak, or accident may also be sent to an analytical laboratory for testing. Another case where samples are shipped to laboratories for testing is during the permitting process for hazardous waste incinerators where samples of incinerator scrubber water, stack emissions, and ash are collected for analysis.

In any of these cases (collectively referred to as "samples"), results may show that a sample is hazardous. Because the hazardous waste management regulations do not make special provision for sample management, these samples are regulated in the same manner as any other hazardous waste.[1] Among other things, this means that these samples may only be shipped to a RCRA-permitted facility for testing. Facilities which analyze or characterize samples for RCRA purposes must obtain an EPA identification number in order to legally receive such samples.

In addition, regulation of these samples means that they must be manifested, packaged, labeled, marked, placarded and otherwise managed according to Parts 262 and 263 when they are shipped to an off-site laboratory. The regulations also require that these samples be stored in facilities that have a RCRA permit or interim status or, where applicable, in facilities covered by § 262.34 (stored on-site for 90 days or less).

[1] It should be noted that if these samples are generated by small quantity generators, these samples are conditionally excluded, as defined in § 261.5.

II. Reason and Rationale for Amendment

Many commenters have expressed the opinion that applying the full set of Subtitle C requirements to samples, as described above, is inappropriate. After re-examining the regulations, in light of these comments, the Agency agrees that the strict application of the regulations to these samples does not further the basic goals of RCRA. The Agency believes that the applicable requirements of the May 19, 1980 regulations, when applied to these samples, are more comprehensive than necessary to adequately protect human health and the environment. Therefore, EPA is now amending Part 261 to exclude samples from the hazardous waste regulations under certain conditions.

In brief, EPA is making the following changes to, and clarifications of, the rules. First, samples are excluded from the generator and transporter requirements when shipped from the generator or any other person who collects the sample (the "sample collector") to a laboratory or from a laboratory back to the sample collector provided that certain minimal packaging and labeling requirements are met. Second, samples are excluded from the storage requirements until the decision is made to discard the sample. Third, testing of the samples does not require a treatment permit. Finally, persons managing such samples will not be required to notify EPA under Section 3010 with respect to the samples. The specific reasons for these changes are discussed below.

A. Conditional Exclusion of Samples from the Generator and Transporter Requirements

The principal purposes of the generator and transporter requirements in Parts 262 and 263 are to assure that shipments of hazardous wastes are safely transported and delivered to an appropriate destination, that is, a permitted or interim status hazardous waste management facility. This is accomplished through the requirements of recordkeeping, reporting, packaging, and manifesting hazardous wastes. For samples, however, EPA believes that certain incentives exist to achieve these purposes without subjecting the samples to the full set of generator and transporter requirements.

In the case where a sample collector is shipping a sample to a laboratory, he has two basic incentives for properly labeling, packaging, and shipping the sample. First, he has spent the money to collect, preserve and store the sample once, and would prefer not to have to spend the money to do it again. More importantly, he needs to know the results before he can further comply with RCRA or other Federal, State or local environmental regulations, which in some cases may affect decisions on production or capital expenditures.

In the case where a laboratory is shipping a sample back to the sample collector, the laboratory has two basic incentives for proper labeling, packaging, and shipping the sample. First, the sample's return may be part of the contractual arrangement with the sample collector (the sample collector sometimes wishes to have a sample returned to him to protect proprietary information or to be able to mix the sample with the bulk of this waste or other sampled material for subsequent treatment or disposal). Secondly, if a laboratory returns a sample to a sample collector, he avoids the cost of disposing of the sample.

Thus, because of these incentives for proper management, the manifest and packaging requirements of Parts 262 and 263 are not essential to control and alleviate poor management practices in the transportation of samples from the sample collector to the laboratory or from the laboratory back to the sample collector. Furthermore, in several cases Department of Transportation (DOT) and other regulations and guidelines control the transportation of such samples even in the absence of EPA regulations.

DOT regulations govern the shipment of hazardous materials, including samples, in interstate commerce and by interstate carriers. In the case of intrastate commerce, most states have adopted the Federal DOT regulations for the shipment of hazardous materials. The DOT regulations cover samples which present acute or immediate hazards (radioactive materials, flammable and combustible materials, oxidizers, corrosive materials, poisons) and require that samples of hazardous materials be packaged and labeled properly. Additionally, the U.S. Postal Service (USPS) (in its Domestic Mail Manual, Part 124 and its Publication 52, Acceptance of Hazardous or Perishable Articles) has stringent guidelines governing the shipment of similar hazardous materials including samples. The DOT and USPS regulations would only be useful, of course, when a collector of a sample has some idea of the hazard posed by the sample. In the case where the sample collector determines, to the best of his knowledge, that the sample does not meet the definition of hazardous material, the DOT and USPS regulations do not apply.

EPA's information indicates that samples collected for analytical or characterization purposes are usually shipped in quantities under a gallon in size. The combination of the small quantities shipped and the existing incentives and regulations suggests that the full complement of generator and transporter requirements is not necessary in this case.

However, while EPA does not believe that the transportation of samples requires the transportation controls of Parts 262 and 263 that currently apply to hazardous wastes, the Agency does believe that some regulations are necessary to augment the market incentives and other regulations and guidelines discussed above. Consequently, EPA is amending current regulations to exempt these samples from the generator and transporter requirements of Parts 262 and 263, provided that certain requirements are met. These general requirements are discussed in Section III.

The Agency considered, but has rejected for now, applying a quantity limit to the samples covered by today's amendment. Based on information which EPA solicited from a number of laboratories, the Agency is aware that common practices and costs of sample collection and testing limit the size of the samples typically shipped. Typically no more than one gallon is needed to completely characterize a sample for purposes of compliance with RCRA or other Federal, State or local environmental regulations. The Agency invites comments and data on shipping practices, and will consider a quantity limitation if comments or experience show that large shipments of samples do occur. It should be noted that this amendment does not cover the large-size samples which are used in treatability or other testing at pilot scale or experimental facilities.

EPA also considered requiring compliance with all Subtitle C regulations if the quantity of the sample exceeds the small quantity generator limit set forth in § 261.5 (c)(1) and (c)(2). Those provisions set a lower quantity exclusion limit for generators of certain acutely hazardous wastes (1 kilogram per month) than do the general provisions for small quantity generators (1,000 kilograms per month) which are set forth in § 261.5 (a) and (b). EPA does not believe that a § 261.5 (c)(1) and (c)(2) exemption is necessary for samples because the acutely hazardous wastes include the commercially pure grade of a chemical, any technical grades of the chemical that are produced or marketed, and all formulations in which the chemical is the sole active ingredient, whose identity is already established. Thus, it would be unnecessary to ship such chemical wastes to laboratories for analysis.

B. Exclusion of Samples from the Storage Requirements

Parts 264 and 265 establish standards for owners and operators of facilities that store hazardous wastes. Part 122 requires these owners and operators to obtain permits for these facilities. In addition, § 262.34 establishes requirements for generators who accumulate hazardous wastes for less than 90 days before these wastes are sent to an on-site or off-site treatment, storage or disposal facility. Currently these requirements apply to samples which are accumulated or stored incident to their collection and testing.

Samples may be stored at several points in the testing process. First, samples are accumulated and possibly stored for a short time between collection and transport to an off-site laboratory or delivery to an on-site laboratory. Second, samples are typically held or stored in the laboratory between receipt and analysis and sometimes between various analytical steps. These holding or storage periods can range from hours to weeks. Finally, samples are sometimes saved for several years for additional and future analyses. Such analyses may be necessary to confirm original analytical results or to test for additional constituents or properties. Samples may also be stored by the laboratory for a specific purpose, such as when waiting until conclusion of a court case or enforcement action.

EPA believes that these storage activities do not pose sufficient hazard to human health or the environment to warrant the rigorous controls currently required by the regulations. There are several built-in incentives to provide safe and careful storage. First, the sample collector has an incentive to properly store a sample before shipment because he has invested the resources to collect the sample and needs results to determine whether he must comply with the RCRA requirements for the waste in question. Secondly, once the sample reaches a laboratory, the laboratory has the incentive to store the waste properly. Without the samples, the

laboratory could not do the work for which it is being paid. The laboratory's reputation and ability to retain customers depends on its ability to deliver results.

Furthermore, the quantity of samples in storage at any one time is usually small compared to the quantities of hazardous wastes in other storage facilities, posing a much lower risk to human health and the environment should an accident occur. Based on these facts, the Agency is exempting the accumulation and storage of samples from the requirements of Parts 264 and 265 and § 262.34.

This exemption lasts only until the laboratory has completed its work and has no reason to continue to store the sample. At that point, there is no reason for the lab to treat the storage of samples any differently from the storage of any other hazardous waste. Thus, if a laboratory were storing samples on an indefinite or permanent basis for no special purpose, the lab could not qualify for this exemption.

C. Clarification of Treatment Requirements

Parts 264 and 265 establish standards for owners and operators of facilities that treat hazardous wastes. As defined in § 260.10(a), treatment means "any method, technique, or process, including neutralization, designed to change the physical, chemical or biological character or composition of any hazardous waste so as to neutralize such waste, or so as to render such waste non-hazardous, or less hazardous; safer to transport, store or dispose of; or amenable for recovery, amenable for storage, or reduced in volume." Some persons have apparently concluded that laboratory *testing* meets the definition of treatment and, therefore, that laboratories are treatment facilities. This interpretation is incorrect. Testing is performed to identify the composition or characteristics of the sample, not for the purposes set forth in the definition of treatment in § 260.10(a). Since laboratories are not conducting treatment of samples by the act of testing, they do not need a permit to conduct this testing.[2]

D. Exclusion of Samples from the Notification Requirements

Because samples which are generated or stored as described above are no longer subject to Parts 262 through 267 by this exemption, persons managing these samples are not required to notify EPA under RCRA Section 3010. It should be noted, however, that laboratories *generating* hazardous waste are still obligated to notify EPA under Section 3010 and comply with the applicable Subtitle C requirements unless they are conditionally excluded under the small quantity generator provision in § 261.5.

III. Today's Amendment

In order to exclude samples as discussed above, EPA is today adding a new paragraph to § 261.4, a section which provides various exclusions from the regulations. This new paragraph allows samples to be excluded from the hazardous waste regulations (40 CFR Parts 261 through 267 and Parts 122 and 124) and the RCRA Section 3010 notification requirements in six situations: Namely, (1) when the sample is transported to a laboratory for testing; (2) when the sample is transported back to the sample collector after testing; (3) when the sample is stored by the sample collector before transport to a laboratory for testing; (4) when the sample is stored in the laboratory before testing; (5) when the sample is stored in the laboratory after testing but before its return to the sample collector and (6) when the sample is stored temporarily after testing for a specific purpose.

Requirements for labeling and packaging, however, must be followed. If a sample collector is able to determine that a sample meets the DOT definition of hazardous material or is subject to USPS requirements, then the sample collector must follow the applicable DOT or USPS labeling and packaging requirements. For samples which do not fall under DOT or USPS jurisdiction, the sample collector must follow the general requirements for labeling and packaging set forth by EPA in this amendment.

EPA is requiring that an address label or tag be attached to the sample which designates the testing laboratory or, if the sample is being returned to the laboratory's source of the sample, that the address label designate that source. In addition, the label should indicate the sample collector's name and a description of the sample as well as the quantity and date of shipment. This label will assure that basic information is available, if needed. The sample must be packaged so that it does not leak, spill or vaporize from its packaging. These packaging requirements reflect the minimum precautions which EPA believes necessary for safe shipment.

The Agency emphasizes that this rule does not cover the transportation, storage, treatment or disposal of wastes generated by a laboratory including samples which are discarded after analysis is completed, and other laboratory wastes.[3] A laboratory which performs waste treatment (such as incineration) or stores waste samples, chemical reagents, or other wastes prior to disposal must comply with the applicable RCRA Subtitle C requirements.

IV. Effective Date

Section 3010(b) of RCRA provides that EPA's hazardous waste regulations and revisions to the regulations take effect six months after promulgation. The purpose of this requirement is to allow persons handling hazardous wastes sufficient lead time to prepare and to comply with major new regulatory requirements. For the amendment promulgated today, however, the Agency believes that an effective date of six months after promulgation would cause unnecessary disruption in the implementation of the regulations and would not be in the public interest. Since this amendment reduces, rather than increases, the existing requirements for persons handling samples, there is no basis for allowing a lengthy period of time for persons managing samples to prepare for compliance. Therefore, this amendment takes effect immediately.

V. Interim Final Rule and Request for Comment

EPA is promulgating today's amendment as an interim final rule and is providing a 60-day comment period. The Agency believes that the public should have an opportunity to comment on the rule and, indeed, has specifically invited comment on certain issues raised by this rule. At the same time, the Agency believes that the rule should be put into effect during the comment period. To do otherwise would cause the regulated community to have to comply with the very requirements this amendment is designed to change.

Although the Agency does not adopt this procedure lightly, the circumstances indicate that the use of interim final promulgation is appropriate. As one court has noted, "[i]t is an appropriate safety valve to be used where delay would do real harm." *U.S. Steel Corp.* v. *EPA, 595 F.2d 207, 214 (5th Cir. 1979).* EPA believes that the effect of delaying promulgation of this amendment would be counterproductive, causing unnecessary hardship to a large number of persons handling samples. In this

[2] It should be noted that some laboratories engage in treatment activities which *do* meet the definition of treatment in § 260.10(a), such as in neutralizing spent reagents. Any special consideration of this type of treatment which the Agency may find to be necessary will be covered by another amendment.

[3] Hazardous wastes generated in laboratories include spent solvents and discarded chemical products.

situation, where the use of advance notice and comment procedures would be contrary to the public interest, good cause exists for adopting this amendment in interim final form. See 5 U.S.C. 553(b)(B).

VI. Regulatory Impact

Under Executive Order 12291, EPA must judge whether a regulation is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This interim final regulation is not major because it will not result in an effect on the economy of $100 million or more, nor will it result in an increase in costs or prices to industry. In fact, this regulation will reduce the overall costs and economic impact of EPA's hazardous waste management regulations. There will be no adverse impact on the ability of U.S. based enterprises to compete with the foreign based enterprises in domestic or export markets. Because this amendment is not a major regulation, no Regulatory Impact Analysis is being conducted.

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

VII. Regulatory Flexibility Act

Pursuant to the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, whenever an agency is required to publish general notice of rulemaking for any proposed or final rule, it must prepare and make available for public comment a regulatory flexibility analysis which describes the impact of the rule on small entities (i.e., small businesses, small organizations, and small governmental jurisdiction). The Administrator may certify, however, that the rule will not have a significant economic impact on a substantial number of small entities.

This amendment will generally have no adverse economic impact on small entities. Accordingly, I hereby certify that this final regulation will not have a significant economic impact on a substantial number of small entities. This regulation therefore does not require a regulatory flexibility analysis.

Dated: September 18, 1981.

Anne M. Gorsuch,

Administrator.

For the reasons set out in the preamble, Title 40 of the Code of Federal Regulations is amended as follows:

PART 261—IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

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

Authority: Secs. 1006, 2002(a), 3001, and 3002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6905, 6912(a), 6921, and 6922).

2. Section 261.4 is amended by adding paragraph (d) to read as follows:

§ 261.4 Exclusions.

* * * * *

(d) *Samples.* (1) Except as provided in paragraph (d)(2) of this section, a sample of solid waste or a sample of water, soil, or air, which is collected for the sole purpose of testing to determine its characteristics or composition, is not subject to any requirements of this part or Parts 262 through 267 or Parts 122 or 124 of this chapter or to the notification requirements of Section 3010 of RCRA, when:

(i) The sample is being transported to a laboratory for the purpose of testing; or

(ii) The sample is being transported back to the sample collector after testing; or

(iii) The sample is being stored by the sample collector before transport to a laboratory for testing; or

(iv) The sample is being stored in a laboratory before testing; or

(v) The sample is being stored in a laboratory after testing but before it is returned to the sample collector; or

(vi) The sample is being stored temporarily in the laboratory after testing for a specific purpose (for example, until conclusion of a court case or enforcement action where further testing of the sample may be necessary).

(2) In order to qualify for the exemption in paragraph (d)(1) (i) and (ii) of this section, a sample collector shipping samples to a laboratory and a laboratory returning samples to a sample collector must:

(i) Comply with U.S. Department of Transportation (DOT), U.S. Postal Service (USPS), or any other applicable shipping requirements; or

(ii) Comply with the following requirements if the sample collector determines that DOT, USPS, or other shipping requirements do not apply to the shipment of the sample:

(A) Assure that the following information accompanies the sample:

(*1*) The sample collector's name, mailing address, and telephone number;

(*2*) The laboratory's name, mailing address, and telephone number;

(*3*) The quantity of the sample;

(*4*) The date of shipment; and

(*5*) A description of the sample.

(B) Package the sample so that it does not leak, spill, or vaporize from its packaging.

(3) This exemption does not apply if the laboratory determines that the waste is hazardous but the laboratory is no longer meeting any of the conditions stated in paragraph (d)(1) of this section.

[FR Doc. 81-27918 Filed 9-24-81; 8:45 am]

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federal register

Friday
September 25, 1981

Part VI

Environmental Protection Agency

Hazardous Waste Permit Program; Interim Standards for Owners and Operators of New Hazardous Waste Land Disposal Facilities

Part VI

Environmental Protection Agency

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 122 and 267

[SWH-FRL 1919-4]

Hazardous Waste Permit Program; Interim Standards for Owners and Operators of New Hazardous Waste Land Disposal Facilities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of effective date of interim final rules.

SUMMARY: In accordance with a determination under Executive Order 12291, EPA is today confirming that the effective date of its February 13, 1981 interim standards for permitting new hazardous waste land disposal facilities is August 13, 1981 as originally scheduled.

DATE: The effective date for the interim final rules issued on February 13, 1981, in 40 CFR Parts 122, §§ 122.11(c) and 122.29, and in Part 267 is August 13, 1981.

FOR FURTHER INFORMATION CONTACT: Susan Dromm, (202) 755-9120, or the RCRA hazardous waste hotline, Office of Solid Waste (WH-565), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, 800/424-9346 (554-1404 in Washington, D.C.).

SUPPLEMENTARY INFORMATION: On February 13, 1981, EPA promulgated temporary permitting standards for four classes of new hazardous waste land disposal facilities—landfills, surface impoundments, land treatment facilities, and Class I underground injection wells—under the Resource Conservation and Recovery Act of 1976, as amended (RCRA). See 46 FR 12414 (February 13, 1981). These standards will allow EPA to issue permits to new land disposal facilities pending the development of permanent land disposal standards for new and existing facilities. As required by Section 3010(b) of RCRA, these standards were scheduled to take effect six months after date of promulgation—i.e., August 13, 1981.

Shortly after these standards were published, the President issued Executive Order 12291 which sets forth requirements for agency regulatory activities. Section 7 of the Order directs Federal agencies to postpone the effective date of major regulations that did not become effective prior to February 17, 1981, unless (1) the Agency has prepared a Regulatory Impact Analysis (RIA) on the rule or (2) the Agency finds that there is good cause for the rule to become effective without reconsideration and so notifies the Office of Management and Budget (OMB) at least 15 days before the effective date of the rule.

In accordance with Section 7 of the Executive Order, EPA notified OMB on July 29, 1981 that, for good cause, EPA intended to allow its February 13, 1981 permitting standards to go into effect as originally scheduled. The basis for EPA's decision, as explained in the preamble to the February 13 rule, is that in accordance with Section 3005(c) of RCRA and EPA's May 19, 1980 hazardous waste regulations, no new construction of hazardous waste land disposal facilities can commence until a RCRA permit is issued. RCRA permits, in turn, may be issued only after EPA has promulgated standards for permitting hazardous waste management facilities. Without these temporary permitting standards (40 CFR Part 267) the moratorium on construction of new facilities would continue until permanent Part 264 permitting standards are promulgated and become effective.

Accordingly, August 13, 1981 is the effective date of the Interim Standards for Owners and Operators of New Hazardous Waste Land Disposal Facilities, published as interim final on February 13, 1981.

Dated: September 18, 1981.

Anne M. Gorsuch,

Administrator.

[FR Doc. 81-28016 Filed 9-24-81; 8:45 am]

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The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

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DOT/FAA	USDA/FSIS**		DOT/FAA	USDA/FSIS**
DOT/FHWA	USDA/FSQS**		DOT/FHWA	USDA/FSQS**
DOT/FRA	USDA/REA		DOT/FRA	USDA/REA
DOT/MA*	MSPB/OPM		DOT/MA*	MSPB/OPM
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DOT/RSPA	HHS/FDA		DOT/RSPA	HHS/FDA
DOT/SLSDC			DOT/SLSDC	
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CSA			CSA	

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday. Comments on this program are still invited.

Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

*Note: The Maritime Administration will begin Mon./Thurs. publication as of Oct. 1, 1981.
**Note: As of September 14, 1981, documents received from Food Safety and Inspection Service (formerly Food Safety and Quality Service) will no longer be assigned to the Tues./Fri. publication schedule.

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws.**

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