AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

10-21-81
Vol. 46 No. 203
Pages 51591-51704

federal register

Wednesday
October 21, 1981

Highlights

51591 **Adjustments of Certain Rates of Pay and Allowances** Correction to Executive Order 12330

51683 **Postal Service** PS publishes new postal rates and fees.

51698 **Foreign Assistance** State determines that it is in the national interest to furnish assistance to Nicaraguan Private Sector Organizations.

51699 **Securities** Treasury/Sec'y announces auction of Series W–1983 notes.

51631 **Cable Television** Copyright Royalty Tribunal considers adjusting certain cable television royalty rates.

51631 **Jukebox** Copyright Royalty Tribunal requests comments on controversy concerning distribution of 1980 jukebox royalty fees.

51646 **Drugs** HHS/HCFA issues list of drug products that lack substantial evidence of effectiveness for all labeled indications.

51615 **Radar** FCC revises regulation which required certain ships to carry tools and spare parts for compulsory radar systems.

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

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

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51621 **Regulatory Flexibility Act** FMCS

51702 **Sunshine Act Meetings**

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Presidential Documents

CORRECTION

Title 3—

The President

Executive Order 12330 of October 15, 1981

Adjustments of Certain Rates of Pay and Allowances

Executive Order 12330 was printed in the **Federal Register** issue of October 16, 1981, at 46 FR 50921. Parts II through IV of Schedule 5, which were inadvertently omitted, are printed below.

Billing code 3195-01-M

Part II-Basic Allowance For Subsistence Rates

Officers (per month)	$94.39
Enlisted members (per day):	
When on leave or authorized to mess separately	4.50
When rations in-kind are not available	5.09
When assigned to duty under emergency conditions where no messing facilities of the United States are available	6.73

Part III - Monthly Basic Allowance for Quarters Rates

Pay grade	Without dependents		With dependents
	Full rate	Partial rate[1]	
Commissioned officers:			
O-10	$489.00	$50.70	$611.70
O-9	489.00	50.70	611.70
O-8	489.00	50.70	611.70
O-7	489.00	50.70	611.70
O-6	438.90	39.60	535.50
O-5	404.70	33.00	487.20
O-4	360.30	26.70	434.70
O-3	316.80	22.20	390.90
O-2	275.10	17.70	348.00
O-1	214.80	13.20	279.60
Warrant officers:			
W-4	347.10	25.20	419.10
W-3	309.60	20.70	381.60
W-2	269.10	15.90	342.60
W-1	243.00	13.80	314.70
Enlisted members:			
E-9	261.90	18.60	368.70
E-8	241.50	15.30	340.50
E-7	205.50	12.00	316.80
E-6	186.60	9.90	291.60
E-5	179.40	8.70	267.90
E-4	158.10	8.10	235.50
E-3	141.30	7.80	205.50
E-2	124.80	7.20	205.50
E-1	117.90	6.90	205.50

1 Payable to a member without dependents who, under section 403 (b) or (c) of title 37, United States Code, is not entitled to receive a basic allowance for quarters.

Part IV - Monthly Rate of Cadet or Midshipman Pay

The rate of monthly cadet or midshipman pay authorized by sec. 203(c) of title 37 of the United States Code is increased to $461.40.

Billing code 3195-01-C

Rules and Regulations

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 28

Cotton Fiber and Processing Tests

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: The schedule of fees for performing cotton fiber and processing tests as revised in the interim final rule published June 5, 1981 (46 FR 30073), to reflect increased costs in providing the service, is made final.

EFFECTIVE DATE: October 21, 1981.

FOR FURTHER INFORMATION CONTACT: Harvin R. Smith, Chief, Standards and Testing Branch, Cotton Division, Agricultural Marketing Service, Washington, D.C. 20250, (202) 447–2167.

SUPPLEMENTARY INFORMATION: This final rule has been reviewed under USDA procedures established in accordance with Executive Order 12291, and has been classified "nonmajor." William T. Manley, Deputy Administrator, Marketing Program Operations, has determined that this action will not have a significant impact on a substantial number of small entities.

Early harvested cotton from the 1981–82 crop was received by the Cotton Division for fiber testing services during the month of July 1981. To insure uniformity in the fee structure for the entire 1981–82 season, it was necessary to make the revised fees effective July 1, 1981. Except for the revision of the fees, the other amendments to the regulations were minor and nonsubstantive in nature. Due to the nearness of such an effective date, an interim final rule with a comment period was necessary. No comments were received.

Accordingly, for the reasons and purposes stated in the interim final rule published June 5, 1981 (46 FR 30073), the amendments made to §§ 28.950, 28.952, 28.955, and 28.956 (Prescribed Fees) of Part 28, Title 7, Code of Federal Regulations, by the said interim final rule are hereby made final, without any change.

Dated: October 16, 1981.

Eddie F. Kimbrell,

Acting Deputy Administrator.

[FR Doc. 81–30462 Filed 10–20–81; 8:45 am]

BILLING CODE 3410–02–M

7 CFR Part 47

Rules of Practice Under the Perishable Agricultural Commodities Act; Administrative Determination of Who Is a Responsibly Connected Person

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: The rules setting forth the administrative procedures for determining who is a responsibly connected person under the Perishable Agricultural Commodities Act are being revised to redesignate the individuals eligible for appointment as presiding officer because of a departmental reorganization.

EFFECTIVE DATE: October 21, 1981.

FOR FURTHER INFORMATION CONTACT: Michael D. Price, 202–447–4180.

SUPPLEMENTARY INFORMATION: This final action has been reviewed in relation to the requirements of Executive Order 12291, and it has been determined that the action is not a major rule as defined by that Order. It will not result in an annual effect on the economy of $100 million or more. The rule redesignates who may serve as presiding officer in a proceeding appealing the Chief's determination that the petitioner was responsibly connected with a licensee under the Perishable Agricultural Commodities Act, 1930, as amended (7 U.S.C. 499a *et seq.*), as that term is defined in the Act, whose license was suspended or revoked or which was found to have committed flagrant and/or repeated violations of the Act. The redesignation thus will not result in a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions. Additionally, the redesignation will not significantly and adversely affect competition, employment, investment, productivity, innovation or the ability of United States based enterprises to compete with foreign based enterprises and will not affect foreign trade, since the redesignation does not affect the rights and status of licensees or those responsibly connected with licensees under the Act.

This final action has been reviewed in relation to the requirement of the Regulatory Flexibility Act of 1980 (Pub. L. 96–354, 94 Stat. 1164, September 19, 1980). The Administrator, Agricultural Marketing Service, has certified that this action does not have a significant impact on a substantial number of small entities. The redesignation simply changes the category of individual eligible to serve as presiding officer.

The reports and/or recordkeeping requirements under the Perishable Agricultural Commodities Act have been cleared by Office of Management and Budget in accordance with the Federal Reports Act of 1942 and the Paperwork Reduction Act.

Section 47.47(d) (7 CFR 47.47(d)) is being revised to delete the designation of the Deputy Administrator, Assistant Deputy Administrator, Director of Packer and Poultry Division, and Director of Livestock Marketing Division for Packers and Stockyards, Agricultural Marketing Service as presiding officer. These officials, due to a Departmental reorganization, are no longer available for such designation. In order to provide a forum for the hearing of such petitions, § 47.47(d) is amended to provide that any person whom the Administrator designates in writing may serve as presiding officer.

The rules of practice, of which section 47.47(d) is a part, are issued pursuant to the authority of section 15 of the Act (7 U.S.C. 499o).

It is necessary that this rule become effective immediately because there are presently several cases pending which require resolution as soon as possible. Such action will protect rather than adversely affect the interests and rights of interested parties. Therefore, it is found for good cause that it is unnecessary and impracticable to give notice of proposed rulemaking or to

provide a 30-day notice prior to the effective date.

PART 47—RULES OF PRACTICE UNDER THE PERISHABLE AGRICULTURAL COMMODITIES ACT

Accordingly, § 47.47 is amended by revising paragraph (d) to read as follows:

§ 47.47 Additional definitions.

* * * * * *

(d) "Presiding Officer" means any person designated in writing by the Administrator to preside at a hearing held pursuant to the rules under this part.

* * * * *

Done at Washington, D.C., October 14, 1981.

Eddie F. Kimbrell,

Acting Deputy Administrator.

[FR Doc. 81-30367 Filed 10-20-81; 8:45 am]

BILLING CODE 3410-02-M

Animal and Plant Health Inspection Service

7 CFR Part 319

Seeds of Glycine spp., Dolichos spp., Pachyrhizus spp., Phaseolus spp., Pueraria spp., and Vigna spp., Imported Into the United States From Brazil

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of final rule.

SUMMARY: This action affirms the final rule which amended the "Nursery Stock, Plants, Roots, Bulbs, Seeds, and Other Plant Products" regulations to require seeds of *Glycine* spp. (soybean), *Dolichos* spp. (lablab), *Pachyrhizus* spp. (yam bean root, jicama), *Phaseolus* spp. (bean), *Pueraria* spp. (Chinese yam, kudzu bean, kudzu vine), and *Vigna* spp. (cowpea, catjang, asparagus bean, black-eyed pea, moth bean, adzuki bean) imported into the United States from Brazil to be treated for possible infection with soybean rust at the time of importation. This is necessary in order to prevent the introduction of soybean rust into the United States.

EFFECTIVE DATE: October 21, 1981.

FOR FURTHER INFORMATION CONTACT: Frank Cooper, Staff Officer, Regulatory Support Staff, Plant Protection and Quarantine, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Room 635 Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8248.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

The final rule has been determined to be not a "major rule" under Executive Order 12291 and Secretary's Memorandum No. 1512-1. Based on information compiled by the Department, it has been determined that the rule will not have a significant effect on the economy; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; and will not have a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The final rule imposes restrictions on the importation into the United States of seeds of *Glycine* spp., *Dolichos* spp., *Pachyrhizus* spp., *Phaseolus* spp., *Pueraria* spp., and *Vigna* spp. from Brazil. Few, if any, of such seeds from Brazil were being imported prior to the promulgation of the final rule and few if any, of such seeds from Brazil are currently being imported.

Under the final rule such seeds from Brazil are required to be treated with certain fungicides at the time of importation. The treatments are necessary to prevent the spread into the United States of soybean rust which attacks leaves and other parts of plants of *Glycine* spp., *Dolichos* spp., *Pachyrhizus* spp., *Phaseolus* spp., *Pueraria* spp., and *Vigna* spp., and can substantially reduce the yield or marketability of plants or products of these genera. The benefits of avoiding losses due to soybean rust far outweigh the minimal costs that could be imposed by the final rule. Further, it appears that there is no feasible alternative to consider concerning the requirement that agencies choose the alternative that maximizes net benefit to society at the lowest net cost.

Background

A document published in the **Federal Register** on July 25, 1980 (45 FR 49503-49504), amended § 319.37-6(e) of the "Nursery Stock, Plants, Roots, Bulbs, Seeds, and Other Plant Products" regulations (7 CFR 319.37-6(e)) to require seeds of *Glycine* spp. (soybean), *Dolichos* spp. (lablab), *Pachyrhizus* spp. (yam bean root, jicama), *Phaseolus* spp. (bean), *Pueraria* spp. (Chinese yam, kudzu bean, kudzu vine), and *Vigna* spp. (cowpea, catjang, asparagus bean, black-eyed pea, moth bean, adzuki bean) imported into the United States from Brazil to be treated for possible infection with soybean rust (*Phakopsora pachyrhizi* Syd.) at the time of importation. The amendment provides for the seeds to be treated for possible infection with soybean rust by dusting with Patterson's Multipurpose Fungicide (a zineb-captan formulation) at the rate of 1.05 ounces (approximately 29.77 grams) actual zineb per bushel (approximately 35.24 liters) or by treating with a slurry of Patterson's Multipurpose Fungicide at the rate of 0.74 ounces (approximately 20.98 grams) actual zineb per bushel (approximately 35.24 liters) of seeds. The document stated that the amendment was necessary as an emergency measure in order to prevent the introduction into the United States of soybean rust. The document also stated that the amendment became effective on July 22, 1980.

Written comments were solicited for 60 days after publication of the amendment and a public hearing was held on August 27, 1980. No written comments were received in response to the amendment and no comments were presented at the public hearing. The factual situations which were set forth in the document of July 25, 1980, still provide a basis for the amendment.

Accordingly, it has been determined that the final rule should remain effective as published in the **Federal Register** on July 25, 1980.

Authority: Section 106, 71 Stat. 33 (7 U.S.C. 150ee); Sections 5 and 9, 37 Stat. 316 and 318 (7 U.S.C. 159, 162); 37 FR 28464, 28477, as amended; 45 FR 8564, 8565.

Done at Washington, D.C., this 6th day of October 1981.

Harvey L. Ford,

Deputy Administrator, Plant Protection and Quarantine, Animal and Plant Health Inspection Service.

[FR Doc. 81-30467 Filed 10-20-81; 8:45 am]

BILLING CODE 3410-34-M

Federal Crop Insurance Corporation

7 CFR Parts 406 and 409

Arizona-California Citrus Crop Insurance Regulations

AGENCY: Federal Crop Insurance Corporation, USDA.

ACTION: Final rule.

SUMMARY: This final rule revises and reissues regulations for insuring citrus in Arizona (Desert Valley) and California in one CFR Part effective with the 1981 crop year. These regulations previously were contained in two separate CFR Parts (7 CFR Parts 406 and 409). This rule includes several changes designed

to improve the insurance program on the basis of sound insurance principles, and to reissue the regulations in a clearer, shorter, and simpler document which will make the program easier to understand and more effective administratively. This rule is promulgated under the authority of the Federal Crop Insurance Act, as amended, and is intended to confirm a previously published Interim Final Rule.

DATE: This final rule is effective October 21, 1981.

ADDRESS: Comments on this final rule may be sent to Wayne A. Fletcher, President and Acting Chairman, 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 Impact Statement describing the options considered in developing this Final Rule and the impact of implementing each option is available upon request from the above-named individual.

SUPPLEMENTARY INFORMATION: This action has been reviewed under USDA procedures established in Secretary's Memorandum No. 1512–1 (June 11, 1981), and has been classified as "not significant."

On June 25, 1981, FCIC published in the **Federal Register** (46 FR 32853) an Interim Final Rule revising and reissuing regulations for insuring citrus in Arizona (Desert Valley) and California (7 CFR Part 409) effective with the 1981 crop year. Wayne A. Fletcher, President and Acting Chairman of FCIC, determined that an emergency situation existed which warranted publication without a public comment period because there was not sufficient time to conduct such a public comment period before these regulations were required to be placed on file in the office for the county in order to be effective for the 1981 crop year.

Comments were solicited by FCIC for a period of 60 days following publication, but none were received before the August 24, 1981, deadline for such comments.

During the 60-day comment period, FCIC reviewed the application for citrus crop insurance in these regulations, as found in 7 CFR 409.7(d), and determined that a revised application should be used wherein a producer applying for crop insurance would complete the application and merely fill out the names of the crop(s) to be insured. Heretofore, a separate application was used for insuring each crop naming the crops to be insured, thus a producer applying for insurance on several different crops was required to fill out several applications. With this revised application, soon to be applied to all crops insured by FCIC, the amount of paperwork is greatly reduced.

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

In addition, FCIC is redesignating Appendix B to 7 CFR Part 409 to be Appendix A, listing the counties where citrus crop insurance is offered in Arizona and California. The Appendix listed in the table of contents is also changed to read Appendix A. This change eliminates confusion over two previous appendixes. Other minor corrections to language have also been made. None of these additional changes will have any effect on the present policyholder and will only affect future applicants for crop insurance.

In addition to combining several documents into an application, policy, an appendix which will be easier to understand, the revised regulations for insuring citrus in Arizona (Desert Valley) and California are combined into one overall regulation under 7 CFR Part 409, which formerly contained regulations for insuring citrus in the Arizona Desert Valley (7 CFR Part 409, Arizona Desert Valley Citrus Crop Insurance Regulations), appearing at 42 FR 39956 (August 8, 1977). Those regulations for insuring oranges in California as contained in 7 CFR Part 406 (California Orange Crop Insurance Regulations), appearing at 42 FR 39953 (August 8, 1977), are now contained in 7 CFR Part 409. 7 CFR Part 406 is removed and reserved.

In order to meet the mandate of the Federal Crop Insurance Act, as amended, to provide a program of insurance that is based on sound actuarial principles, FCIC has made several changes in both programs for citrus crop insurance previously operating in Arizona and California. The previous citrus and orange insurance programs in those States were steadily losing participation, proving costly to administer, experiencing high loss ratios, and not meeting the needs of growers in those areas. From 1969 to 1980, the number of orange contracts declined from 1,086 to 223, while the number of citrus contracts declined from 290 to 37. Research and discussions with growers and industry leaders indicated that the current program in both areas was not meeting the economic needs of the growers, resulting in many growers dropping their insurance. The provisions of the regulations contained in this action have been discussed with growers and industry leaders in the two-state area. The options considered were to adopt the plan in this action or to remain with the current program for another year. It was determined by all participants in the discussions that immediate changes should be made to the program to strengthen it and improve the benefits to policyholders.

As outlined below in the revised and reissued 7 CFR Part 409, the program is changed from a percent of damage program to a guaranteed production concept. In addition, insured causes of loss include unavoidable production loss resulting from adverse weather conditions, wildlife, earthquake or fire within the insurance period, and, for the first time, protection is offered against loss of production due to Mediterranean Fruit Fly damage. Other changes provide that (1) insurance will attach to acreage on which the trees have reached the sixth growing season after being set out, (2) by written agreement, insurance may attach on acreage with less than a 90 percent stand based on the original planting pattern, (3) production guarantees (as cartons of fresh fruit) are determined by multiplying 50, 65, or 75 percent, for coverage levels 1, 2, and 3, respectively, by the individual grower's most recent 6-year average yield, which reflects the grower's own yield rather than an area yield figure, (4) a premium adjustment table, providing maximum individual contract premium discounts for good insuring experience of up to 50 percent and premium increases for unfavorable insuring experience, replacing the good experience discounts provided for in the old policy, (5) any premium balance not paid by the termination date will receive a 9 percent charge with an additional 9 percent charge applying to any unpaid balance at the end of each subsequent 12-month period, (6) the 60-day period for filing a claim is eliminated, and (7) units may be divided according to applicable guidelines on file in the office for the county, or by written agreement.

It is expected that the revised and reissued program, as outlined below, will result in a strengthening of the economic position of insured growers and provide them with a better means to meet their financial obligations regardless of growing conditions. Further, the revised and reissued program more closely follows the intent of the Federal Crop Insurance Act, as

amended, assuring continuance of the program to protect citrus growers' production costs.

Melvin E. Sims, Chairman, 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 interim final rule 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 constitutes a review as to need, currency, clarity, and effectiveness of these regulations under the provisions of Secretary's Memorandum No. 1512–1. The sunset review date for these regulations (7 CFR Part 409) is established as June 1, 1986.

Final Rule

Accordingly, pursuant to the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*), FCIC hereby amends 7 CFR Chapter IV as follows:

PART 406—CALIFORNIA ORANGE CROP INSURANCE [Removed]

1. 7 CFR Part 406 is removed and reserved.

2. The Federal Crop Insurance Corporation hereby revises and reissues 7 CFR Part 409, effective with the 1981 crop year, to be known as the Arizona-California Citrus Crop Insurance Regulations, which shall remain in effect until amended or superseded, to read as follows:

PART 409—ARIZONA-CALIFORNIA CITRUS CROP INSURANCE

Subpart—Regulations for the 1981 and Succeeding Crop Years

Sec.

409.1 Availability of Arizona-California Citrus Insurance.
409.2 Premium rates, production guarantees, coverage levels, and prices at which indemnities shall be computed.
409.3 Reserved.
409.4 Creditors.
409.5 Good faith reliance on misrepresentation.
409.6 The contract.
409.7 The application and policy.
Appendix A, Counties Designated for Arizona-California Citrus Crop Insurance

Authority: Secs. 506, 516, Pub. L. 75–430, 52 Stat. 72, as amended (7 U.S.C. 1506, 1516)

§ 409.1 Availability of Arizona-California Citrus Insurance.

Insurance shall be offered under the provisions of this subpart on citrus in counties within limits prescribed by and in accordance with the provisions of the Federal Crop Insurance Act, as amended. The counties shall be designated by the Chairman of the Corporation from those approved by the Board of Directors of the Corporation. Before insurance is offered in any county, there shall be published in Appendix A to this part the names of the counties in which Arizona-California citrus insurance will be offered.

§ 409.2 Premium rates, production guarantees, coverage levels, and prices at which indemnities shall be computed.

(a) The Chairman shall establish premium rates, production guarantees, coverage levels, and prices at which indemnities shall be computed for Arizona-California citrus which shall be shown on the county actuarial table on file in the office for the county and may be changed from year to year.

(b) At the time the application for insurance is made, the applicant shall elect a coverage level and price at which indemnities shall be computed from among those levels and prices shown on the actuarial table for the crop year.

§ 409.3 [Reserved]

§ 409.4 Creditors.

An interest of a person in an insured crop existing by virtue of a lien, mortgage, garnishment, levy, execution, bankruptcy, or an involuntary transfer shall not entitle the holder of the interest to any benefit under the contract except as provided in the policy.

§ 409.5 Good faith reliance on misrepresentation.

Notwithstanding any other provision of the Arizona-California citrus insurance contract, whenever (a) an insured person under a contract of crop insurance entered into under these regulations, as a result of a misrepresentation or other erroneous action or advice by an agent or employee of the Corporation, (1) is indebted to the Corporation for additional premiums, or (2) has suffered a loss to a crop which is not insured or for which the insured person is not entitled to an indemnity because of failure to comply with the terms of the insurance contract, but which the insured person believed to be insured, or believed the terms of the insurance contract to have been complied with or waived, and (b) the Board of Directors of the Corporation, or the Chairman in cases involving not more than $20,000, finds (1) that an agent or employee of the Corporation did in fact make such misrepresentation or take other erroneous action or give erroneous advice, (2) that said insured person relied thereon in good faith, and (3) that to require the payment of the additional premiums or to deny such insured's entitlement to the indemnity would not be fair and equitable, such insured person shall be granted relief the same as if otherwise entitled thereto.

§ 409.6 The contract.

The insurance contract shall become effective upon the acceptance by the Corporation of a duly executed application for insurance on a form prescribed by the Corporation. The contract shall cover the citrus crop as provided in the policy. The contract shall consist of the application, the policy, the attached Appendix, and the provisions of the county actuarial table. Any changes made in the contract shall not affect its continuity from year to year. Copies of forms referred to in the contract are available at the office for the county.

§ 409.7 The application and policy.

(a) Application for insurance on a form prescribed by the Corporation may be made by any person to cover such person's insurable share in the citrus crop as landlord, owner-operator, or tenant. The application shall be submitted to the Corporation at the office for the county on or before the applicable closing date on file in the office for the county.

(b) The Corporation reserves the right to discontinue the acceptance of applications in any county upon its

determination that the insurance risk involved is excessive, and also, for the same reason, to reject any individual application. The Chairman of the Corporation is authorized in any crop year to extend the closing date for submitting applications or contract changes in any county, by placing the extended date on file in the office for the county and publishing a notice in the **Federal Register** upon the Chairman's determination that no adverse selectivity will result during the period of such extension: *Provided, however,* That if adverse conditions should develop during such period, the Corporation will immediately discontinue the acceptance of applications.

(c) The provisions of the application and Arizona-California Citrus Insurance Policy for the 1981 and succeeding crop years, and the Appendix to the Arizona-California Citrus Insurance Policy are as follows:

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Rev. 10-81)

UNITED STATES DEPARTMENT OF AGRICULTURE
FEDERAL CROP INSURANCE CORPORATION

CROP INSURANCE APPLICATION

CONTINUOUS CONTRACT

1 Name of Applicant — — —

Arizona-California Citrus Crop Insurance Policy

Terms and Conditions

Subject to the provisions in the attached Appendix:

1. CAUSES OF LOSS.

(a) Causes of loss insured against. The insurance provided is against unavoidable loss of production resulting from adverse weather conditions, wildlife, earthquake, fire, or Mediterranean Fruit Fly damage occurring within the insurance period, subject to any exceptions, exclusions or limitations with respect to causes of loss shown on the actuarial table.

(b) Causes of loss not insured against. The contract shall not cover any loss of production, as determined by the Corporation, due to (1) the neglect or malfeasance of the insured, any member of the insured's household, the insured's tenants or employees, (2) failure to follow recognized good farming practices, (3) damage resulting from the backing up of water by any governmental or public utilities dam or reservoir project, or (4) any cause not specified as an insured cause in this policy as limited by the actuarial table.

2. CROP AND ACREAGE INSURED.

(a) The crop insured shall be any of the insurable citrus types as defined in section 1(m) of the Appendix elected by the insured, located on insured acreage, for which the actuarial table shows a guarantee and a percentage premium rate, and in which the insured has a share on the date insurance attaches.

(b) The acreage insured for each crop year shall be that acreage of citrus located on insurable acreage as shown on the actuarial table, and the insured's share therein as reported by the insured or as determined by the Corporation, whichever the Corporation shall elect: *Provided*, That the trees have reached at least the sixth growing season after being set out.

(c) Insurance may attach only by written agreement with the Corporation on any acreage with less than 90 percent of a stand, based on the original planting pattern.

3. RESPONSIBILITY OF INSURED TO REPORT ACREAGE, SHARE AND YIELD.

The insured shall submit to the Corporation on a form prescribed by the Corporation, a report showing (a) all acreage of each insured citrus type in the county (including a designation of any acreage to which insurance does not attach) in which the insured has a share, (b) the insured's share therein at the time insurance attached, and (c) the most recent year's production records for the insurable acreage on each unit. Such report shall be submitted each year not later than December 10.

4. PRODUCTION GUARANTEES, COVERAGE LEVELS, AND PRICES FOR COMPUTING INDEMNITIES.

For each crop year of the contract, the production guarantees, coverage levels, and prices at which indemnities shall be computed shall be those shown on the actuarial table.

5. ANNUAL PREMIUM.

(a) The annual premium is earned and payable on the date insurance attaches and the amount thereof shall be determined by multiplying the insured acreage times the production guarantee per acre, times the price election per carton, times the percentage premium rate, times the insured's share on the date insurance attaches, times the applicable premium adjustment percentage in subsection (c) of this section.

(b) For premium adjustment purposes, only the years during which premiums were earned shall be considered.

(c) The premium shall be adjusted as shown in the following table:

PERCENT ADJUSTMENTS FOR FAVORABLE CONTINUOUS INSURANCE EXPERIENCE

Loss Ratio[1] through previous crop year	Number of years continuous experience through previous year															
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15 or more
	Percentage Adjustment Factor for Current Crop Year															
.00 to .20	100	95	95	90	90	85	80	75	70	70	65	65	60	60	55	50
.21 to .40	100	100	95	95	90	90	90	85	80	80	75	75	70	70	65	60
.41 to .60	100	100	95	95	95	95	95	90	90	90	85	85	80	80	75	70
.61 to .80	100	100	95	95	95	95	95	95	90	90	90	90	85	85	85	80
.81 to 1.09	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

[1] Loss Ratio means the ratio of indemnity(ies) paid to premium(s) earned.

PERCENT ADJUSTMENTS FOR UNFAVORABLE INSURANCE EXPERIENCE

Loss Ratio[1] through previous crop year	Number of loss years through previous year[2]															
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	Percentage Adjustment Factor for Current Crop Year															
1.10 to 1.19	100	100	100	102	104	106	108	110	112	114	116	118	120	122	124	126
1.20 to 1.39	100	100	100	104	108	112	116	120	124	128	132	136	140	144	148	152
1.40 to 1.69	100	100	100	108	116	124	132	140	148	156	164	172	180	188	196	204
1.70 to 1.99	100	100	100	112	122	132	142	152	162	172	182	192	202	212	222	232
2.00 to 2.49	100	100	100	116	128	140	152	164	176	188	200	212	224	236	248	260
2.50 to 3.24	100	100	100	120	134	148	162	176	190	204	218	232	246	260	274	288
3.25 to 3.99	100	100	105	124	140	156	172	188	204	220	236	252	268	284	300	300
4.00 to 4.99	100	100	110	128	146	164	182	200	218	236	254	272	290	300	300	300
5.00 to 5.99	100	100	115	132	152	172	192	212	232	252	272	292	300	300	300	300
6.00 and up	100	100	120	136	158	180	202	224	246	268	290	300	300	300	300	300

[1] Loss Ratio means the ratio of indemnity(ies) paid to premium(s) earned.
[2] Only the most recent 15 crop years will be used to determine the number of "Loss Years". (A crop year is determined to be a "Loss Year" when the amount of indemnity for the year exceeds the premium for the year.)

(d) Any amount of premium for an insured crop which is unpaid on the day following the termination date for indebtedness for such crop shall be increased by a 9 percent service fee, which increased amount shall be the premium balance, and thereafter, at the end of each 12-month period, 9 percent simple interest shall attach to any amount of the premium balance which is unpaid: *Provided*, When notice of loss has been timely filed by the insured as provided in section 7 of this policy, the service fee will not be charged and the contract will remain in force if the premium is paid in full within 30 days after the date of approval or denial of the claim for indemnity; *however*, if any premium remains unpaid after such date, the contract will terminate and the amount of premium outstanding shall be increased by a 9 percent service fee, which increased amount shall be the premium balance. If such premium balance is not paid within 12 months immediately following the termination date, 9 percent simple interest shall apply from the termination date and each year thereafter to any unpaid premium balance.

(e) Any unpaid amount due the Corporation may be deducted from any indemnity payable to the insured by the Corporation or from any loan or payment to the insured under any Act of Congress or program administered by the U.S. Department of Agriculture, when not prohibited by law.

6. INSURANCE PERIOD.

Insurance on insured acreage shall attach each crop year on December 1 prior to such crop year and shall cease upon the earliest of harvest, total destruction of the insured citrus crop, or August 31 (Navel Oranges and Southern California Lemons), November 30 (Valencia Oranges), or July 31 (all other types of citrus) of the calendar year following the normal year of bloom.

7. NOTICE OF DAMAGE OR LOSS.

(a) Any notice of damage or loss shall be given promptly in writing by the insured to the Corporation at the office for the county after insured damage to the citrus becomes apparent, giving the date(s) and cause(s) of such damage.

(b) If an indemnity is to be claimed on any unit, notwithstanding any prior notice of damage, the insured shall notify the office for the county of the intended date of harvest at least seven days prior to the start of harvest, and if damage occurs within the seven-day period prior to the start of or during harvest, notice of damage must be given immediately: *Provided*, That if harvest will begin after the calendar date for the end of the insurance period, the insured shall give written notice not later than the calendar date for the end of the insurance period. The Corporation reserves the right to provide additional time if it determines there are extenuating circumstances.

(c) The citrus on any insured acreage which is not to be harvested and upon which an indemnity is to be claimed shall be left intact until inspected by the Corporation.

(d) The Corporation may reject any claim for indemnity if any of the requirements of this section are not met.

8. CLAIM FOR INDEMNITY.

(a) It shall be a condition precedent to the payment of any indemnity that the insured (1) establish the total production of citrus on the unit and that any loss of production was directly caused by one or more of the insured causes during the insurance period for the crop year for which the indemnity is claimed and (2) furnish any other information regarding the manner and extent of loss as may be required by the Corporation.

(b) Indemnities shall be determined separately for each unit. The amount of indemnity for any unit shall be determined by (1) multiplying the insured acreage of citrus on the unit by the applicable guarantee per acre, which product shall be the guarantee for the unit, (2) subtracting therefrom the total production of citrus to be counted for the unit, (3) multiplying the remainder by the applicable price for computing indemnities, and (4) multiplying the result obtained in step (3) by the insured share: *Provided*, That if the premium computed on the insured acreage and share is more than the premium computed on the reported acreage and share, the amount of indemnity shall be computed on the insured acreage and share and then reduced proportionately: *Provided further*, That if the Corporation determines that frost protection equipment was not properly utilized or the use thereof not properly reported, the indemnity otherwise computed for the unit shall be reduced by the percentage of premium reduction allowed for frost protection equipment. It is the responsibility of the insured to provide the Corporation a record by dates showing each use of frost protection equipment including the starting and ending times for the period of use.

(c) The total production of cartons, as defined in the Appendix to this policy, to be counted for a unit shall be determined by the Corporation and shall include all harvested production which has been marketed as fresh packed fruit and all appraised production which, as determined by the Corporation, is marketable as fresh packed fruit.

(1) Any production shall be considered marketed or marketable as fresh packed fruit unless due to insurable causes, such production was not marketed or marketable as fresh packed fruit.

(2) In the absence of acceptable records to determine the disposition of harvested citrus, the Corporation shall determine such disposition and the amount of such production to be counted for the unit.

(3) Appraised production to be counted shall include: (i) any appraisals by the Corporation for potential production on any acreage and for uninsured causes and poor farming practices and (ii) not less than the applicable guarantee for any acreage which is abandoned or put to another use without prior written consent of the Corporation or damaged solely by an uninsured cause.

(4) The appraised potential production for acreage for which consent has been given to be put to another use shall be counted as production in determining the amount of loss under the contract. *However*, if consent is given to put acreage to another use and the Corporation determines that any such acreage (i) is not put to another use before harvest of the insured citrus type becomes general in the county, (ii) is harvested, or (iii) is further damaged by an insured cause before the acreage is put to another use, the indemnity for the unit shall be determined without regard to such appraisal and consent.

9. MISREPRESENTATION AND FRAUD.

The Corporation may void the contract without affecting the insured's liability for premiums or waiving any right, including the right to collect any unpaid premiums if, at any time, the insured has concealed or misrepresented any material fact or committed any fraud relating to the contract, and such voidance shall be effective as of the beginning of the crop year with respect to which such act or omission occurred.

10. TRANSFER OF RIGHT TO INDEMNITY ON INSURED SHARE.

If the insured transfers any part of the insured share during the crop year, the insured may transfer the right to an indemnity on an approved form. The insured shall be liable for the premium if such form is or is not executed. If such form is executed, the transferee shall have the same rights and responsibilities as the original insured for the current crop year.

11. RECORDS AND ACCESS TO FARM.

The insured shall keep or cause to be kept for two years after the time of loss, records of the harvesting, packout, storage, shipments, sale or other disposition of all citrus produced on each unit including separate records showing the same information for production from any uninsured acreage. Any persons designated by the Corporation shall have access to such records and the farm for purposes related to the contract.

12. LIFE OF CONTRACT: CANCELLATION AND TERMINATION.

(a) The contract shall be in effect for the crop year specified on the application and may not be canceled for such crop year. Thereafter, either party may cancel the insurance on any type of citrus for any crop year by giving a signed notice to the other on or before the cancellation date preceding such crop year.

(b) Except as provided in section 5(d) of this policy, the contract will terminate as to any crop year if any amount due the Corporation under this contract is not paid on or before the termination date for indebtedness preceding such crop year: *Provided*, That the date of payment for premium (1) if deducted from an indemnity claim shall be the date the insured signs such claim or (2) if deducted from payment under another program administered by the U.S. Department of Agriculture shall be the date such payment was approved.

(c) Following are the cancellation and termination dates:

County	Cancellation date	Termination date for indebtedness
All counties	November 15	November 15.

(d) In the absence of a written notice from the insured to cancel, and subject to the provisions of subsections (a), (b) and (c) of this section, and section 7 of the Appendix to the Policy, the contract shall continue in force for each succeeding crop year.

Appendix (Additional Terms and Conditions)

1. *Meaning of terms.* For the purposes of Arizona-California citrus crop insurance:

(a) "Actuarial table" means the forms and related material for the crop year approved by the Corporation which are on file for public inspection in the office for the county, and which show the production guarantees, coverage levels, percentage premium rates, prices for computing indemnities, insurable and uninsurable acreage, and related information regarding citrus insurance in the county.

(b) "Carton," as to each insured citrus type, means the standard container for marketing fresh packed fruit as shown below by citrus type, and in the absence of marketing records on such a carton basis, production shall be converted to cartons on the basis of the following average net pounds of packed fruit in a standard packed carton.

Container size	Types of fruit	Pounds
Container No. 58	Navel oranges, Valencia oranges and Sweet oranges.	38
Container No. 58	Lemons	40
Container No. 59	Grapefruit	32
Container No. 63	Tangerines (including tangelos) and Mandarin oranges.	25

(c) "Contiguous land" means land which is touching at any point, except that land which is separated by only a public or private right-of-way shall be considered contiguous.

(d) "County" means the county shown on the application and any additional land located in a local producing area bordering on the county, as shown on the actuarial table.

(e) "Crop year" means the period beginning with the date insurance attaches to the citrus crop and extending through normal harvest time, and shall be designated by the calendar year in which the bloom is normally set.

(f) "Harvest" means any severance of citrus fruit from the tree either by pulling, picking, or severing by mechanical or chemical means, or picking up the marketable fruit from the ground.

(g) "Insurable acreage" means the land classified as insurable by the Corporation and shown as such on the county actuarial table.

(h) "Insured" means the person who submitted the application accepted by the Corporation.

(i) "Office for the county" means the Corporation's office serving the county

shown on the application for insurance or such office as may be designated by the Corporation.

(j) "Person" means an individual, partnership, association, corporation, estate, trust, or other business enterprise or legal entity, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(k) "Share" means the interest of the insured as landlord, owner-operator, or tenant in the insured citrus crop at the time insurance attaches as reported by the insured or as determined by the Corporation, whichever the Corporation shall elect, and no other share shall be deemed to be insured: *Provided*, That for the purpose of determining the amount of indemnity, the insured share shall not exceed the insured's share at the earliest of (1) the date of beginning of harvest on the unit, (2) the calendar date for the end of the insurance period, or (3) the date the entire crop on the unit is destroyed, as determined by the Corporation.

(l) "Tenant" means a person who rents land from another person for a share of the citrus crop or proceeds therefrom.

(m) "Type of citrus" means any of the following types of fruit: Type I, Navel oranges; Type II, Sweet oranges; Type III, Valencia oranges; Type IV, Grapefruit; Type V, Lemons; Type VI, Kinnow Mandarins; Type VII, Minneola Tangelos; and Type VIII, Orlando Tangelos.

(n) "Unit" means all insurable acreage of any one of the citrus types referred to in subsection (m) of this section, located on contiguous land, on the date insurance attaches for the crop year (1) in which the insured has a 100 percent share, or (2) which is owned by one entity and operated by another entity on a share basis. Land rented for cash, a fixed commodity payment, or any consideration other than a share in the citrus crop on such land shall be considered as owned by the lessee. Land which would otherwise be one unit may be divided according to applicable guidelines on file in the office for the county, or by written agreement between the Corporation and the insured. The Corporation shall determine units as herein defined when adjusting a loss, notwithstanding what is shown on the acreage report, and has the right to consider any acreage and share reported by or for the insured's spouse or child or any member of the insured's household to be the bona fide share of the insured or any other person having the bona fide share.

2. *Acreage insured.* (a) The Corporation reserves the right to limit the insured acreage of citrus to any acreage limitations established under any Act of Congress, provided the insured is so notified in writing prior to the date insurance attaches.

(b) If the insured does not submit an acreage report on or before December 10 of the calendar year in which insurance attaches, the Corporation may elect to determine by units the insured acreage and share or declare the insured acreage on any unit(s) to be "zero". If the insured does not have a share in any insured acreage in the county for any year, the insured shall submit a report so indicating. Any acreage report submitted by the insured may be revised only upon approval of the Corporation.

3. *Irrigated acreage.* (a) Where the actuarial table provides for insurance on an irrigated practice, the insured shall report as irrigated only the acreage for which the insured has adequate facilities and water to carry out a good irrigation practice at the time insurance attaches.

(b) Where irrigated acreage is insurable, any loss of production caused by failure to carry out a good irrigation practice, except failure of the water supply from an unavoidable cause occurring after the insurances attaches, as determined by the Corporation, shall be considered as due to an uninsured cause. The failure or breakdown of irrigation equipment or facilities shall not be considered as a failure of the water supply from an unavoidable cause.

4. *Annual premium.* (a) If there is no break in the continuity of participation, any premium adjustment applicable under section 5 of the policy shall be transferred to (1) the contract of the insured's estate or surviving spouse in case of death of the insured, (2) the contract of the person who succeeds the insured if such person had previously participated in the citrus operation, or (3) the contract of the same insured who stops operating a citrus grove in one county and starts operating a citrus grove in another county.

(b) If there is a break in the continuity of participation, any reduction in premium earned under section 5 of the policy shall not thereafter apply; *however*, any previous unfavorable insurance experience shall be considered in premium computation following a break in continuity.

5. *Claim for and payment of indemnity.* (a) Any claim for indemnity on a unit shall be submitted to the Corporation on a form prescribed by the Corporation.

(b) In determining the total production to be counted for each unit, production from units on which the production has been commingled will be allocated to such units in proportion to the liability on each unit.

(c) There shall be no abandonment to the Corporation of any insured citrus acreage.

(d) In the event that any claim for indemnity under the provisions of the contract is denied by the Corporation, an action on such claim may be brought against the Corporation under the provisions of 7 U.S.C. 1508(c), as amended: *Provided*, That the same is brought within one year after the date notice of denial of the claim is mailed to and received by the insured.

(e) Any indemnity will be payable within 30 days after a claim for indemnity is approved by the Corporation. *However*, in no event shall the Corporation be liable for interest or damages in connection with any claim for indemnity whether such claim be approved or disapproved by the Corporation.

(f) If the insured is an individual who dies, disappears, or is judicially declared incompetent, or the insured is an entity other than an individual and such entity is dissolved after insurance attaches for any crop year, any indemnity will be paid to the person(s) the Corporation determines to be beneficially entitled thereto.

(g) The Corporation reserves the right to reject any claim for indemnity if any of the requirements of this section or section 8 of the policy are not met and the Corporation determines that the amount of loss cannot be satisfactorily determined.

6. *Subrogation.* The insured (including any assignee or transferee) assigns to the Corporation all rights of recovery against any person for loss or damage to the extent that payment hereunder is made by the Corporation. The insured thereafter shall execute all papers required and take appropriate action as may be necessary to secure such rights.

7. *Termination of the contract.* (a) The contract shall terminate if no premium is earned for five consecutive years.

(b) If the insured is an individual who dies or is judicially declared incompetent, or the insured entity is other than an individual and such entity is dissolved, the contract shall terminate as of the date of death, judicial declaration, or dissolution; *however*, if such event occurs after insurance attaches for any crop year, the contract shall continue in force through such crop year and terminate at the end thereof. Death of a partner in a partnership shall dissolve the partnership unless the partnership agreement provides otherwise. If two or more persons having a joint interest are insured jointly, death of one of the persons shall dissolve the joint entity.

8. *Coverage level and price election.* (a) If the insured has not elected on the application a coverage level and price at which indemnities shall be computed from among those shown on the actuarial table, the coverage level and price election which shall be applicable under the contract, and which the insured shall be deemed to have elected, shall be as provided on the actuarial table for such purposes.

(b) The insured may, with the consent of the Corporation, change the coverage level and/or price election for any crop year on or before the closing date for submitting applications for that crop year.

9. *Assignment of indemnity.* Upon approval of a form prescribed by the Corporation, the insured may assign to another party the right to an indemnity for the crop year and such assignee shall have the right to submit the loss notices and forms as required by the contract.

10. *Contract changes.* The Corporation reserves the right to change any terms and provisions of the contract from year to year. Any changes shall be mailed to the insured or placed on file and made available for public inspection in the office for the county at least 15 days prior to the cancellation date preceding the crop year for which the changes are to become effective, and such mailing or filing shall constitute notice to the insured. Acceptance of any changes will be conclusively presumed in the absence of any notice from the insured to cancel the contract as provided in section 12 of the policy.

Appendix A—Counties Designated for Arizona-California Citrus Crop Insurance

In accordance with the provisions of 7 CFR 409.1, the following counties are designated for citrus crop insurance:

Arizona

Maricopa

California

Fresno
Kern
Tulare

Done in Washington, D.C., on October 15, 1981.

Peter F. Cole,

Secretary, Federal Crop Insurance Corporation.

[FR Doc. 81-30446 Filed 10-20-81; 8:45 am]

BILLING CODE 3410-08-M

Agricultural Marketing Service

7 CFR Part 981

Handling of Almonds Grown in California; Creditable Advertising

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This rule will: (1) Change the amount of assessment credit available to handlers of California almonds for foreign advertising; and (2) add Singapore and Hong Kong to the list of foreign countries where media expenditures for advertising by such handlers may be credited against their assessment obligation. The rule is authorized by the Federal marketing order which regulates the handling of California almonds and is designed to allow handlers more advertising flexibility so as to increase export sales of California almonds.

EFFECTIVE DATE: October 21, 1981.

FOR FURTHER INFORMATION CONTACT: J. S. Miller, Chief, Specialty Crops Branch, Fruit and Vegetable Division, AMS, USDA, Washington, D.C. 20250 (202) 447-5697.

SUPPLEMENTARY INFORMATION: This final rule has been reviewed under USDA guidelines implementing Executive Order 12291 and Secretary's Memorandum No. 1512-1 and has been classified to be a "non-major" rule.

William T. Manley, Deputy Administrator, Agricultural Marketing Service, has determined that this action will not have a significant economic impact on a substantial number of small entities because it would result in only minimal costs being incurred by the regulated 25 handlers.

Information collection (reporting and recordkeeping) 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 OMB clearance has been obtained.

It is found that good cause exists for not postponing the effective date of this action until 30 days after publication in the **Federal Register** (5 U.S.C. 553), in that: (1) Handlers are receiving, processing, and marketing 1981 crop almonds in volume; (2) the 1981 crop is expected to be the largest in the history of the industry; (3) this action is intended to encourage the promotion of almonds and increase sales by allowing handlers more foreign advertising flexibility; (4) handlers should have the opportunity to utilize the increased flexibility as soon as possible in marketing the anticipated record supplies; (5) handlers are aware of this action and need no additional time to comply; and (6) no useful purpose would be served by delaying the effective date of this action.

Notices of two proposals to change § 981.441(e)(2) of Subpart—Administrative Rules and Regulations (7 CFR 981.401-981.474) were published in the April 22, and July 30, 1981 issues of the **Federal Register** (46 FR 22901; 38924). The notice published on April 22 proposed to amend § 981.441(e)(2) to change the amount of assessment credit available to handlers for foreign media advertising costs. The July 30 proposal pertained to the addition of Singapore and Hong Kong to the list of 14 foreign countries where a handler's media expenditures for advertising may receive foreign advertising credit.

At the request of several persons, the period for receipt of written comments on the April 22, 1981, proposal was extended from May 8 to August 7, 1981 (46 FR 27126), and one comment was received. The July 30, 1981, proposal invited comments until August 14, 1981. No comments were received on the July 30 proposal.

The Subpart—Administrative Rules and Regulations (7 CFR 981.401-981.474), is issued under the marketing agreement and Order No. 981, both as amended (7 CFR Part 981), regulating the handling of almonds grown in California. The marketing agreement and order are hereinafter referred to collectively as the "order". The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposals were recommended by the Almond Board of California, and are authorized by § 981.41 of the order.

Currently, § 981.441(e)(2) provides that credit not to exceed a total of 20 percent of the creditable obligation for advertising in each crop year shall be granted a handler for media expenditures for advertising in 14 foreign countries. These countries are Great Britain, France, Italy, West Germany, Denmark, Belgium, Ireland, Luxembourg, the Netherlands, Sweden, Norway, Finland, Switzerland, and Japan. The current 20 percent credit limitation is too restrictive because it precludes some small handlers from undertaking advertising programs to expand California almond exports. Some small handlers in the industry are understood to export most of their almonds receipts.

Therefore, to allow handlers greater flexibility in their foreign advertising and to increase their foreign advertising program, § 981.441(e)(2) should be revised so that the total of foreign advertising credit allowed handlers does not exceed 20 percent, or $500,000, whichever is greater, of a handler's advertising assessment in each crop year.

The commentator who opposed this change stated that it is no longer necessary given the large 1981 crop and the special marketing effort that should be directed to the domestic market. That domestic market expansion is important cannot be denied. However, it is also important to the industry that export markets be maintained or expanded and this change should aid in achieving these goals.

The commentator also stated that there was no need for this change because the handler who asked the Board to recommend the rule has filed, and is still engaged in, a 15A action with the Department. The handler alleges, among other things, that the crediting provisions for handler advertising were improper and contrary to law. The existence of the 15A action is no basis for adopting or rejecting the proposed change.

Section 981.441(e)(2) also should be revised to add Singapore and Hong Kong to the list of 14 foreign countries where a handler's media expenditures for advertising may receive foreign advertising cerdit. The purpose of this change is to encourage the promotion of California almonds in Hong Kong and Singapore so as to expand sales in these increasingly important export markets.

After consideration of all relevant matter presented, including the Board's recommendation, the comment received, and other available information, it is further found that to amend § 981.441(e)(2), as hereinafter set forth, will tend to effectuate the declared policy of the act.

PART 981—ALMONDS GROWN IN CALIFORNIA

Therefore, § 981.441(e)(2) of Subpart—Administrative Rules and Regulations is revised to read as follows:

§ 981.441 Crediting for paid advertising.

* * * * *

(e) Credit for media expenditures in a foreign country shall be granted:

* * * * *

(2) For a handler's media expenditures for brand advertising of almonds in the following markets: Great Britain, France, Italy, West Germany, Denmark, Belgium, Ireland, Luxembourg, The Netherlands, Sweden, Norway, Finland, Switzerland, Singapore, Hong Kong, and Japan, credit shall be allowed when claims are substantiated by applicable rate cards. The provisions of this section applicable to domestic advertising shall also apply to the crediting of advertising in these markets. The total of the foreign credit shall not exceed 20 percent, or $500,000, whichever is greater, of a handler's advertising assessments in each crop year.

* * * * *

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

Dated October 14, 1981 to become effective upon publication.

D. S. Kuryloski,

Deputy Director, Fruit and Vegetable Division.

[FR Doc. 81-30370 Filed 10-20-81; 8:45 am]

BILLING CODE 3410-02-M

CIVIL AERONAUTICS BOARD

14 CFR Part 298

[Reg. ER-1252; Amdt. 18]

Classification and Exemption of Air Taxi Operators; Approval by the Office of Management and Budget

AGENCY: Civil Aeronautics Board.

ACTION: Final rule.

SUMMARY: This final rule gives notice that on September 21, 1981, the Office of Management and Budget (OMB) approved the filing requirements in § 298.60 of Part 298 of the Board's Economic Regulations governing filing of flight schedules by commuter air carriers. OMB approval is required under the Paperwork Reduction Act of 1980.

DATES: Adopted: October 15, 1981. Effective: October 15, 1981.

FOR FURTHER INFORMATION CONTACT: Clifford M. Rand, Chief, Data Requirements Division, Office of Comptroller, Civil Aeronautics Board, 1825 Connecticut Avenue NW., Washington, D.C. 20428, (202) 673–6042.

Accordingly, the Civil Aeronautics Board amends Part 298 of its Economic Regulations (14 CFR 298) by adding a note at the end of § 298.60 to read:

§ 298.60 [Amended]

* * * * *

Note.—The filing requirement contained in § 298.60 has been approved by the Office of Management and Budget under number 3024–0047.

* * * * *

This amendment is issued by the undersigned pursuant to delegation of authority from the Board to the Secretary in 14 CFR 385.24(b). (Sec. 204 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324.)

By the Civil Aeronautics Board.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 81-30456 Filed 10-20-81; 12:30 pm]

BILLING CODE 6320-01-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

Excluded Nonnarcotic Substances

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Final rule.

SUMMARY: By this rule, the below listed nonnarcotic substances which contain controlled substances have, as indicated, either been added to or deleted from the list of excluded nonnarcotic over-the-counter substances set forth in Title 21, Code of Federal Regulations, § 1308.22. Those substances which are included in the list are excluded from all schedules pursuant to section 201(g)(1) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 811(g)(1)). This action is in response to a request by the manufacturer and distributor of Choate's Counter Irritant.

DATES: This rule is effective December 21, 1981, subject to being suspended, reinstated, revoked, or amended by the Acting Administrator upon consideration of any comments or objections timely filed on or before December 21, 1981, which raise significant issues on any finding of fact or conclusion of law supporting this rule.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Regulatory Control Division, Drug Enforcement Administration, Telephone: (202) 633–1366.

SUPPLEMENTARY INFORMATION: The Acting Administrator of the Drug Enforcement Administration has received an application pursuant to § 1308.21 of Title 21 of the Code of Federal Regulations (CFR) which asked that a product containing nonnarcotic controlled substances be granted the exclusion provided for in 21 CFR 1308.22.

The Acting Administrator hereby finds that the following nonnarcotic substance may, under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301), be lawfully sold over-the-counter without a prescription.

This matter has been informally discussed with the Office of Management and Budget. It has been determined that it is a minor internal management matter not requiring formal OMB review.

The Acting Administrator hereby certifies that this matter will have no significant negative impact upon small entities within the meaning and intent of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* The addition of a preparation to the list of excluded nonnarcotic over-the-counter substances has the effect of excluding it from any schedule. The preparation deleted from the list is no longer marketed.

Therefore, pursuant to the Act, the regulations of the Department of Justice and the Drug Enforcement Administration, the Acting Administrator of the Drug Enforcement Administration hereby orders that Part 1308 of Title 21 of the Code of Federal Regulations be amended as hereinafter appears. (21 U.S.C. 811, 812, 871(b)).

Dated: October 15, 1981.

Francis M. Mullen, Jr.,

Acting Administrator, Drug Enforcement Administration.

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

a. Section 1308.22 is amended by removing the following:

§ 1308.22 [Amended]

* * * * *

Trade name or designation	Dosage form	Composition	Potency	Manufacturer or distributor
*	*	*	*	*
Choate's Leg Freeze	Liquid	Chloral hydrate	7.4 g /30 ml	Bickmore, Inc.
		Ether	10.3 ml /30 ml	
		Menthol	6.3 g /30 ml	
		Camphor	8.7 g /30 ml	
*	*	*	*	*

b. Section 1308.22 is amended by adding alphabetically the following entry to the table:

Trade name or designation	Dosage form	Composition	Potency	Manufacturer or distributor
*	*	*	*	*
Choate's Counter Irritant	Liquid	Chloral hydrate	7.4 g /30 ml	Hawthorne Products, Inc.
		Ether	10.3 ml/30 ml	
		Menthol	7.4 g /30 ml	
		Camphor	7.4 g /30 ml	
*	*	*	*	*

[FR Doc. 81-30472 Filed 10-20-81; 8:45 am]
BILLING CODE 4410-09-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-5-FRL 1923-5]

Approval and Promulgation of Illinois State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: On January 30, 1981 (46 FR 9973), the Environmental Protection Agency (EPA) proposed approval of amendments to the following Illinois regulations which were submitted to EPA in the form of State Implementation Plan (SIP) Revisions: Rule 206(d) which regulates carbon monoxide emissions from sintering plants, blast furnaces and basic oxygen furnaces, and Rule 205(g)(1) which regulates waste gas emissions from petroleum refining and petrochemical manufacturing processes. Interested persons were given until March 2, 1981, to comment. One comment was received. The purpose of this notice is to discuss the comment received and to announce EPA's final rulemaking action approving these revisions to the Illinois SIP.

EFFECTIVE DATE: This final rulemaking becomes effective on November 20, 1981.

ADDRESSES: Copies of the SIP revision, public comment on the Notice of Proposed Rulemaking (46 FR 9973), and EPA's evaluation and response to comments are available for inspection at the following locations.

U.S. Environmental Protection Agency, Air Programs Branch, Region V, 230 South Dearborn Street, Chicago, Illinois 60604.

U.S. Environmental Protection Agency, Public Information Reference Unit, 401 M Street SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: Randolph O. Cano, Regulatory Analysis Section, Air Programs Branch, U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 886-6035.

SUPPLEMENTARY INFORMATION: On September 18, 1979 and Janaury 8, 1980, the State of Illinois submitted to EPA, as revisions to its SIP, changes in the following Illinois Air Pollution Control Regulations: Rule 206(d) which regulates carbon monoxide emissions from sintering plants, blast furnaces and basic oxygen furnaces and Rule 205(g)(1) which regulates waste gas emissions from petroleum refining and petrochemical manufacturing processes.

The following sections of this notice discuss these revised regulations, the public comment received in response to the notice of proposed rulemaking action and EPA's final rulemaking action.

Rule 206(d)

On January 8, 1980, the State of Illinois submitted to EPA a proposed revision to its State Implementation Plan (SIP) consisting of the deletion of Rule 206(d) of the Illinois Air Pollution Control Regulations. On June 19, 1980, the State submitted to EPA further information in support of the proposed deletion.

Rule 206(d) regulates carbon monoxide (CO) emissions from sintering plants, blast furnaces, and basic oxygen furnaces. The deletion of Rule 206(d) is requested by the State because the control technology for CO emissions from these sources is considered to be economically infeasible. The State submitted a dispersion modeling analysis for significant sources of CO at four steel plants located in the southern portion of Chicago, Illinois and at all major roadways in the study area. The results of the analysis show that the maximum predicted CO concentrations, based on worst case conditions (uncontrolled CO emissions,) do not threaten the National Ambient Air Quality Standards (NAAQS) for CO.

In the notice of proposed rulemaking (46 FR 9973), EPA solicited public comment on the proposed SIP revision and on EPA's proposed rulemaking action. No public comments were received on this revision. EPA approves the deletion of Rule 206 of the Illinois Air Pollution Control Regulations from the Illinois SIP.

Rule 205(g)(1)

On September 18, 1979, the State of Illinois submitted to EPA a proposed revision to its SIP consisting of an amendment to Rule 205(g)(1) of the Illinois Air Pollution Control Regulations. The amendment allows waste gas streams from existing sources of petroleum and petrochemical processes to comply with Rule 205(f) in lieu of special Rule 205(g)(1)(C). Rule 205(g)(1)(C) is now directed only toward new sources on which construction commences on or after January 1, 1977.

Rule 205(g)(1) prohibits the discharge of organic materials into the atmosphere from any waste gas stream from any petroleum or petrochemical manufacturing process in excess of 100 parts per million (ppm) equivalent methane.

The amendments to this rule consist of two new provisions.

1. Paragraph (B) allows an existing source subject to Rule 205(g)(1)(A)(iii) the alternative of complying with the organic material emission limitations imposed by Rule 205(f) provided there is no increase in emissions from such sources above the level of emissions in existence on the effective date of this Rule 205(g)(1)(B) (April 12, 1979). Rule 205(f) limits the subject source to emissions of photochemical reactive material only if no odor nuisance exists. If odor nuisance exists, Rule 205(f) limits the source to organic material emissions (photochemically reactive or not) of no more than 8 pounds per hour or a minimum of 85% control efficiency.

2. Paragraph (C) allows sources subject to 205(g)(1)(A)(iii) (those whose construction began on or after January 1, 1979) to comply with the following emission limitation:

(1) A maximum of 8 pounds per hour of organic material; or

(2) Emissions controlled by air pollution control methods or equipment approved by the Agency capable of reducing by 85% or more the uncontrolled organic material that would otherwise be emitted to the atmosphere.

The impact of these regulatory changes on air quality was included in the ozone attainment demonstration which was approved as part of the

Illinois Part D SIP on February 21, 1980 (45 FR 11472).

In the notice of proposed rulemaking (46 FR 9973), EPA solicited public comment on the proposed SIP revision and on EPA's proposed rulemaking action. One public comment was received in full support of the proposed action. EPA approves this SIP revision.

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

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

Under Executive Order 12291, EPA must judge whether a regulation is "major" and, therefore, subject to the requirement of a regulatory impact analysis. These regulations are not major because they affirm currently existing State regulations and impose no additional regulatory requirements.

These regulations were submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291.

This Notice of Proposed Rulemaking is issued under the authority of Section 110 of the Clean Air Act, as amended.

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

Dated: September 8, 1981.

John W. Hernandez, Jr.,

Acting Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Title 40 of the Code of Federal Regulations, Chapter 1, Part 52 is amended as follows:

1. Section 52.720(c) is amended by adding paragraphs (27) and (28):

§ 52.720 Identification of plan.

* * * * *

(c) * * *

(27) On January 8, 1980, the State submitted an Opinion and Final Order of the Pollution Control Board (dated November 19, 1979) which deletes Rule 206(d) of Chapter 2 from the Illinois Air Pollution Control Regulations.

(28) On September 18, 1979, the State submitted a Final Order of the Pollution Control Board (dated April 12, 1979) which amended Rule 205(g)(1) of Chapter 2 of the Illinois Air Pollution Control Regulations.

[FR Doc. 81-30455 Filed 10-20-81; 8:45 am]

BILLING CODE 6560-38-M

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40 CFR Part 52

[A-5-FRL 1922-7]

Approval and Promulgation of Implementation Plans; Wisconsin

AGENCY: Environmental Protection Agency.

ACTION: Rinal Rule.

SUMMARY: On October 29, 1980 the State of Wisconsin submitted a revision to the Wisconsin State Implementation Plan (SIP) in the form of a variance for a bulk gasoline terminal located in Superior, Douglas County and operated by the Union Oil Company of California. Proposed rulemaking was published on June 19, 1981 (46 FR 32036), and public comment was invited for 30 days ending July 20, 1981. No comments were received. This notice announces EPA's final approval of the revision to the Wisconsin ozone SIP.

EFFECTIVE DATE: November 20, 1981.

FOR FURTHER INFORMATION CONTACT: Sharon Kraft, (312) 886-6034.

SUPPLEMENTARY INFORMATION: On October 29, 1980 the State of Wisconsin submitted a revision to the Wisconsin SIP in the form of a variance from the requirements of section NR 154.13(3)(a), Wisconsin Administrative Code, for a bulk gasoline terminal located in Superior, Wisconsin, operated by Union Oil Company of California. Section NR 154.13(3)(a) controls certain volatile organic compound (VOC) sources and requires vapor control equipment to capture and recover or destroy gasoline vapors displaced during gasoline transfer operations at bulk terminals.

The Wisconsin Department of Natural Resources (DNR) determined that the installation of control equipment is technically feasible; however, compliance with the section is not economically reasonable because of the high cost of retrofit and conversion to bottom loading for this facility in combination with the resulting small amount of incremental emission reductions. The Wisconsin DNR's air quality analysis showed that operation of the terminal without the VOC control equipment specified in § 154.13(3)(a) will not jeopardize maintenance of the ozone National Ambient Air Quality Standard in Douglas County.

EPA reviewed the variance and agreed that it is not economically reasonable to install a bottom loading and VOC recovery or destruction system at this terminal. EPA's notice of proposed rulemaking was published on June 19, 1981 (46 FR 32036). Interested persons were invited to comment on this revision. No comments were received. Since no issues were raised during the comment period, EPA is approving the revision. The approval incorporates the following conditions specified by Wisconsin in the variance:

1. That the annual gasoline throughput for the facility not exceed 15 million gallons after December 31, 1980, and

2. That the Union Oil Company continue to use a submerged filling system when loading tank trucks or trailers at this facility.

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

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 approves State action with regard to a single source and imposes no new regulatory requirements. This regulation was submitted to the Office of Management and Budget for review as required by this Order.

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 a State action as it applies to one facility. Furthermore, this action should decrease the facilities cost of compliance with the Clean Air Act.

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

(Sections 110, and 301(a) of the Clean Air Act as amended (42 U.S.C. 7410))

Dated: September 8, 1981.

John W. Hernandez, Jr.,

Acting Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Part 52 of Chapter I, Title 40, Code of Federal Regulations is amended by adding paragraph (c)(21) to § 52.2570 as follows:

Subpart YY—Wisconsin

§ 52.2570 Identification of plan.

* * * * *

(c) * * *

(21) On October 29, 1980 the State submitted a variance to regulation NR 154.13(3)(a) for Union Oil Company bulk gasoline terminal in Superior.

[FR Doc. 81-30454 Filed 10-20-81; 8:45 am]

BILLING CODE 6560-38-M

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40 CFR Part 52

[A-7-FRL 1932-7]

Revision to State Implementation Plan for Iowa

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Final Rulemaking.

SUMMARY: On June 14, 1979, the Iowa Air Quality Commission granted a variance from the Iowa open burning regulations to the Iowa Army Ammunition Plant (IAAP) located in Middletown, Iowa. The variance will allow the IAAP to continue open burning of explosive waste and explosive contaminated waste until an incinerator system, which is under construction, can begin operation. The Iowa Department of Environmental Quality (IDEQ) submitted the variance to EPA as a revision to the State Implementation Plan (SIP) on October 19, 1979.

On February 17, 1981 (46 FR 12522), EPA proposed to approve the submission as a revision to the Iowa SIP on the condition that the IDEQ revise the variance to the IAAP to stipulate that burning be restricted to one day a week between the hours of 1:00 p.m. and 4:00 p.m. On May 26, 1981, the EPA received a submission from the IDEQ documenting that the variance had been revised to stipulate this burning restriction.

The purpose of today's notice is to take final action to approve the submission as a revision to the Iowa SIP.

EFFECTIVE DATE: This promulgation is effective November 20, 1981.

ADDRESSES: Copies of the state submission are available for inspection during normal business hours at the following locations: Environmental Protection Agency, Air, Noise and Radiation Branch, 324 East 11th Street, Kansas City, Missouri 64106; Environmental Protection Agency, Public Information Reference Unit, 401 M Street, S.W., Washington, D.C. 20460; Iowa Department of Environmental Quality, Henry A. Wallace Building, 900 East Grand, Des Moines, Iowa 50319; and the Office of the Federal Register, 1100 L Street, N.W., Room 8401, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Mary C. Carter at (816) 374-3791; FTS 758-3791.

SUPPLEMENTARY INFORMATION: On June 14, 1979, the Iowa Air Quality Commission granted a variance from 400—4.2(1) of the Iowa Administrative Code to the Iowa Army Ammunition Plant (IAAP) after notice and public hearing. The variance, which allows open burning of explosive waste and explosive contaminated waste at the Middletown, Iowa plant, was submitted to EPA as a revision to the SIP on October 19, 1979.

The IAAP is constructing two incinerators which will be utilized to dispose of explosive wastes when completed. This SIP revision would allow the IAAP to continue open burning of explosive waste and explosive contaminated waste until a satisfactory incinerator system can be placed in operation. The variance required compliance to be achieved by June 1981 for the explosive waste incinerator and by February 1982 for the explosive contaminated waste incinerator.

Burning presently takes place in an isolated area, approximately 4500 feet from the closest dwelling and public highway. Burning has been limited (by the source) to one day a week between the hours of 1:00 p.m. and 4:00 p.m. It has been determined by EPA that under these conditions, the open burning of explosive waste and explosive contaminated waste would not violate the National Ambient Air Quality Standards (NAAQS) for total suspended particulate (TSP) matter.

On February 17, 1981 (46 FR 12522), EPA proposed to approve the revision to the SIP on the condition that the Iowa Department of Environmental Quality (IDEQ) amend the variance to allow the IAAP to burn only one day a week between the hours of 1:00 p.m. and 4:00 p.m. On May 26, 1981, the EPA received a submission from the IDEQ documenting that the variance to the IAAP had been revised to stipulate the burning restriction. Due to delays caused by the installation of safety devices, an extension for completion of construction of the explosive waste incinerator was granted in the revised variance until September 1981 with final compliance to be achieved by December 1981 (extended from June 1981). The final compliance date for the explosive contaminated waste incinerator remains unchanged (February 1982). EPA finds that emissions attributed to the variance as amended, will not cause or contribute to a violation of the standards for TSP.

No comments were received in regard to the EPA's February 17, 1981 proposal to approve the SIP revision. EPA believes the adjustment to the compliance schedule, submitted after proposal, was not substantial. For these reasons, the Agency finds that the public interest would not be served by reproposing approval on this submission in order to allow additional time for public comment on the adjustment to the compliance date in the variance.

Action

The EPA approves the submission as a revision to the Iowa SIP.

Pursuant to the provision of 5 U.S.C. 605(b) the Administrator has certified that SIP approvals under Sections 110 and 172 of the Clean Air Act will not have a significant economic impact on a substantial number of small entities (46 FR 8709, January 27, 1981). The attached rule constitutes a SIP approval under Sections 110 within the terms of the January 27 certification. This action only approves state actions and imposes no additional substantive requirements.

Under Executive Order 12291, EPA must judge whether a rule is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This rule is not "major" because it only approves State actions and imposes no additional substantive requirements which are not currently applicable under State law. Hence it is unlikely to have an annual effect on the economy of $100 million or more, or to have other significant adverse impacts on the national economy.

This rule 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, as amended, judicial review of this action is available only by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under section 307(b)(2), 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 110 of the Clean Air Act as amended.

Dated: October 15, 1981.

Anne M. Gorsuch,

Administrator.

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

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

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

Subpart Q—Iowa

1. Section 52.820 is amended by adding a new paragraph (c)(37) to read as follows:

§ 52.820 Identification of plan.

* * * * *

(c) * * *

(37) A variance from 400—4.2(1) of the Iowa Administrative Code for the Iowa Army Ammunition Plant at Middletown, Iowa, was submitted on October 19, 1979 by the Executive Director.

2. Section 52.825 is amended by adding the following compliance schedules to the end of the existing list in § 52.825(c):

§ 52.825 Compliance schedules.

* * * * *

(c) * * *

IOWA

Source	Location	Regulation involved	Date adopted	Variance expiration date	Final compliance date
Iowa Army Ammunition Plant (explosive waste burning).	Middletown, Iowa.	400—4.2(1)	June 14, 1979	Dec. 31, 1981	Dec. 31, 1981.
Iowa Army Ammunition Plant (explosive contaminated waste burning).	Middletown, Iowa.	400—4.2(1)	June 14, 1979	Feb. 28, 1982	Feb. 1982.

[FR Doc. 81-30464 Filed 10-20-81; 8:45 am]

BILLING CODE 6560-38-M

40 CFR Parts 52 and 81

[A-3-FRL-1962-3]

Approval of Section 107 Designations and Approval of Revisions of the Pennsylvania State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: Allegheny County, Pennsylvania was designated nonattainment for Sulfur Dioxide (SO_2) and Total Suspended Particulates (TSP) on March 3, 1978 (43 FR 8962) and September 12, 1978 (43 FR 40502). Since that time many monitors have shown compliance with National Ambient Air Quality Standards (NAAQS). Furthermore, because of the uncertainty resulting from several attempts at SO_2 air quality diffusion modeling other designations are being changed to unclassifiable.

On December 24, 1980, the Commonwealth of Pennsylvania submitted a revision to the Pennsylvania State Implementation Plan (SIP) which redesignates areas within Allegheny County with respect to ambient air quality standards for total suspended particulates (TSP) and sulfur dioxide (SO_2); provides for attainment of these standards in the County, and relaxes emission limitations for one major source in the County.

The Environmental Protection Agency (EPA) invited public comment on this revision in a **Federal Register** notice of June 10, 1981 (46 FR 30655).

This notice announces the Administrator's approval, and in part the conditional approval, of the revisions to the Pennsylvania SIP for Allegheny County.

EFFECTIVE DATE: November 20, 1981.

ADDRESSES: Copies of the SIP revision and the accompanying support documents are available for inspection during normal business hours at the following offices: U.S. Environmental Protection Agency, Air Media & Energy Branch, Curtis Building, 6th & Walnut Streets, Philadelphia, PA 19106, ATTN: Gregory Ham (3AH11); Bureau of Air Quality Control, Pennsylvania Department of Environmental Resources, Fulton Bank Building, Third and Locust Streets, Harrisburg, PA 17120, ATTN: Gary L. Triplett; Allegheny County Health Department, Bureau of Air Pollution Control, 301 Thirty-Ninth Street, Pittsburgh, PA 15201; Office of the Federal Register, 1100 L Street, N.W., Room 8401, Washington, D.C. 20408.

FOR FURTHER INFORMATION CONTACT: Gregory Ham (3AH11), U.S. Environmental Protection Agency, 6th & Walnut Streets, Curtis Building, Philadelphia, PA 19106, Telephone Number: 215/597-2745.

SUPPLEMENTARY INFORMATION: New provisions of the Clean Air Act, enacted in August 1977, Public Law No. 95-95 (42 U.S.C. 7472), required States to revise their SIPs for all areas that do not attain National Ambient Air Quality Standards (NAAQS). The amendments required each State to submit to the Administrator a list of the NAAQS attainment status for all areas within the State. The Administrator promulgated these lists on March 3, 1978 (43 FR 8962) and on September 12, 1978 (43 FR 40502).

The entire State of Pennsylvania was designated as nonattainment for ozone and various portions of the State, including Allegheny County, were designated as nonattainment for Total Suspended Particulate Matter (TSP), Sulfur Dioxide (SO_2), and Carbon Monoxide (CO). As a consequence, the Commonwealth of Pennsylvania submitted State Implementation Plan (SIP) revisions for most areas designated nonattainment on April 24, 1979, and June 7, 8, 12, and 13, 1979. On July 24, 1979 (44 FR 43306), EPA proposed action on the Pennsylvania SIP and finalized its approval and conditional approval on May 20, 1980 (45 FR 33607).

For Allegheny County, the Ozone portion of the Pennsylvania State Implementation Plan was submitted to EPA on April 24, 1979 and conditionally approved by EPA on May 20, 1980 (45 FR 33607). However, for the SO_2 and TSP portions of the SIP for Allegheny County, work continued and several different drafts were prepared. Public hearings were held on July 30, 31 and October 23, 1979 and March 24, 25, 31, April 1, and November 12, 1980. Finally, on December 24, 1980, Clifford Jones, Secretary of the Department of Environmental Resources, submitted a redesignation request for SO_2 and TSP in Allegheny County and a revision to the Pennsylvania SIP providing for the attainment of the National Ambient Air Quality Standards (NAAQS) for SO_2 and TSP in the redesignated areas. Included as part of the SIP was an emission relaxation for Duquesne Light's Cheswick power plant, from 0.6 lbs SO_2/10^6 Btu to 2.8 lbs SO_2/10^6 Btu, which is now determined to be in an attainment area.

EPA has reviewed the redesignation request, the emission relaxation for Cheswick and the nonattainment SIP revision with respect to the requirements of the Clean Air Act and criteria described or referenced in the **Federal Register** notice published on April 4, 1979 (44 FR 20372). (The April 4, 1979 notice to which interested persons may refer is entitled "General Preamble for Proposed Rulemaking on Approval of Plan Revisions for Nonattainment Areas," and is incorporated herein by reference. This notice was further supplemented by the following **Federal Register** notices: July 2, 1979, 44 FR 38583, August 28, 1979, 44 FR 50371, September 17, 1979, 44 FR 53761 and November 23, 1979, 44 FR 67182).

In a **Federal Register** notice of June 10, 1981 (46 FR 30655), EPA proposed the approval, and in part the conditional approval, of the redesignations and the SIP revision for Allegheny County. This notice discussed the requirements for approving SIP's for nonattainment areas, described the information submitted as a basis for the redesignations and the SIP revision, identified major issues, and invited public comment on the proposed redesignations and SIP revision. Those persons wishing to see a complete description of the redesignations and revision are referred to the above-referenced notice.

Today, EPA is approving the redesignations and the SIP revision for SO_2, the redesignations for TSP, and is conditionally approving the SIP revision for TSP.

Sulfur Dioxide

Redesignation

In its request for redesignation under Section 107 Allegheny County submitted information on recent SO_2 air quality data and reported on efforts at modeling SO_2 levels for the county. A summary of this information was presented in the notice of June 10, 1981.

On the basis of this recent air quality data and the inherent problems of the modeling as discussed in that notice, Allegheny County has requested a change in the SO_2 designations from primary nonattainment Countywide to the following:

1. Unclassified for an area within an eight-mile radius of the Duquense Golf Association Club House excluding the Hazelwood nonattainment area.
2. Unclassified for the area within a two-mile radius of the Bellevue monitor.
3. Primary nonattainment for the area within a two-mile radius of the Hazelwood monitor.
4. Attainment for the remaining portions of the County.

EPA has reviewed the modeling demonstration and air quality data submitted by the County, and agrees with the conclusions reached. Therefore, the Administrator is today approving these Section 107 redesignations as listed above.

Nonattainment Plan

Allegheny County has submitted a plan providing for attainment of the primary standards for SO_2 by December 31, 1982. This plan indicates that there is a direct correlation between improvements in air quality and the operation of a coke oven gas desulfurization unit at the Jones and Laughlin Steel Corporation (J&L) plant in the area. A recently signed Consent Decree in part requires J&L to bring the desulfurization unit into compliance with County regulations, resulting in an overall improvement in air quality in the Hazelwood nonattainment area. (A more detailed discussion of this plan is contained in the June 10, 1981 proposed rule.)

The Administrator is today approving the County's plan for the attainment of the primary SO_2 standards by December 31, 1982.

In the unclassified and nonattainment areas, the County has agreed to carry out additional evaluations of ambient sulfur dioxide concentrations. Additional monitors will be established in the nonattainment and unclassified areas where data will be collected for one year. The purpose of the monitoring is to better identify air quality levels and assess the accuracy of the modeled predictions. If any of these unclassified areas are found to be nonattainment, an attainment plan must be submitted within one year of the redesignation of these areas to nonattainment. This plan must provide for attainment of the applicable National Ambient Air Quality Standards (NAAQS) within three and one-half years of the date of plan approval by EPA.

Regulation Changes

A relaxation of emission limitations for existing plants above 5000×10^6 Btu/hr rated heat input has been requested by the County. The limitation would change from 0.60 lbs. SO_2 per million Btu to 2.80 lbs. SO_2 per million Btu. This change affects only one plant in Allegheny County, the Duquesne Light Company's Cheswick Power Plant. Also, the limitation on sources between 0.2 and 0.5 million Btu's per hour rated heat input was found to have been unnecessary. A demonstration submitted with this request showed that the attainment status of the area will not be jeopardized by these changes. For a further discussion of the demonstration, see the above-referenced **Federal Register** notice of June 10, 1981.

Another regulation change requested by the County revised the limitation for controlling emissions of SO_2 from the silicon carbide manufacturing process. The revised regulation requires an equivalent degree of control as the existing regulation, and specifies control requirements as applicable to the silicon carbide process to facilitate the determination of compliance.

EPA has reviewed the information submitted by the County to support the changes discussed, and is today approving these changes.

Total Suspended Particulates

On December 24, 1980, the Commonwealth submitted a proposed revision to the Pennsylvania SIP for the attainment of the primary and secondary NAAQS for Total Suspended Particulates (TSP) in Allegheny County. This revision consists of a request for redesignation of various areas within the County and a plan which contains: (1) an emission inventory, (2) a demonstration that Article XX is at least equivalent to Reasonably Available Control Technology (RACT), (3) a commitment to annual incremental reductions (Reasonable Further Progress), and (4) a proposal for further study of fugitive emissions which may result in the adoption of additional fugitive particulate regulations. For all those areas designated nonattainment, the plan provides for attainment of the primary standards by December 11, 1982, and the secondary standards by December 31, 1987. A detailed description of this plan was included in the **Federal Register** notice of June 10, 1981.

Section 107 Redesignation

In order to accurately assess current and future ambient particulate concentrations, the County conducted the following:

1. An exhaustive analysis of available data on air quality emissions, meteorological conditions, and monitoring sites.
2. Special studies on the origins of particulate matter.
3. An analysis of TSP emissions in the vicinity of steel plants. As a result of these analyses, the County has requested a redesignation which divides the County into seven primary nonattainment areas. The remaining areas of the County are in attainment of the primary and secondary standards. These areas are described as follows:

Primary Nonattainment

1. Five contiguous segments (areas #3, 4, 5, 6, and 8) of a three-mile wide strip which is within a perpendicular distance two miles north and east and one mile south and west of the river center line, from the I–79 Bridge on the Ohio River to the Westmoreland County Line on the Monongahela River (area numbers are those used in a map and described in the plan).

2. An area within a 0.5 mile radius of the Greater Pittsburgh Airport monitor (area #2).

3. A one-mile wide strip centered on Turtle Creek from nonattainment area #6 (in number 1 above) to the Westmoreland County line (area #7).

Unclassified

1. A three-mile wide strip within Allegheny County which is within a perpendicular distance two miles north and east of the Ohio River center line and one mile south and west of the Ohio River center line from the I–79 Bridge to the Beaver County line (area #1).

Secondary Nonattainment

1. An area within Allegheny County within a radius of two miles of the Springdale monitor (area #9).

Attainment

1. All remaining areas of the County.

The County has submitted data from twenty-four monitors located throughout the County as a basis for the redesignations being approved in this notice. Data from these monitors for the years 1976 through 1980 was included in the **Federal Register** notice of June 10, 1981. (In that notice, the 1976 reading for Logan's Ferry was listed as 650 $\mu g/m^3$. This was a typographical error which should have read 60 $\mu g/m^3$).

EPA has reviewed the information submitted with the plan as a basis for the redesignations listed above. As monitoring data was used primarily in this analysis, the review focused on the accuracy and representativeness of the data, and the scale that each monitor represented.

In general, the data used for this plan is adequate, and the siting requirements are satisfied for most monitoring sites. In addition, the three mile wide nonattainment corridor encompasses the "neighborhood" area surrounding these monitors and is of the appropriate scale.

EPA agrees with the analysis conducted by the County as a basis for these redesignations, and is today approving the designations listed above.

Control Strategy and Demonstration of Attainment

The plan submitted by the County as part of its proposed SIP revision for TSP included studies of existing and projected particulate levels for the County. These studies indicate that the average annual particulate levels will decrease, but not sufficiently to attain the primary standard by December 31, 1982. Estimates have been made that between 60 and 80 percent of the projected 1982 ambient particulate levels will result from fugitive emissions if no further control strategies are implemented.

The demonstration submitted with this SIP consists of the following:

1. An exhaustive analysis of available air quality and emissions data, meteorological conditions, and monitoring sites.

2. Special studies on the origins of particulate matter.

3. Analysis of TSP emissions in the vicinity of steel plants. This approach was used because of various problems in areawide modeling of particulate concentrations. The reliability of such dispersion modeling techniques is dependent upon the detail and accuracy of information used in the modeling. Therefore, the County proposed the use of a proportional rollback model for the evaluation of control strategy alternatives, along with near-field modeling of major steel-making facilities and a sampling analysis program to determine the relative source impacts on ambient particulate levels. In addition, efforts are being made to refine the TSP emissions inventory.

The objective of the approach used by the County in analyzing ambient TSP data was to quantify the relative ambient particulate contributions from traditional and non-traditional sources, and to determine background concentrations. This analysis shows that currently point sources are contributing to ambient levels, but that by 1982 point source contributions will be relatively minor due to compliance with existing regulations. In addition, several Consent Decrees have been signed, detailing various fugitive emission controls on sources operated by the United States Steel Corporation, Shenango Incorporated and the Jones and Laughlin Corporation. Also regulations governing the control of fugitive emissions from source premises, parking lots, construction, mining, and demolition activities (sections 521, 522, 524, 525, and 526 of Article XX) in nonattainment areas have been adopted and become effective on January 31, 1982, and a regulation controlling fugitive emissions from transport activities (section 523) became effective on January 1, 1981. Despite this control, fugitive emissions (both industrial and urban) will continue to contribute to high ambient particulate levels.

Allegheny County believes that the existing traditional source regulations are, at a minimum, equivalent to reasonably available control technology (RACT). Therefore, the attainment strategy which they have proposed consists primarily of the study and control of fugitive emissions. EPA agrees that fugitive emissions are a major contributor to existing nonattainment problems. In addition, EPA agrees that the existing regulations satisfy RACT requirements. Therefore, EPA is today approving these regulations.

As part of its plan for attainment of the National Ambient Air Quality Standards (NAAQS) for particulates, the County has committed to conduct a study of non-traditional sources in the nonattainment areas. This study will consist of the following three parts:

a. Inventory of non-traditional sources.

b. Determination of non-traditional source contributions.

c. Evaluation of control program effectiveness. This study has been initiated, and implementation of fugitive regulations as a result should begin by June 30, 1982. The regulations that are finally implemented will further demonstrate attainment by December 31, 1982. A second study will begin shortly thereafter to develop and implement strategies for the attainment of the secondary standard.

In the unclassified area, TSP monitors will be installed to determine the attainment status. One year of data will be collected, at which time the need for an attainment plan will be determined. If a plan is needed, it will be submitted within one year of the redesignation of these areas to nonattainment. This plan must provide for attainment of the applicable National Ambient Air Quality Standards (NAAQS) within three and one-half years of the date of plan approval by EPA.

EPA is conditionally approving Pennsylvania's particulate control strategy for the County. The conditional approval is based on the County's commitment to conduct certain studies, to implement certain regulations and to achieve compliance by specified dates, all as outlined above.

Provisions in the County plan which satisfy the requirements for emissions inventory, growth margin, and reasonable further progress were discussed in the June 10, 1981 notice. These provisions are adequate for SIP approval.

General Comments

The following sections deal with comments and issues raised by EPA

during the review of the County's submittal.

Offset Program for New and Modified Sources

Allegheny County has submitted as part of its plan a New Source Review program for the permitting of new and modified sources within the County. A description of this program was presented in the June 10, 1981 notice of proposal. In addition, EPA asked the County to commit to the submittal of all external offsets to EPA as revisions to the SIP. During the comment period, the County pointed out that this commitment is included in the County regulations. EPA therefore finds this commitment to be acceptable.

Bubble Regulation

Chapter IX of the County's regulations allows for Alternative Emission Reduction Plans, commonly known as bubble plans. These allow a source operator to employ a mix of control measures on multiple sources to achieve a specified overall emission reduction, and would permit operators to place a greater burden of control on sources where the marginal cost is low. Any applications will be reviewed by the County in order to consider with EPA's policy statement as published in the **Federal Register** notice of December 11, 1979 (44 FR 71780). Any plan approved by the County will then be submitted as a revision to the SIP. The County pointed out in its letter of August 3, 1981, that plans approved under this regulation become effective under County law upon approval by the Allegheny County Board of Health and adoption by the Board of County Commissioners. However, because the plan becomes effective under Federal law only upon approval by EPA and inclusion of the plan in the SIP, EPA is taking no action on the bubble regulation.

Review of Regulations

Several issues were raised during EPA's review of the regulations submitted as part of the County's plan. These issues are discussed in the following paragraphs.

Under Chapter IV, Regulation 401 C, an alternative standard may be established where fugitive emissions have been controlled, where reasonably available control technology has been applied, and where the owner or operator demonstrates that the remaining fugitive emissions are of minor significance. Under County procedures, the alternative standards become effective upon approval by the Allegheny County Board of Health, and adoption by the Board of County Commissioners. Again, EPA considers these alternative standards to be effective as Federal regulations only upon approval as a SIP revision by EPA. The County has committed to the submittal of these standards in the regulations.

EPA does not have the authority to enforce odor regulations (§ 404 of the County's regulations). Therefore, they are not being approved as part of the SIP.

Regulation 304, Delayed Compliance Orders (DCO's), allows for the issuance of DCO's to sources needing extensions of any final compliance date. The Clean Air Act specified that final compliance dates contained in a DCO cannot extend beyond July 1, 1979 or three years beyond the compliance date required by the SIP. Since the latest possible compliance date for previously regulated sources (including TSP and SO_2 sources) has past, only newly regulated sources of volatile organic compounds can be issued DCO's.

On January 1, 1981, Article XX replaced Article XVIII as the Rules and Regulations for Air Pollution Control of the Allegheny County Health Department. Most of the Chapters within Article XX are identical to those in Article XVIII, or were rewritten to clarify the regulations. Those regulations in Article XX which are substantively different from the previous regulations were discussed in the proposal notice of June 10, 1981, and again elsewhere in this notice.

EPA has reviewed Article XX and has found these regulations to be acceptable. Therefore, EPA is today approving Article XX for inclusion in the SIP in place of Article XVIII, except for § 404 and Chapter IX as mentioned above.

Other SIP Requirements

The remaining SIP requirements, consisting of commitments and resources to implement and enforce SIP measures, commitments to comply with schedules, and public involvement and analysis of effects, were discussed in the notice of June 10, 1981. These requirements were satisfied by the County's submittal.

Public Comment

A sixty day comment period followed the notice of proposed rulemaking which appeared in the **Federal Register** of June 10, 1981. During this comment period comments were received from five commenters.

Comments from an electric utility company and a major steel corporation were supportive of the action being taken today. The following discussion deals with comments which raised issues on the Allegheny County SIP.

Comment: A commenter from the State of West Virginia expressed concern over the effect that a relaxation of SO_2 limitations for the Cheswick Power Station will have on air quality in West Virginia.

Response: Although the regulation change is a relaxation of the emission limitations for the plant, the actual effect of the change will be a reduction in emissions of 9,000 tons per year of SO_2 (based on 1976 actual operations and projected maximum operations). This is because the plant has been operating at a level of approximately 3.5 lbs. SO_2 per 10^6 Btu, and will be reducing emissions to a maximum of 2.8 lbs. SO_2 per 10^6 Btu. In addition, the modeling demonstration submitted with this proposed regulation change showed that less than "de minimis" impacts would occur in West Virginia from the Cheswick Power Station. This modeling showed that the highest impacts occurred within 4 kilometers (km) of the plant, and that the maximum impact at 26 km was 9 $\mu g/_{m3}$. The Class I areas in West Virginia are at least 170 km from the Cheswick plant. No EPA-approved reference model can predict impacts at that distance, but little or no impact would be expected. As for any potential impact on TSP levels as a result of increased sulfate formation, EPA currently has no authority to enforce sulfate emission limitations.

A citizens group from Pittsburgh, PA, submitted extensive comments on several aspects of the plan submitted by the County.

Comment: Sufficient information substantiating a claim of attainment for large areas of the County was lacking in the plan for SO_2 and TSP.

Response: For SO_2, the County operates seven continuous monitors located throughout the highly industrialized areas of the County. With the exception of the Hazelwood monitor, no exceedances of the primary standards have been detected, and the ambient levels have been steadily decreasing. These monitors are located in industrialized areas where problems would be expected. In the final report of the modeling exercise cited by the commenter as showing violations in the southernmost portion of the County, no discussion of Allegheny County is included. This study was intended only for areas outside of the County. The SO_2 study is being conducted to further refine air quality levels in this area. If any problems areas are discovered, they will be dealt with appropriately.

The County's monitoring network for TSP includes a high density of monitors in areas where problems might be expected. In addition, other monitors are placed where ambient levels would be expected to represent conditions existing in other similar portions of the County. The nonattainment and unclassified areas in this redesignation were developed along the boundaries as outlined above to encompass any areas that could reasonably be significantly affected by the emissions in those areas. The "neighborhood scale" of the monitors which indicate the problems, is included in the nonattainment and unclassified areas, i.e., these areas include the areas that would be expected to have ambient levels of pollutants similar to those that are measured at the monitor.

Comment: The emission relaxation for the Cheswick Power Station should not be allowed because of its environmental impacts and its effect on other States.

Response: The modeling effort for the Cheswick plant indicated that the emissions under the revised regulations, when added to existing ambient levels of SO_2, will not cause a violation of any ambient air quality standards, and would result in less than "de minimis" impacts in other States. In addition, the regulation change will actually result in a reduction in emissions (as noted above). EPA currently has no authority to enforce sulfate emission limitations. (See response to Comment from the State of West Virginia.)

Comment: The coke oven gas desulfurization unit at J&L Steel in the Hazelwood area should resume operation immediately to ensure 12 consecutive months of operation prior to 1982.

Response: In order to ensure proper operation and sufficient reliability of this unit, some modifications are required. In the interim, continued operation of the unit could result in further deterioration and less reliability. Therefore, in the long run air quality will be improved to a greater extent if the unit is modified and improved, even if shutdown is required. The scheduled start-up date is still prior to December of 1982, which is the required attainment date for the primary standards.

Comment: For both the SO_2 and TSP studies, the commenter noted that start-up dates have been delayed and the schedules allow only a short period of time for development and implementation of control strategies for attainment.

Response: The County has committed to these schedules and believes that they can be met. Rather than shorten the studies, EPA believes that a full year's data are necessary for model validation. If the County does not meet its commitments, appropriate action could then be taken by EPA. Also, several new regulations for TSP are scheduled to take effect in the interim. For unclassified areas, the 1982 attainment date does not apply. If the area is found to be a nonattainment area, the County has one year to submit an attainment plan, providing for attainment within three and one-half years of plan approval by EPA. EPA is providing assistance to the County in meeting the schedules for these studies, and is satisfied with the County's efforts to date.

Comment: The County should be required "to assure consistency with EPA's policy statement" for alternative emission reduction plans (bubbles).

Response: Each bubble presently has to be submitted as an SIP revision to EPA. Therefore, EPA will review each bubble to ensure consistency, and will also assist the County in the development of bubble plans. For this reason, EPA is taking no formal action on the County's bubble regulation.

Comment: The County does not have the resources necessary to carry out this plan.

Response: EPA believes that the County has adequate resources to carry out all the activities called for in the SIP. The County is progressing on the SO_2 study and is providing adequate assistance to the contractor in the TSP study. In addition, EPA will continue to assist the County in every way possible to meet the goals established by the SIP.

The Allegheny County Bureau of Air Pollution Control (the County) submitted comments correcting several items that appeared in the notice of June 10, 1981. These corrections have been made and are noted in today's notice.

EPA Actions

EPA conditionally approves Allegheny County's plan to attain the total suspended particulate standards. The conditional approval is based on the County's commitment to conduct certain studies, to implement certain regulations if necessary, and to achieve compliance by specified dates. If the County fails to meet its commitments, it will not be meeting its obligation under the Act and growth restrictions will apply.

The redesignation for SO_2 and TSP and the County's plan to attain the SO_2 standard are approved and become effective in 30 days.

The change in the sulfur dioxide emission limits for the Cheswick Power Station are being approved and become effective in 30 days.

Article XX of the Allegheny County Health Department is approved in place of Article XVIII except as noted in the section entitled *Review of Regulations.*

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 this action only approves State actions and imposes no new requirements.

This regulation is exempt from review by the Office of Management and Budget as provided by Section 8(a)(2) of Executive Order 12291. Due to a court imposed deadline the Agency was unable to send this rule to OMB for review prior to publication.

Pursuant to the Provisions of 5 U.S.C. Section 605(b) I hereby certify that this approval 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 Section 307(b)(1) of the Clean Air Act, judicial review of this action is available *only* by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days of today. Under Section 307(b)(2) of the Clean Air Act, the requirements which are the subject of today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

(42 U.S.C. 7401–642)

Dated: October 15, 1981.

Anne M. Gorsuch,

Administrator.

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

PART 52—APPROVAL AND PROMULGATION OF STATE IMPLEMENTATION PLANS

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

Subpart NN—Pennsylvania

1. In § 52.2020, paragraph (c)(4) is revised to read as follows:

§ 52.2020 Identification of plan.

* * * * *

(c) * * *

(4) "An Implementation Plan for the Attainment and Maintenance of the National Ambient Air Quality Standards for Allegheny County, Commonwealth of Pennsylvania, 1980", and Article XX (which replaces Article XVIII), which were submitted on December 24, 1980.

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

Title 40, Part 81 of the Code of Federal Regulations is amended as follows:

Subpart C—Section 107 Attainment Status Designations

1. In § 81.339, the table entitled "Pennsylvania-TSP" and "Pennsylvania-SO_2" are revised to read as follows:

§ 81.339 [Amended]

. . . . . .

PENNSYLVANIA.—TSP

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than National standards
I. Metropolitan Philadelphia Interstate AQCR:				
(A) City of Philadelphia:				
Census tracts 1-12, 125-142, 144-157, 162-177, 190-205, 293, 294, 298-302, 315-321, 323, 325, 326, 329-332.		×		
Census tracts 13-75, 143, 158-161, 178-189, 295-297, 322, 324, 327.			×	
Balance of City				×
(B) Montgomery County:				
Conshohocken Boro		×		
West Conshohocken Boro			×	
Lower Merion Boro			×	
Narberth Boro			×	
Upper Merion Twp			×	
Bridgeport Boro			×	
Norristown Boro			×	
Plymouth Twp			×	
Whitemarsh Twp			×	
Lansdale Boro				×
Pottstown Boro		×		
Upper Moreland Twp			×	
Lower Pottsgrove Twp			×	
Upper Providence Twp			×	
(C) Chester County:				
South Coatesville Boro		×		
City of Coatesville			×	
Caln Twp			×	
Downingtown Boro			×	
East Fallowfield Twp			×	
Modena Boro			×	
Valley Twp			×	
North Coventry Twp			×	
East Coventry Twp			×	
Phoenixville Boro		×		
Schuylkill Twp			×	
(D) Bucks County:				
Doylestown Twp			×	
(E) Remaining Pennsylvania Portion of AQCR				×
II. Northeast Pennsylvania Interstate AQCR:				
(A) Allentown, Bethlehem, Easton Air Basin	×			
(B) Reading Air Basin		×		
(C) Scranton, Wilkes Barre Air Basin		×		
(D) Remaining Pennsylvania Portion of AQCR				×
III. South Central Pennsylvania Intrastate AQCR:				
(A) Lancaster Air Basin	×			
(B) Harrisburg Air Basin		×		
(C) York Air Basin	×			
(D) Remainder of AQCR				×
IV. Central Pennsylvania Intrastate AQCR:				
(A) Johnstown Air Basin	×			
(B) Lycoming County:				
City of Williamsport		×		
South Williamsport Boro			×	
Duboistown Boro			×	
Armstrong Twp			×	
Susquehanna Twp			×	
Woodward Twp			×	
Old Lycoming Twp			×	
Loyalsock Twp			×	
Montoursville Boro			×	
(C) Blair County:				
City of Altoona		×		
Logan Twp			×	
Allegheny Twp			×	
(D) Remainder of AQCR				×
V. Southwest Pennsylvania Interstate AQCR:				
(A) Monongahela Valley Air Basin	×			
(B) Allegheny County Air Basin				
(1) A three mile wide strip which is within a perpendicular distance two miles north and east and one mile south and west of the river center line with terminus points as follows:				
(a) The Beaver County line to the I-79 Bridge on the Ohio River.			×	

PENNSYLVANIA.—TSP—Continued

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than National standards
(b) I-79 Bridge to the McKees Rocks Bridge on the Ohio River.	×			
(c) McKees Rocks Bridge to the Birmingham Bridge on the Ohio and Monongahela Rivers.	×			
(d) Birmingham Bridge to the Glenwood Bridge on the Monongahela River.	×			
(e) Glenwood Bridge to the Mansfield Bridge (Dravosburg) on the Monongahela River.	×			
(f) Mansfield Bridge to the Westmoreland County line on the Monongahela River.	×			
(2) The area within a half-mile radius of the Greater Pittsburgh Airport monitor.	×			
(3) The one mile wide strip centered on Turtle Creek running from area (V)(B)(1)(e) above to the Westmoreland County line.	×			
(4) The area within Allegheny County within a radius of two miles of the Springdale monitor.		×		
(5) The remaining portions of the Allegheny County Air Basin.				×
(C) Beaver Valley Air Basin	×			
(D) Remainder of AQCR				×
VI. Northwest Pennsylvania Interstate AQCR:				
(A) Erie Air Basin	×			
(B) Mercer County:				
City of Sharon	×			
City of Farrell	×			
Hickory Twp			×	
Sharpsville Boro			×	
Wheatland Boro			×	
(C) Beaver Valley Air Basin	×			
(D) Remaining Pennsylvania Portion of AQCR				×

PENNSYLVANIA.—SO_2

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than national standards
I. Metropolitan Philadelphia Interstate AQCR:				
(A) City of Philadelphia:				
Census tracts 2, 3, 4, 5, 6, 7, 8, 9, 11, 12	×			
Balance of City				×
(B) Delaware County				×
(C) Remaining Pennsylvania Portion of AQCR				×
II. Northeast Pennsylvania Intrastate AQCR				×
III. South Central Pennsylvania Intrastate AQCR				×
IV. Central Pennsylvania Intrastate AQCR:				
(A) Northumberland County:				
Lower Augusta Twp	×			
Point Twp	×			
Little Mahanoy Twp		×		
Rockefeller Twp		×		
Shamokin Twp		×		
Upper Augusta Twp			×	
Sunbury Boro			×	
Northumberland Boro			×	
(B) Snyder County:				
Shamokin Dam	×			
Monroe Twp			×	
(C) Remainder of AQCR				×
V. Southwest Pennsylvania Intrastate AQCR:				
(A) Monongahela Valley Air Basin			×	
(B) Allegheny County Air Basin:				
(1) The area within a two-mile radius of the Hazelwood monitor.	×			
(2) That portion of Allegheny County within an eight-mile radius of the Dusquesne Golf Association Club House in West Mifflin excluding the non-attainment area (#1).			×	
(3) The area within a two-mile radius of the Bellevue monitor.			×	
(4) The remaining portions of the Allegheny County Air Basin.				×
(C) Beaver Valley Air Basin (Beaver County)	×			
(D) Armstrong County:				
Madison Twp	×			
Mahoning Twp	×			
Boggs Twp	×			
Washington Twp	×			
Pine Twp	×			
(E) Remainder of AQCR				×
VI. Northwest Pennsylvania Interstate AQCR:				
(A) Warren County:				
Conewago Twp	×			
Warren Boro			×	
Mead Twp			×	

PENNSYLVANIA.—SO_2—Continued

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than national standards
Clarendon Boro			×	
Pleasant Twp			×	
(B) Beaver Valley Air: Basin (Lawrence County)			×	
(C) Remaining Pennsylvania Portion of the AQCR				×

[FR Doc. 81-30453 Filed 10-20-81; 8:45 am]

BILLING CODE 6560-38-M

40 CFR Part 180

[PH-FRL—1965-2; PP OE2364/R358]

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

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes a tolerance for the desiccant, defoliant, and herbicide paraquat (1,1'-dimethyl-4,4'-bipyridinium-ion) derived from application of either the bis(methyl sulfate) or the dichloride salt (both calculated as the cation). This regulation was requested by the Interregional Research Project No. 4 (IR-4). This regulation will establish a maximum permissible level for residues of the subject chemical in or on rhubarb at 0.05 part per million (ppm).

EFFECTIVE DATE: Effective on: October 21, 1981.

ADDRESS: Written objections may be submitted to the: Hearing Clerk, Environmental Protection Agency, Rm. 3708 (A-110), 401 M St., SW., Washington, D.C. 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 August 20, 1981 (46 FR 42298) that the Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, P.O. Box 231, Rutgers University, New Brunswick, NJ 08903, had submitted pesticide petition number OE2364 to EPA on behalf of the IR-4 Technical Committee and the Agricultural Experiment Stations of Michigan, Oregon, and Washington.

This petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act propose the establishment of a tolerance for residues of the desiccant, defoliant, and herbicide paraquat in or on the raw agricultural commodity rhubarb at 0.05 ppm.

No comments or requests for referral to an advisory committee were received in response to this notice of proposed rulemaking.

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 tolerance is sought. It is concluded that establishment of the tolerance will protect the public health; therefore, the tolerance is established as set forth below.

Any person adversely affected by this regulation may, within 30 days after the date of publication of this notice in the **Federal Register**, file written objections with the Hearing Clerk, Environmental Protection Agency, Rm. 3708 (A-110), 401 M St., SW., Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested the objections must state the issues for the hearing. A hearing will be granted if the objections are 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 rule 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: October 21, 1981.

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

Dated: October 9, 1981.

Edwin L. Johnson,

Director, Office of Pesticide Programs.

Therefore, 40 CFR 180.205 is revised to read as follows:

§ 180.205 Paraquat; tolerances for residues.

Tolerances are established for residues of the desiccant, defoliant, and herbicide paraquat (1,1'-dimethyl-4,4'-bipyridinium-ion) derived from application of either the bis(methyl sulfate) or the dichloride salt (both calculated as the cation) in or on the following raw agricultural commodities:

Commodities	Parts per million
Alfalfa	5
Almond hulls	0.5
Apples	0.05(N)
Apricots	0.05(N)
Avocados	0.05(N)
Bananas	0.05(N)
Barley grain	0.05(N)
Beets, sugar	0.5
Beets, sugar (tops)	0.5
Birdsfoot trefoil	5
Cattle, fat	0.01(N)
Cattle, meat	0.01(N)
Cattle, mbyp	0.01(N)
Cherries	0.05(N)
Citrus fruit	0.05(N)
Clover	5
Coffee beans	0.05(N)
Corn, fresh (inc sweet corn) (K+CWHR)	0.05(N)
Corn fodder	0.05(N)
Corn forage	0.05(N)
Corn grain	0.05(N)
Cottonseed	0.5
Eggs	0.01(N)
Figs	0.05(N)
Goats, fat	0.01(N)
Goats, meat	0.01(N)
Goats, mbyp	0.01(N)
Grass, pasture	5
Grass, range	5
Guar beans	0.5
Guava	0.05(N)
Hogs, fat	0.01(N)
Hogs, meat	0.01(N)
Hogs, mbyp	0.01(N)
Hops, fresh	0.1
Hop vines	0.5
Horses, fat	0.01(N)
Horses, meat	0.01(N)
Horses, mbyp	0.01(N)
Lettuce	0.05(N)
Melons	0.05(N)
Milk	0.01(N)
Nectarines	0.05(N)
Nuts	0.05(N)
Oat grain	0.05(N)
Olives	0.05(N)
Papayas	0.05(N)
Passion fruit	0.2
Peaches	0.05(N)
Pears	0.05(N)
Peppers	0.05(N)
Pineapples	0.05(N)
Plums (fresh prunes)	0.05(N)
Potatoes	0.5
Poultry, fat	0.01(N)
Poultry, meat	0.01(N)
Poultry, mbyp	0.01(N)
Rhubarb	0.05(N)
Rye grain	0.05(N)
Safflower seed	0.05(N)
Sheep, fat	0.01(N)
Sheep, meat	0.01(N)
Sheep, mbyp	0.01(N)

Commodities	Parts per million
Small fruit	0.05(N)
Sorghum forage	0.05(N)
Sorghum grain	0.05(N)
Soybeans	0.05(N)
Soybean forage	0.05(N)
Sugarcane	0.5(N)
Sunflower seeds	2
Tomatoes	0.05(N)
Wheat grain	0.05(N)

[FR Doc. 81-30451 Filed 10-20-81; 8:45 am]
BILLING CODE 6560-32-M

GENERAL SERVICES ADMINISTRATION

41 CFR Ch. 101

[FPMR Temp. Reg. G-38, Supp. 2]

Requirements for Reporting Transportation Payment Data; Temporary Regulations

AGENCY: GSA.

ACTION: Temporary regulation.

SUMMARY: This supplement extends to September 30, 1983, the expiration dates of FPMR Temporary Regulation G-38 and Supplement 1. In a subsequent action OFPP has directed that FPDC shall devise a new mechanism and format whereby agencies submit statistics of carrier payments directly to FPDC. This supplement ensures that collection of transportation payment data will continue pending development of an FPDC reporting system.

DATES: Effective date: October 1, 1981. Expiration date: September 30, 1983.

FOR FURTHER INFORMATION CONTACT: John W. Sandfort, Chief, Reports and Procedures Branch, Office of Transportation Audits (202-275-0664).

SUPPLEMENTARY INFORMATION: The General Services Administration has determined that this rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of $100 million or more; a major increase in costs to consumers or others; or significant adverse effects. The General Services Administration has based all administrative decisions underlying this rule on adequate information concerning the need for, and consequences of, this rule; has determined that the potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

(31 U.S.C. 244 and 40 U.S.C. 486(c))

In 41 CFR Chapter 101, this temporary regulation is listed in the appendix at the end of Subchapter G.

Note.—Supplement 2 to FPMR Temporary Regulation G-38 is filed with the original document, and its text does not appear in this volume.

General Services Administration,
Washington, DC
September 28, 1981.

Federal Property Management Regulations, Temporary Regulation G-38, Supplement 2

To: Heads of Federal agencies.

Subject: Requirements for reporting transportation payment data.

1. *Purpose.* This supplement extends the expiration date of FPMR Temporary Regulation G-38.

2. *Effective date.* This regulation is effective October 1, 1981.

3. *Expiration date.* This supplement expires on September 30, 1983.

4. *Explanation of change.* The expiration dates in paragraph 3 of FPMR Temporary Regulation G-38 and Supplement 1 are revised to September 30, 1983.

Ray Kline,
Acting Administrator of General Services.

[FR Doc. 81-30079 Filed 10-20-81; 8:45 am]
BILLING CODE 6820-AM-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 83

[Docket No. 18948; Gen. Docket No. 80-108; FCC 81-456]

Stations on Shipboard in the Maritime Services; Amendment of the Commission's Rules To Implement a Provision of the 1974 Safety Convention Regarding Compulsory Carriage of Radar on Board Vessels of 1,600 Tons Gross Tonnage and Over

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document revises a rule which required certain ships to carry tools and spare parts for compulsory radar systems. The specified equipment will be recommended rather than required. This action was requested by the American Institute of Merchant Shipping. The intent is to remove an unnecessary and in some cases burdensome regulation.

EFFECTIVE DATE: November 30, 1981.

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

FOR FURTHER INFORMATION CONTACT: Robert McNamara, Private Radio Bureau, (202) 632-7175.

SUPPLEMENTARY INFORMATION:

Memorandum Opinion and Order

Adopted: October 1, 1981.
Released: October 9, 1981.

1. This Order amends § 83.465(c) of the Commission's rules by making the list of tools, test instruments, spares and manuals specified for ships compulsorily equipped with radar a recommendation rather than a requirement. This action substantially grants the petition filed by the American Institute of Merchant Shipping (AIMS) for stay and reconsideration of the subject rule.

Background

2. In the *Report and Order* in Docket No. 18948/Gen Docket No. 80-108[1] we adopted rules designed to implement a new provision of the International Convention for the Safety of Life at Sea, 1974 (SOLAS)[2]. Regulation 12(a) of Chapter V of SOLAS requires compulsory carriage of radar on vessels of 1600 gross tons and over. (Certain voyages on the Great Lakes and connecting waterways are excepted.) This regulation further requires that the radar be of a type approved by the individual administrations.[3] The rules adopted in the *Report and Order* established the technical specifications for radar on board U.S. ships subject to SOLAS.

3. Essentially, the new radar provisions entailed two series of regulations. First, requirements were established concerning the operating characteristics of the radar. Second, specifications regarding conditions external to the radar unit were set forth. Among other things, this second series of regulations required provision of material for maintenance and repair of the compulsory radar units (i.e., spare parts, tools, test instruments, and equipment manuals).[4]

Petition

4. The American Institute of Merchant Shipping (AIMS) is a national trade association comprised of thirty member companies which own or operate the majority of U.S. flag oil, chemical, and gas cargo vessels as well as other bulk carriers. AIMS timely filed a petition to stay the effective date of § 83.465(c) and, in addition, to reconsider the provisions of this Section.[5]

[1] Adopted March 11, 1981, FCC 81-97, 46 FR 18984, —— FCC 2d ——.

[2] TIAS 9700.

[3] Administration means the Government of the country in which the ship is registered.

[4] 47 CFR 83.465(c).

[5] In that certain of the specified materials were found not to be currently available, § 83.365(c) was temporarily waived until November 30, 1981. See

Continued

5. Although AIMS notes that the implementation of the radar requirement will help fulfill the mandate of the SOLAS Convention to promote and improve international standards of safety and efficiency of navigation, it argues that the provisions set forth in § 83.465(c) are unnecessary, economically burdensome and, in part, currently impossible to comply with. As examples of required equipment which are costly but relatively of little use, AIMS listed (1) an oscilloscope with a 50 MHz response, (2) a radiation indicator or echo box, and (3) a function generator. Requirements for spare semiconductor devices and relays in addition to replacement modules made up of similar parts are viewed as unnecessary and costly duplication. AIMS also states that certain prescribed technical manuals are not yet available.

6. Additionally, AIMS contends that the commenter who asserted that 92% of U.S. flag vessels already meet the requirements of § 83.465(c) was in error.[6] AIMS states that it is hard pressed to find any shipowner that could now meet the subject provisions. It indicates that shipowners and operators have already taken measures to place repair equipment aboard vessels based on actual operational experience. Further redundancy for radar onboard large oceangoing ships is provided through the Port and Tanker Safety Act of 1978[7] which requires self-propelled vessels over 10,000 gross tons to be equipped with a dual radar system. Thus, in summary, AIMS argues that § 83.465(c) is economically burdensome and practically as well as legally unnecessary.

7. No oppositions to AIMS petition were filed.

Order, adopted April 27, 1981, 46 FR 25463. In view of the temporary waiver and the action taken herein, the petition for stay of § 83.465(c) is moot.

[6] See paragraph 15 of the *Report and Order*.

[7] Pub. L. 95-474, 92 Stat. 1485.

Discussion

8. Essentially, the rules proposed and ultimately adopted in the instant proceeding reflect the recommendations of Special Committee 65 of the Radio Technical Commission for Marine Services (RTCM).[8] These rules implementing the SOLAS radar requirement generally enjoyed wide industry support and in fact represent a consensus of the interested parties arrived at during RTCM deliberations. However, the § 83.465(c) requirement was opposed by AIMS in the RTCM forum as well as in its comments to the Notice of Proposed Rule Making in this proceeding. AIMS did not in the past object to the concept of requiring carriage of spares, etc., but rather suggested an alternate list of minimum resources.

9. We believe that in its petition for reconsideration AIMS has raised a valid point. Namely, in the case of radar repair equipment, the actual operational experience of shipowners and operators can adequately determine the materials needed to maintain a radar capability at sea. This is particularly true in that many large oceangoing ships are required to have built in redundancy in the form of a second radar system. Neither the SOLAS Convention nor the public interest require that a specific all-inclusive list of tools, test instruments, spares and technical manuals be mandated for all compulsory equipped ships. While we will avoid further debate on the usefulness of particular pieces of equipment, we do concur with AIMS view that the decision regarding necessary spares, etc., can better be made by individual shipowners and operators based on their operational experiences. Therefore, we are amending the rules to make the subject list of spares which is incorporated by reference in the rules a recommendation rather than a requirement.

[8] RTCM is a chartered Federal Advisory Committee. Special Committee 65 consisted of representatives from ship operating companies, equipment manufacturers, labor unions, consumer interests and various Government agencies.

10. Regarding questions on matters covered in this document contact Robert McNamara at (202) 632-7175.

11. Accordingly, the petition filed April 22, 1981, by the American Institute of Merchant Shipping is granted to the extent indicated herein.

12. In view of the above, it is ordered, That under the authority contained in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303(r), the Commission's rules are amended as set forth in the attached Appendix effective November 16, 1981.

13. It is further ordered, That this proceeding is terminated.

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

Federal Communications Commission.

William J. Tricarico,

Secretary.

Appendix

PART 83—STATIONS ON SHIPBOARD IN THE MARITIME SERVICES

Part 83 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

Section 83.465(c) is revised to read as follows:

§ 83.465 Ship radar station.

* * * * *

(c) Recommendations for Tools, Test Instruments, Spares and Technical Manuals may be found in Appendixes I, II, III and IV of Part IV of Volume III of the SC-65 Final Report.

* * * * *

[FR Doc. 81-30430 Filed 10-20-81; 8:45 am]

BILLING CODE 6712-01-M

Proposed Rules

Federal Register
Vol. 46, No. 203
Wednesday, October 21, 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 ENERGY

Federal Energy Regulatory Commission

18 CFR Part 271

[Docket No. RM 79-76 (Texas-13)]

High-Cost Gas Produced From Tight Formations; Texas

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 establishes 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 recommendations of the Texas Railroad Commission that the Navarro Formation be designated as a tight formation under § 271.703(d).

DATES: Comments on the proposed rule are due on November 16, 1981. No public hearing is scheduled in this docket as yet. Written requests for a public hearing are due on October 30, 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 Walter Lawson, (202) 357-8556.

SUPPLEMENTARY INFORMATION: Issued October 15, 1981.

I. Background

On August 25, 1981, the Railroad Commission of Texas (Texas) submitted to the Commission a recommendation, in accordance with § 271.703 of the Commission's final regulations (45 FR 56034, August 22, 1980), that the Navarro Formation in the Laredo Field, located in the southwestern part of the State of Texas, 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 Texas' recommendation that the Navarro Formation in the Laredo Field be designated a tight formation should be adopted. Texas' recommendation and supporting data are on file with the Commission and are available for public inspection.

II. Description of Recommendation

Texas recommends that the Navarro Formation in the Laredo Field, encountered in Webb County, Texas, Railroad Commission District 4, be designated as a tight formation. The particular area being recommended is located in the southwestern corner of Webb County, Texas, and consists of an area located within the Laredo (Navarro) Field with the exception of the area surrounding four wells in the extreme northern portion of the field.

The Navarro Formation consists of sandstones that are believed to be marine shelf bar sands. These sands conformably overlie the Taylor formation, of Gulfian Age, and are unconformably overlain by the Kincaid shale of Paleocene Age. The Navarro varies in thickness, reaching a maximum of 28 feet in the D. D. Hachar No. 5 well, as identified in Exhibits 1 and 10. Texas, in Exhibit 10, identifies the top of the Navarro in the D. D. Hachar No. 2 well at −7227 feet (subsea) and the base in the D. D. Hachar No. 6 well at −7735 feet (subsea).

III. Discussion of Recommendation

Texas claims in its submission that evidence gathered through information and testimony presented at a public hearing convened by Texas 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.

Texas further asserts that existing State and Federal regualtions assure that development of this formation will not adversely affect any fresh water aquifers that are or are expected to be used as a domestic agricultural water supply.

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. RM 80-68 (45 FR 53456, August 12, 1980), notice is hereby given of the proposal submitted by Texas that the Navarro Formation in the Laredo Field, as described and delineated in Texas' 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 November 16, 1981. Each person submitting a comment should indicate that the comment is being submitted in Docket No. RM 79-76 (Texas-13), 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 30, 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, Chapter I, Title 18, Code of Federal Regulations, as set forth below, in the event Texas' 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 subparagraph (68) to read 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. RM 79–76, subindexed as indicated, and is also located in the official files of the jurisdictional agency that submitted the recommendation.

* * * * *

(55) through (67) [Reserved]

(68) *Navarro Formation in the Laredo Field in Texas. RM 79–76 (Texas–13)*—(i) *Delineation of formation.* The Navarro Formation in the Laredo Field is found in Webb County, Texas, Railroad Commission District 4.

(ii) *Depth.* The depth to the top of the Navarro Formation is identified at approximately −7227 feet (subsea) in the northwestern portion of the designated area. The base of the Navarro formation is identified at −7735 feet (subsea) in the southeastern portion of the area. The maximum thickness of the Navarro Formation is approximately 28 feet.

[FR Doc. 81–30444 Filed 10–20–81; 8:45 am]
BILLING CODE 6717–02–M

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18 CFR Part 271

[Docket No. RM 79–76 (New York—1)]

High-Cost Gas Produced From Tight Formations; New York

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 prove (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 is proposed rulemaking by the Director of the Office of Pipeline and Producer Regulation contains the recommendation of the State of New York that the Medina Group be designated as a tight formation under § 271.703(d).

DATES: Comments on the proposed rule are due on November 16, 1981. No public hearing is scheduled in this docket as yet. Written requests for a public hearing are due on October 30, 1981.

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

FOR FURTHER INFORMATION CONTACT: Leslie Lawner, (202) 357–8307, or John Roy Johnson (202) 357–8731.

SUPPLEMENTARY INFORMATION:

Issued: October 15, 1981.

I. Background

On September 21, 1981, the New York State Department of Environmental Conservation (New York) submitted to the Commission a recommendation, in accordance with § 271.703 of the Commission's regulations (45 FR 56034, August 22, 1980), that the Medina Group located in Cattaraugus and Chautauqua Counties, New York, 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 New York's recommendation that the Medina Group be designated a tight formation should be adopted. New York's recommendation and supporting data are on file with the Commission and are available for public inspection.

II. Description of Recommendation

The recommended formation underlines Cattaraugus and Chautauqua Counties, New York, 10 miles south of Buffalo, New York. The proposed area encompasses 2,399 square miles and is bounded by the Pennsylvania state line to the south and west and by Lake Erie to the northwest. The Medina Group is composed of the Grimsby Sandstone, the Power Glen Shale, and the Whirlpool Sandstone and averages a net pay thickness of approximately 55 feet. The average depth to the top of Medina Group is approximately 4,000 feet. The Medina Group is contacted above with the Thorold formation of the Clinton Group and is contacted below with the upper Queenston Shale formation.

III. Discussion of Recommendation

New York claims in its submission 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.

New York 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. RM 80–68 (45 FR 53456, August 12, 1980), notice is hereby given of the proposal submitted by New York that the Medina Group, as described and delineated in New York'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 November 16, 1981. Each person submitting a comment should indicate that the comment is being submitted in Docket No. RM 79–76 (New York—1), 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 16, 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, Chapter I, Title 18, Code of Federal Regulations, as set forth below, in the event New York'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 subparagraph (73) to read as follows:

§ 271.703 Tight formations.

* * * * *

(d) *Designated tight formations.* The following formations are designated as tight formations. A more detailed description of the geographic extent and geological parameters of the designated tight formations is located in the Commission's official file for Docket No. RM 79–76, subindexed as indicated, and is also located in the official files of the jurisdictional agency that submitted the recommendation.

* * * * *

(55) through (72) [Reserved]

(73) *Medina Group in New York. Rm 79–76 (New York—1)*—(i) *Delineation of formation.* The Medina Group is found in Cattaraugus and Chautauqua Counties, New York, and is bounded by Pennylvania to the south and west and by Lake Erie to the northwest. The Medina Group is defined as the interval contacted above with the Thorold formation and contacted below with the upper Queenston Shale formation, and consists of the Grimsby Sandstone, the Power Glen shale, and the Whirlpool Sandstone.

(ii) *Depth.* The average depth to the top of the Medina Group is 4,000 feet. The Medina Group averages a net pay thickness of approximately 55 feet.

[FR Doc. 81-30442 Filed 10-20-81; 8:45 am]

BILLING CODE 6717-02-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 10, 18, 114, and 143

Proposed Amendments to the Customs Regulations Relating to Carnets; Correction

AGENCY: Customs Service, Treasury.

ACTION: Proposed rule; correction.

SUMMARY: This document corrects a typographical error in a proposed rule relating to carnets which appeared at page 48235 in the Federal Register of Thursday, October 1, 1981 (46 FR 48235).

FOR FURTHER INFORMATION CONTACT: Jerold O. Worley, Office of Commercial Operations, U.S. Customs Service (202–566–8607).

The following correction is made to the document:

On page 48236, left-hand column, the telephone number in parenthesis under the caption "FOR FURTHER INFORMATION CONTACT:" is corrected to read "202–566–8607."

Dated: October 14, 1981.

Steven Pinter,

Acting Director, Regulations Control and Disclosure Law Division.

[FR Doc. 81-30473 Filed 10-20-81; 8:45 am]

BILLING CODE 4810-22-M

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 9

[Notice No. 388]

The Hudson River Region Viticultural Area

AGENCY: Bureau of Alcohol, Tobacco and Firearms, Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Bureau of Alcohol, Tobacco and Firearms (ATF) is considering the establishment of a viticultural area in New York State to be known as "Hudson River Region." This proposal is the result of a petition submitted by Allen W. MacKinnon, proprietor of Cottage Vineyards, located in Marlboro-on-the-Hudson, New York. The establishment of viticultural areas and the subsequent use of viticultural area names in wine labeling and advertising will help consumers better identify wines they purchase. The use of this viticultural area as an appellation of origin will also help winemakers distinguish their products from wines made in other areas.

DATE: Written comments must be received by January 19, 1982.

ADDRESSES: Send written comments to: Chief, Regulations and Procedures Division, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 385, Washington, D.C. 20044, (Attn: Notice No. 388).

Copies of the petition, the proposed regulations, the appropriate maps, and the written comments will be available for public inspection during normal business hours at: ATF Reading Room, Office of Public Affairs and Disclosure, Room 4405, Federal Building, 12th and Pennsylvania Avenue NW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: John A. Linthicum, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue NW., Washington, D.C. 20226 (202) 566–7602).

SUPPLEMENTARY INFORMATION:

Background

On August 23, 1978, ATF published Treasury Decision ATF–53 (43 FR 37672, 54624) revising regulations in 27 CFR Part 4. These regulations allow the establishment of definite viticultural areas. The regulations also allow the name of an approved viticultural area to be used as an appellation of origin on wine labels and in wine advertisements.

On October 2, 1979, ATF published Treasury Decision ATF–60 (44 FR 56692) which added a new Part 9 to 27 CFR, providing for the listing of approved American viticultural areas, the names of which may be used as appellations of origin.

Section 4.25a(e)(1), Title 27, CFR, defines an American viticultural area as a delimited grape-growing region distinguishable by geographical features. Section 4.25a(e)(2) outlines the procedure for proposing an American viticultural area. Any interested person may petition ATF to establish a grape-growing region as a viticultural area. The petition should include—

(a) Evidence that the name of the proposed viticultural area is locally and/or nationally known as referring to the areas specified in the petition;

(b) Historical or current evidence that the boundaries of the viticultural area are as specified in the petition;

(c) Evidence relating to the geographical features (climate, soil, elevation, physical features, etc.) which distinguish the viticultural features of

the proposed area from surrounding areas;

(d) A description of the specific boundaries of the viticultural area, based on the features which can be found on the United States Geological Survey (U.S.G.S.) maps of the largest applicable scale; and

(e) A copy of the appropriate U.S.G.S. map with the boundaries prominently marked.

Petition

ATF has received a petition proposing an area in southeastern New York State as a viticultural area to be known as "Hudson River Region." The area consists of approximately 3,500 square miles encompassing all of Columbia, Dutchess, and Putnam Counties, the eastern portions of Ulster and Sullivan Counties, nearly all of Orange County and the northern portions of Rockland and Westchester Counties.

There are nearly 1000 acres of grape plantation in the proposed area, with more than 90% of this located in Columbia and Ulster Counties.

There are 13 wineries in the proposed area, including 9 wineries which were established after a 1976 New York State law liberalized the qualification procedures for small wineries.

The following information is taken from *The Wines of America* by Leon Adams. Wine has been made continuously in the Hudson River Region for over 300 years, since French Huguenots first settled at New Paltz, NY in 1677. The first commercial winery was established in 1827 on Croton Point in Westchester County. The oldest active winery in the United States was established in 1839 at Washingtonville, NY.

The petitioner claims that the proposed viticultural area is known as a wine producing area by the name of "Hudson River Region" for the following reasons:

(a) On January 8, 1974, one winery in the area received permission from ATF to use the words "Hudson River Region" on its labels. Since then, most wineries in the area have been using that designation.

(b) The region has been recognized as a significant wine producing region in several articles in *The New York Times*, *The New York Daily News*, and *The Long Island Newsday*.

(c) Leon Adams in *The Wines of America* refers to the area as the "oldest wine growing district in the United States."

(d) In *Grapes of New York*, considered by the petitioner to be "the definitive tome on the subject of viticulture in the State of New York," written by U. P. Hedrick as the report of the New York Agricultural Experiment Station for the Year 1907, the Hudson River District is defined as one of the four commercial grape districts in the State.

The petitioner claims that the proposed viticultural area is distinguished from the surrounding area for the following reasons:

(1) The Hudson River Region has been referred to as one of the most complex geological regions in the world. The grape lands in the area are in a geological division known as the Taconic Province. Glacial deposits of shale, slate, schist and limestone form the soil throughout the region.

(2) Climatography publications of New York and the United States show that the mean annual precipitation is approximately 44 inches. The mean date of the last freeze in Spring is May 10, and the mean date of the first freeze in Autumn is October 10. The mean growing season is approximately 153 days.

The boundaries of the proposed viticultural area may be found on four U.S.G.S. topographical maps in the scale of 1:250,000 series: Albany (NK 18-6), Hartford (NK 18-9), Scranton (NK 18-8), and Binghamton (NK 18-5). The boundaries are described in the proposed § 9.47.

Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to an initial and final regulatory flexibility analysis (5 U.S.C. 603, 604) are not applicable to this proposal because the notice of proposed rulemaking, if promulgated as a final rule, will not have a significant economic impact on a substantial number of small entities. The proposal is not expected to have significant secondary or incidental effects on a substantial number of small entities, or impose, or otherwise cause, a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities.

ATF is not able to assign a realistic economic value to using "Hudson River Region" as an appellation of origin. An appellation of origin is primarily an advertising intangible. Moreover, changes in the values of wines may be caused by a myriad of factors unrelated to this proposal.

All 13 wineries in the general area are within the proposed boundary. Therefore, any value derived from using the "Hudson River Region" appellation of origin would apply equally to all 13 wineries.

Nearby wineries located in the State of Connecticut are not in an area historically considered to be part of the Hudson River Region.

Therefore, ATF believes that this notice of proposed rulemaking, if promulgated as a final rule, will not have a significant economic impact on a substantial number of small entities.

Compliance With E.O. 12291

In Compliance with Executive Order 12291 the Bureau has determined that this proposal is not a major rule since it will not result in:

(a) An annual effect on the economy of $100 million or more;

(b) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(c) Significant adverse effects on competition, employment, investment, productivity, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Public Participation—Written Comments

ATF requests comments concerning this proposed viticultural area from all interested persons. Furthermore, while this document proposes possible boundaries for the Hudson River Region viticultural area, comments concerning other possible boundaries for this viticultural area will be given consideration.

Comments received before the closing date will be carefully considered. Comments received after the closing date and too late for consideration will be treated as possible suggestions for future ATF action.

ATF will not recognize any material or comments as confidential. Comments may be disclosed to the public. Any material which the commenter considers to be confidential or inappropriate for disclosure to the public should not be included in the comment. The name of the person submitting a comment is not exempt from disclosure.

Any person who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his or her request, in writing, to the Director within the 90-day comment period. The request should include reasons why the commenter feels that a public hearing is necessary. The Director, however, reserves the right to determine, in light of all circumstances, whether a public hearing will be held.

Drafting Information

The principal author of this document is John A. Linthicum, Research and Regulations Branch, Bureau of Alcohol,

Tobacco and Firearms. However, other personnel of the Bureau and of the Treasury Department have participated in the preparation of this document, both in matters of substance and style.

Authority

Accordingly, under the authority in 27 U.S.C. 205, the Director proposes the amendment of 27 CFR Part 9 as follows:

PART 9—AMERICAN VITICULTURAL AREAS

Par. 1. The table of sections in 27 CFR Part 9, Subpart C, is amended to add the title of § 9.47. As amended, the table of sections reads as follows:

Subpart C—Approved American Viticultural Areas

Sec.

* * * * *

9.47 Hudson River Region.

Par. 2 Subpart C is amended by adding § 9.47. As amended, Subpart C reads as follows:

Subpart C—Approved American Viticultural Areas

* * * * *

§ 9.47 Hudson River region.

(a) *Name.* The name of the viticultural area described in this section is "Hudson River Region."

(b) *Approved maps.* The approved maps for determining the boundaries of Hudson River Region viticultural area are four U.S.G.S. maps. They are titled:

(1) Albany (NK 18–6), scale of 1:250,000 series;

(2) Hartford (NK 18–9), scale of 1:250,000 series;

(3) Scranton (NK 18–8), scale of 1:250,000 series;

(4) Binghamton (NK 18–5), scale of 1:250,000 series;

(c) *Boundary.* The Hudson River Region viticultural area is located in New York State. The boundary is as follows:

(1) The beginning point is the point where N.Y. Route 15 (Merritt Parkway) crosses the New York-Connecticut state line.

(2) The boundary proceeds northerly along the New York–Connecticut state line and the New York–Massachusetts state line to the northeast corner of Columbia County New York.

(3) The boundary proceeds westerly along the Columbia County-Rensselaer County line to the Columbia County–Greene County line in the Hudson River.

(4) The boundary proceeds southerly along the Columbia County–Greene County line in the Hudson River to northeast corner of Ulster County.

(5) The boundary proceeds westerly along the Ulster County-Greene County line to N.Y. Route 214.

(6) The boundary proceeds southerly along the eastern side of N.Y. Route 214 to the junction with N.Y. Route 28 in Phoenicia.

(7) The boundary proceeds southerly along the eastern side of N.Y 28 to the junction with N.Y. Route 28A.

(8) The boundary proceeds southerly along the eastern side of N.Y. Route 28A to the intersection with the secondary, all-weather, hard surface, southbound road leading toward Samsonville.

(9) The boundary proceeds southerly along the eastern side of this southbound road through Samsonville, Tabasco, Mombaccus, Fantinekill, and Pataukunk to the junction with U.S. Route 209.

(10) The boundary proceeds southerly along the eastern side of U.S. Route 209 to the New York–Pennsylvania state line in the Delaware River.

(11) The boundary proceeds easterly along the Delaware River to the New York–New Jersey state line.

(12) The boundary proceeds easterly along the New York–New Jersey state line to N.Y. Route 17.

(13) The boundary proceeds northerly along the western side of N.Y. Route 17 to the junction with Interstate Route 287.

(14) The boundary proceeds easterly along the northern side of Interstate Route 287 to the junction with N.Y. Route 15.

(15) The boundary proceeds easterly along the northern side of N.Y. Route 15 to the beginning point.

Signed: September 22, 1981.

G. R. Dickerson,

Director.

Approved: October 2, 1981.

John M. Walker, Jr.,

Assistant Secretary, (Enforcement and Operations).

[FR Doc. 81–30375 Filed 10–20–81; 8:45 am]

BILLING CODE 4810–31–M

FEDERAL MEDIATION AND CONCILIATION SERVICE

29 CFR Ch. XII

Semiannual Agenda of Regulatory Activity Affecting Small Businesses

AGENCY: Federal Mediation and Conciliation Service.

ACTION: Semiannual agenda required by the Regulatory Flexibility Act of 1980.

SUMMARY: The Federal Mediation and Conciliation Service does not anticipate promulgating any regulations subject to the Regulatory Flexibility Act during the six-month period from October 1981 to April 1982.

FOR FURTHER INFORMATION CONTACT: Nancy B. Broff, Acting General Counsel, 2100 K Street, NW., Washington, D.C. 20427 202/653–5305.

Kenneth E. Moffett,

Acting Director.

[FR Doc. 81–30443 Filed 10–20–81; 8:45 am]

BILLING CODE 6732–01–M

DEPARTMENT OF EDUCATION

Office of Postsecondary Education

34 CFR Part 642

Training Program for Special Programs Staff and Leadership Personnel

AGENCY: Department of Education.

ACTION: Notice of a public meeting and request for comments.

SUMMARY: The Secretary announces a meeting to receive oral and written comments and suggestions on the 1982–83 priorities for training under the Training Program for Special Programs Staff and Leadership Personnel. The meeting will provide consultation with regional and State professional associations as required by the Higher Education Act of 1965 as amended.

DATES: The public meeting will be held in Washington, D.C., on October 30, 1981.

ADDRESSES: The meeting will be conducted from 9:00 a.m. to 12 noon at the following location: General Services Administration Building (ROB–3), Room 1041 (Auditorium), 7th and D Streets, SW., Washington, D.C. 20202. Interested persons may either deposit their statements at the meeting or they may mail them to the contact person, at the address below.

FOR FURTHER INFORMATION CONTACT: John L. Hunt, U.S. Department of Education, Division of Student Services, (ROB–3, Room 3514), 400 Maryland Avenue, SW., Washington, D.C. 20202–3314. Telephone (202) 245–2511.

SUPPLEMENTARY INFORMATION: In establishing priorities under this program, the Department of Education is obligated by statute to consult with regional and State professional associations having special knowledge with respect to the needs and problems of this program. This notice of a public meeting is being published to increase the number of participants involved in the setting of priorities for the 1982–83 academic year for the program by extending an invitation to all interested parties.

Persons interested in attending the meeting should notify the meeting's contact person five (5) working days in advance of the meeting date. Each person planning to make oral comments is urged to limit their presentation to ten (10) minutes. The individual should notify the contact person in advance for scheduling purposes providing name, address, and telephone number during working hours.

Further, persons with hearing impairments who wish signing assistance must notify the contact person at least five (5) working days prior to the meeting date.

The Department will accept written statements for the record at the meeting. Interested persons may either deposit their statements at the meeting or they may mail them to the contact person.

(Catalog of Federal Domestic Assistance No. 84.103, Training Program for Special Programs Staff and Leadership Personnel)

Dated: October 15, 1981.

T. H. Bell,

Secretary of Education.

[FR Doc. 81-30445 Filed 10-20-81; 8:45 am]

BILLING CODE 4000-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[PH-FRL-1965-1; PP 8E2035/P195]

Carbaryl; Proposed Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed Rule.

SUMMARY: This notice proposes that a tolerance be established for the insecticide carbaryl (1-naphthyl *N*-methylcarbamate) including its hydrolysis product 1-naphthol, calculated as 1-naphthyl *N*-methyl carbamate in or on birdsfoot trefoil forage and birdsfoot trefoil hay at 100 parts per million (ppm). This proposal was submitted by the Interregional Research Project No. 4 (IR-4). This amendment will establish a maximum permissible level for residues on the subject commodities.

DATE: Written comments must be received on or before November 20, 1981.

ADDRESS: Written comments to: Donald R. Stubbs, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Donald Stubbs (703-557-7123).

SUPPLEMENTARY INFORMATION: The Interregional Research Project No. 4 (IR-4), New Jersey Agricultural Experiment Station, PO Box 231, Rutgers University, New Brunswick, NJ 08903, has submitted pesticide petition number 8E2035 to EPA on behalf of the IR-4 Technical Committee and the Agricultural Experiment Station of New York.

This petition requested that the Administrator, pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act propose the establishment of a tolerance for residues of the insecticide carbaryl (1-naphthyl *N*-methylcarbamate) including its hydrolysis product 1-naphthol, calculated as 1-naphthyl *N*-methylcarbamate in or on the raw agricultural commodities birdsfoot trefoil forage and birdsfoot trefoil hay at 100 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 tolerance is sought. The toxicology data considered in support of the proposed tolerances were a 2-year rat feeding study with a no-observable-effect level (NOEL) of 200 ppm; a 1-year dog subchronic feeding study with an NOEL of 400 ppm; a Rhesus monkey teratology study, which was negative at 20 milligrams (mg)/kilogram (kg) of body weight (bw)/day (highest level tested); an 18-month mouse oncogenicity study which was negative up to 400 ppm (highest level tested); a 3-generation rat reproduction study with an NOEL of 200 mg/kg of bw/day (highest level tested). Based on the 2-year rat feeding study with a 200 ppm NOEL and using a 100-fold safety factor, the acceptable daily intake (ADI) for humans is calculated to be 0.1 mg/kg/day. The theoretical maximum residue contribution (TMRC) in the human diet from previously established and proposed tolerances does not exceed the ADI.

The metabolism of carbaryl is adequately understood and an adequate analytical method (spectrophotometric determination) is available for enforcement purposes. "A Notice of Determination Not to Initiate A Rebuttable Presumption Against Registration (RPAR)" was published in the **Federal Register** of December 12, 1980 (45 FR 81869). Carbaryl was under consideration for the RPAR process primarily because two laboratory studies conducted in the late 1960's indicated that carbaryl induced teratogenicity (birth defects) when administered in low doses to pregnant beagle dogs. EPA reviewed the risks associated with the use of carbaryl and determined that risk criteria warranting an RPAR had not been met or exceeded.

Based on the above information considered by the agency and the fact that currently established tolerances for meat and milk are adequate to cover any residues resulting from birdsfoot trefoil forage and hay used as animal feed, the tolerance established by amending 40 CFR Part 180 would protect the public health. It is proposed, therefore, that the tolerance be established as set forth below.

Any person who has registered or submitted an application for registration of a pesticide, under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, which contains any of the ingredients listed herein, may request within 30 days after publication of this notice in the **Federal Register** that this rulemaking proposal be referred to an Advisory Committee in accordance with Section 408(e) of the Federal Food, Drug, and Cosmetic Act.

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 8E2035/P195]." All written comments filed in response to this petition will be available for public inspection in the office of Donald Stubbs 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(e), 68 Stat. 514; (21 U.S.C. 346a(e)))

Dated: October 14, 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 180.169 be amended by alphabetically inserting the raw agricultural

commodities "birdsfoot trefoil forage" and "birdsfoot trefoil hay" to read as follows:

§ 180.169 Carbaryl; tolerances for residues.

* * * * *

Commodities	Parts per million
* * * * *	
Birdsfoot trefoil forage	100
Birdsfoot trefoil hay	100
* * * * *	

[FR Doc. 81-30452 Filed 10-20-81; 8:45 am]

BILLING CODE 6560-32-M

Notices

Federal Register
Vol. 46, No. 203
Wednesday, October 21, 1981

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

International Convention Advisory Commission; Meeting

Notice is hereby given in accordance with section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. Appendix I, that a meeting of the International Advisory Commission will be held on Wednesday, October 28, 1981, 9 a.m., National Science Foundation, Room 338, 1800 G Street, NW., Washington, D.C.

The Commission will consider CITES captive breeding standards, the status of annual bobcat findings, an update on the status of the ten year review of the CITES appendices and miscellaneous business.

For further information contact Mr. Thomas McIntyre, Chairman, International Convention Advisory Commission, USDA; APHIS: Office of the Administrator, Room 713 Federal Center Building, Hyattsville, MD 20782, telephone 301–436–5983. Opportunity will be given for oral or written presentations provided that appointments are made with Mr. McIntyre by 5 p.m. October 23, 1981.

Dated: October 13, 1981.

Thomas McIntyre,

Chairman, International Convention Advisory Commission.

[FR Doc. 81-30429 Filed 10-20-81; 8:45 am]

BILLING CODE 3410-34-M

CIVIL AERONAUTICS BOARD

[Docket No. 40113]

America West Fitness Investigation; Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on October 26, 1981, at 10:00 a.m. (local time) in Room 1003, Hearing Room "B", Universal North Building, 1875 Connecticut Ave., NW, Washington, D.C. before the undersigned administrative law judge.

Dated at Washington, D.C., October 16, 1981.

John M. Vittone,

Administrative Law Judge.

[FR Doc. 81-30440 Filed 10-20-81; 8:45 am]

BILLING CODE 6320-01-M

[Docket No. 40113]

America West Fitness Investigation; Assignment of Proceeding

This proceeding has been assigned to Administrative Law Judge John M. Vittone. Future communications should be addressed to Judge Vittone.

Dated at Washington, D.C., October 15, 1981.

Joseph J. Saunders,

Chief Administrative Law Judge.

[FR Doc. 81-30441 Filed 10-20-81; 8:45 am]

BILLING CODE 6320-01-M

Commuter Fitness Determination

The Board is proposing to find the following carriers fit, willing and able to provide commuter air carrier service under Section 419(c)(2) of the Federal Aviation Act, as amended, and that aircraft used in this service conform to applicable safety standards.

Order	Applicant	Response date
81-10-83	Charlie Hammonds Flying Service, Inc., d.b.a. Hammonds Commuter Airline, Hammonds Air Service, Hammonds Air Feight Service.	Nov. 3, 1981.
81-10-84	Ponderosa Aviation, Inc	Nov. 3, 1981.
81-10-85	Imperial Airlines, Inc	Nov. 3, 1981.
81-10-86	Flightaire, Inc	Nov. 3, 1981.
81-10-87	Christman Trucking Corporation, d.b.a. Christman Air System.	Nov. 3, 1981.
81-10-88	Heussler Air Service Corp	Nov. 3, 1981.
81-10-89	Ryan Air Service, Inc	Nov. 3, 1981.
81-10-99	Vieques Air Link, Inc	Nov. 4, 1981.

All interested persons wishing to respond to the Board's tentative fitness determination shall serve their responses on all persons listed in Attachment A of the respective orders and file response of additional data with the Special Authorities Division, Room 915, Civil Aeronautics Board, Washington, D.C. 20428; except for responses to Order 81–10–89 which should be filed with the Alaska Field Office, Civil Aeronautics Board, 701 C Street, Box 27, Anchorage, Alaska 99513.

The complete text of the orders is available from the Distribution Section, Room 100, 1825 Connecticut Avenue, Washington, D.C. 20428. Persons outside the metropolitan area may send a postcard request to the above address.

FOR FURTHER INFORMATION CONTACT: Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, Washington, D.C. 20428 for Orders 81–10–84, 85, 86, and 87: Joyce Snovitch, (202) 673–5074; for Order 81–10–88 and 99: Patti Szrom, (202) 673–5088; for Order 81–10–83, John McCamant, (202) 673–5082; and for Order 81–10–89, Ms. Joyce Strain, Alaska Field Office, Civil Aeronautics Board, 701 C Street, Anchorage, Alaska, 99513, (907) 271–5146.

Dated: October 16, 1981.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 81-30481 Filed 10-20-81; 8:45 am]

BILLING CODE 6320-01-M

DEPARTMENT OF COMMERCE

Foreign Trade Zones Board

[Docket No. 16–81]

Proposed Foreign-Trade Zone—Phoenix, Arizona; Application for Temporary Site

Notice is hereby given that an application has been submitted to the Foreign-Trade Zones Board (the Board) by the City of Phoenix, Arizona (the City) requesting authority to establish a temporary general-purpose foreign-trade zone site in Phoenix, within the Phoenix Customs port of entry. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act of 1934, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR Part 400). It was formally filed on October 14, 1981.

This proposal is related to an application made by the City on August 17, 1981, for a general-purpose foreign-trade zone at the site of the proposed Freeport Center industrial park in Phoenix (Docket 11–81, 46 FR 42894, 8–25–81). A public hearing was held for the Board on September 24. Because it is estimated by the operator/developer

that it will take about 2 years to develop the infrastructure and construct the zone's first building, the City has proposed a temporary zone site at which the operator can provide zone services in the interim until January 31, 1984.

The proposed temporary site is a 6.1-acre parcel of developed land located at North 47th Avenue and West Polk Street, Phoenix, near the proposed permanent site. Construction of a 103,000 square foot warehouse is underway and should be completed in March 1982.

The examiners committee currently investigating the application for the permanent site will also examine this application.

Comments concerning the proposed zone expansion are invited in writing from interested persons and organizations. They should be addressed to the Board's Executive Secretary at the address below and postmarked on or before November 20, 1981.

A copy of the application is available for public inspection at each of the following locations:

U.S. Department of Commerce District Office, Valley Bank Center, Suite 2950, 201 North Central Avenue, Phoenix, Arizona 85073.

Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, 14th and E. Streets NW., Room 2006, Washington, D. C. 20230.

Dated: October 16, 1981.

John J. Da Ponte, Jr.,

Executive Secretary, Foreign-Trade Zones Board.

[FR Doc. 81-30480 Filed 10-20-81; 8:45 am]

BILLING CODE 3510-25-M

[Docket No. 14-81]

Proposed Subzone for Foreign-Trade Zone No. 14, Little Rock

As a result of a request from the Electronic Industries Association and the Committee to Preserve American Color Television, the period for comments on the proposed subzone for Sanyo Manufacturing Corporation (46 FR 46151, September 17, 1981) has been extended to November 20, 1981.

Dated: October 15, 1981.

John J. Da Ponte, Jr.,

Executive Secretary, Foreign-Trade Zones Board.

[FR Doc. 81-30479 Filed 10-20-81; 8:45 am]

BILLING CODE 3510-25-M

International Trade Administration

Department of Energy c/o Battelle Memorial Institute; Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 301).

A copy of the record pertaining to this decision is available for public review between 8:30 a.m. and 5:00 p.m. in Room 2119 of the Department of Commerce Building, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

Docket No. 81-00163. Applicant: U.S. Department of Energy c/o Battelle Memorial Institute, Pacific Northwest Laboratory, P.O. Box 999, Richland, WA 99352. Article: Scanning Electron Microscope, Model JSM-35C. Manufacturer: JEOL Inc., Japan. Intended use of article: See Notice on page 23094 in the **Federal Register** of April 23, 1981.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (February 29, 1980). Reasons: The foreign article has a specimen transfer port for handling and observing nuclear waste. The National Bureau of Standards advises in its memorandum dated September 23, 1981 that (1) the capabilities of the foreign article described above are pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use available at the time the foreign article was ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the foreign article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81-30487 Filed 10-20-81; 8:45 am]

BILLING CODE 3510-25-M

Massachusetts Institute of Technology; Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 301).

A copy of the record pertaining to this decision is available for public review between 8:30 a.m. and 5:00 p.m. in Room 2119 of the Department of Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket No. 80-00456. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, MA 02139. Article: Standard Spark-Ignition Research Engine. Manufacturer: Ricardo Engineers, Ltd., United Kingdom. Intended use of article: See Notice on page 2663 in the **Federal Register** of January 12, 1981.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article has two overhead camshafts and can attain speeds of 7,000 revolutions per minute. The National Bureau of Standards advises in its memorandum dated September 25, 1981 that (1) the characteristics of the foreign article described above are pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81-30489 Filed 10-20-81; 8:45 am]

BILLING CODE 3510-25-M

Trustees of the University of Pennsylvania; Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a

scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 301).

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. in room 2119 of the Department of Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket No. 81–00190. Applicant: The Trustees of the University of Pennsylvania, Purchasing Department, 3451 Walnut Street, I6, Philadelphia, PA 19104. Article: Ultra-High Vacuum 3-Axis Goniometer. Manufacturer: Panmure Instruments, United Kingdom. Intended use of article: See Notice on page 28203 in the **Federal Register** of May 26, 1981.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article has the following specifications: (1) bakable to 250°; (2) specimen movements of 270° on the vertical axis, 360° on the horizontal axis and ± 30 tilt; (3) 3-axis rotation accuracy of 0.02°; (4) 3-axis intersection is a .08 millimeter sphere; and (5) specimen heating to 1500° with cooling to the temperature of liquid nitrogen. The National Bureau of Standards advises in its memorandum dated September 23, 1981 that (1) the combination of capabilities described above are pertinent ot the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81–30468 Filed 10–20–81; 8:45 am]

BILLING CODE 3510–25–M

University of Massachusetts, et al.; Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89–651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Statutory Import Programs Staff, U.S. Department of Commerce, Washington, D.C. 20230, within 20 calendar days after the date on which this notice of application is published in the **Federal Register.**

Regulations (15 CFR 301.9) issued under the cited Act prescribed the requirements for comments.

A copy of each application is on file, and may be examined between 8:30 A.M. and 5:00 P.M., Monday through Friday, in Room 2119 of the Department of Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket No. 81–00376. Applicant: University of Massachusetts, Department of Civil Engineering, Marston Hall, Room 30, Amherst, MA 01003. Article: Electronic Hydraulic Controller, Triaxial Cell and Accessories. Manufacturer: Geotechnical Digital System, United Kingdom. Intended use of article: The article is intended to be used in the analysis of ground settlement or instability problems due to earthquakes. Studies will be conducted to evaluate and extend analytical models for predicting cyclic deformations and pore pressure behavior of soil samples under anisotropic stress states. This application of these models will be focused on the problem of footing settlement caused by earthquake-induced pore pressure. The research will also involve laboratory soil property tests and laboratory model footing settlement analysis. The resulting techniques will be applicable, as well, to such problems as earthquake-induced deformations of slopes and embankments. Applicant received by Commissioner of Customs: September 10, 1981.

Docket No. 81–00377. Applicant: Veterans Administration Medical Center, University & Woodland Avenues, Philadelphia, PA 19104. Article: Electron Microscope, EM 109 and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used as a daily routine diagnostic tool to examine the patient's specimen as follows:

1. Biopsies: kidney, intestine, liver, lung, skin, etc.
2. Undifferentiate tumor,
3. Microbiology specimens for virus or bacterial identification,
4. Hematology specimens, and
5. Cytology specimens.

The article will also be used for training pathology residents, fellows and staff, medical students, and medical technicians in electron microscopy techniques. Application received by Commissioner of Customs: September 10, 1981.

Docket No. 81–00378. Applicant: Polytechnic Institute of New York, 333 Jay Street, Brooklyn, NY 11201. Article: Nuclear Magnetic Resonance Spectrometer, JNM/FX–90Q and Accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used in research programs in the general areas of bio-inorganic, organic, physical and polymer chemistry. Principal usage will involve ^{13}C with significant interest in other nuclei such as ^{15}N, ^{19}F and ^{31}P while less than 25 percent of the total usage will involve ^{1}H as the magnetic species. The research projects being conducted will involve studies of:

(1) Modified Polystyrene for Polymer Blends,

(2) Reorientation and Collisional Relaxation Processes,

(3) Modified Cycloamyloses as Efficient Enzyme Models,

(4) Ring Contraction Rearrangements in Substituted Nitrocyclohexenes,

(5) ^{13}C NMR of Metal Complexes with Ligands Containing Energetically Low Lying π-Systems,

(6) Borate Interaction with Sugars in Anomeric and Furanose Pyranose Equilibrium,

(7) Molecular Geometry of Microbial Polysaccharide,

(8) Conformational Properties of Polymers with Mesogenic Side Groups, and

(9) ^{31}P–NMR of Phosphine Derivatives.

In addition, the article will be used in the following formal laboratory courses: Organic Chemistry Laboratory, Physical Chemistry Laboratory, Instrumental Methods Laboratory, and Polymer Laboratory. Application received by Commissioner of Customs: September 10, 1981.

Docket No. 81–00379. Applicant: Frederick Cancer Research Center, P.O. Box B, Frederick, MD 21701. Article: Digital Scan Control Unit. Manufacturer: VG Micromass/VG Data Systems, United Kingdom. Intended use of article: The article is an accessory to an existing mass spectrometer and is used for the identification and quantitation of a wide range of substances obtained or produced by the varied interdisciplinary

carcinogenesis research programs. These will include:

(1) High molecular weight antitumor and antibiotic compounds isolated from microbial fermentations;

(2) Products formed by the interaction of carcinogenic polycyclic aromatic hydrocarbons and metabolic derivatives with components of DNA and RNA;

(3) Metabolites of bile acids, sterols, and aromatic amines which affect tumor development;

(4) Metabolites and related derivatives of the carcinogen 7,12-dimethylbenz(a)anthracene;

(5) Anticancer drugs and metabolites; hormones and small peptides which may serve as biological markers;

(6) Synthetic compounds (polycyclic aromatics, steroids, nitrosamines, etc.) prepared for use in cancer research;

(7) Metabolites of nitrosamines;

(8) Alkylated pyrines and pyrimidines resulting from reactions with carcinogens; and

(9) Compounds of complex mixtures resulting from chemical studies of carcinogens and related compounds. Application received by Commissioner of Customs: September 10, 1981.

Docket No. 81-00380. Applicant: University of California, Berkeley, Purchasing Department, 2405 Bowditch Street, Berkeley, CA 94720. Article: Ion Source for Rare Gas Mass Spectrometry. Manufacturer: Swiss Federal Institute of Technology, Switzerland. Intended use of article: The article is intended to be used to examine the rare gas isotopes in terrestrial and extraterrestrial rocks. Investigations will involve dating studies which include searching for the sites in meteorites of small quantities of extinct radioactive ^{129}I which decayed early in the history of the solar system to stable ^{129}Xe and which are the basis for a dating method of high resolution for events which took place early in the history of the solar system. Other studies will be of primitive gases in terrestrial rocks and meteorites. In addition, the article will be used to train researchers in rare gas mass spectrometry in the course Physics 295; Research in Physics. Application received by Commissioner of Customs: September 10, 1981.

Docket No. 81-00381. Applicant: University of Maine at Orono, Department of Zoology, Murray Hall, Orono, Maine 04469. Article: Flow Meter-4 Digital #2536-B. Manufacturer: Rigosha & Co., Ltd., Japan. Intended use of article: The article is intended to be used to measure flow of water through a plankton net to permit estimation of juvenile eel abundance. Collections of juvenile eels will be made on consecutive ebb and flood tides using buoyed and anchored net arrays. The objective of the experiment is to determine the behaviroal patterns exhibited by juvenile eels migrating upstream in a tidal estuary. Application received by Commissioner of Customs: September 10, 1981.

Docket No. 81-00382. Applicant: The Johns Hopkins University, Charles and 34th Streets, Baltimore, MD 21218. Article: Micromanipulator. Manufacturer: Micro Instruments, Ltd., United Kingdom. Intended use of article: The article will be used to identify one class of messenger RNA in a complex mixture of mRNA species. mRNA will be loaded into microinjection needles and injected into hundreds of *Xenopus Laevis* oocytes using the micromanipulator. The injected mRNA will direct the synthesis of proteins in the oocytes. Identification of the proteins will allow identification of the mRNA. Several oocytes must be injected rapidly and incubated overnight to permit protein synthesis. The relevant proteins can be identified by specific assays for their activities. The investigations will elucidate mechanisms which control the synthesis of different mRNA molecules as cells differentiate. The article will also be used for training graduate students for independent research in molecular genetics. Application received by Commissioner of Customs: September 10, 1981.

Docket No. 81-00383. Applicant: Harvard Medical School, Purchasing Department, 75 Mount Street, Cambridge, MA 02138. Article: Mass Spectrometer, MAT-312 and Accessories. Manufacturer: Varian MAT, West Germany. Intended use of article: The article is intended to be used for biomedical research of the interplay of cells with their environment. In pursuing this research it will be necessary to relate the pathophysiological consequences to known modifications of the interacting compound, i.e. the carbohydrate and glycoconjugate structures, on biosurfaces. Specific projects will include investigations of the following:

(1) Heparin Structure,

(2) Metabolism and function of membrane derived oligosaccharides,

(3) Glycoconjugate studies,

(4) Structural studies of lipid-linked oligosaccharides, and

(5) Development studies in glycoconjugate analysis.

Application received by Commissioner of Customs: September 10, 1981.

Docket No. 81-00384. Applicant: University of Virginia, Charottesville, VA 22906. Article: Electron Microscope, EM 109 and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for electron microscopic examination of central nervous pathways. It is intended to combine the electron microscopic technique with various histrochemical techniques which will make it possible to identify both the anatomical and the histochemical nature of the various synaptic complexes. Tissues will be fixed in a combination of glutaraldehyde and paraformaldehyde. In addition, the article will be used to provide instruction in the use of various light- and electron microscopic techniques in the tracing of central nervous connections. Application received by Commissioner of Customs: September 10, 1981.

Docket No. 81-00385. Applicant: The Regents of the University of California, Riverside, Material Management, Riverside, CA 92521-0122. Article: Electron Microscope, H-600-3 and Accessories. Manufacturer: Hitachi Scientific Instruments, Ltd., Japan. Intended use of article: The article is intended to be used to examine the ultrastructure of plants in the infected state and the pathogens that attack them. Specifically, research will include investigation of:

(1) Fine structural features of plant parasitic nematodes which can be interpreted phylogenetically and will conribute to a stable taxonomic system.

(2) How the cell walls of fungi are organized, chemcially and architecturally, and how they are assembled by the cell.

(3) The structure of viroid molecules and the interactions with host cells.

The article will also be used in the instruction of graduates and undergraduates in the principles of specimen preparation and electronoptics as well as how to use the electron microscope and its accessories. Application received by Commissioner of Customs: September 11, 1981.

Docket No. 81-00386. Applicant: Utah State University, Department of Range Science, UMC 52, Logan, UT 84322. Article: Root Length Scanner. Manufacturer: Commonwealth Aircraft Corp., Ltd., Australia. Intended use of article: The article will be used for determining the length of root samples which is a basic parameter in studies of water and nutrient uptake by arid- and semi-arid-land forage grasses. Experiments on the competitive effectiveness of these grasses under various simulated grazing levels is the core of an attempt to determine the physiological basis for tolerance of grazing while under competitive pressure from unpalatable species. The article will also be used in the laboratory portion of an advanced course in Plant Ecophysiology (Range Science 621) and in individual student projects associated with the

undergraduate courses: Range Plant Stress Physiology and Land Rehabilitation. Application received by Commissioner of Customs: September 11, 1981.

Docket No. 81-00387. Applicant: Cornell University, Department of Agriculture, 218 Riley-Robb Hall, Ithaca, New York 14853. Article: Falling Weight Deflectometer. Manufacturer: A/S Dynatest Engineering, Denmark. Intended use of article: The article is intended to be used to measure the deflection of the surface of highway and airfield pavements under pulse loading. Deflections will be used to characterize the variation in pavement strength at various times of the year, particularly during the spring-thaw season. From the measured deflections the modulus of elasticity of each pavement layer will be calculated using mathematical techniques now under development at the University. The objectives of this research are to try to relate the propensity of pavement to weaken and develop potholes during spring thaw to various environmental and material properties such as air temperature, precipitation, depth of frost penetration, solid type grain size distribution, and soil moisture content. Application received by Commissioner of Customs: September 15, 1981.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81-30490 Filed 10-20-81; 8:45 am]

BILLING CODE 3510-25-M

Washington University; Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 301).

A copy of the record pertaining to this decision is available for public review between 8:30 A.M. and 5:00 P.M. in Room 2119 of the Department of Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket No. 81-00136. Applicant: Washington University, Department of Earth & Planetary Sciences, Wilson Hall, Box 1169, St. Louis, Missouri 63130. Article: Superprobe 733 Electron Probe X-Ray Micro Analyzer. Manufacturer: Jeol Ltd., Japan. Intended use of article: See Notice on page 20581 in the **Federal Register** of April 6, 1981.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides 70 Angstroms resolution. The National Bureau of Standards advises in its memorandum dated September 24, 1981 that (1) the capabilities of the foreign article described above are pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 81-30489 Filed 10-20-81; 8:45 am]

BILLING CODE 3510-25-M

Fiber Optic Subcommittee of the Telecommunications Equipment Technical Advisory Committee; Partially Closed Meeting

AGENCY: International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: The Telecommunications Equipment Technical Advisory Committee was initially established on October 23, 1973, and rechartered on September 17, 1981, in accordance with the Export Administration Act of 1979 and the Federal Advisory Committee Act. The Subcommittee was approved for continuation on October 5, 1981, pursuant to the charter of the Committee.

The Fiber Optic Subcommittee was formed to study fiber optic communication equipment with the goal of making recommendations to the Department of Commerce relating to the appropriate parameters for controlling exports for reasons of national security.

TIME AND PLACE: November 5, 1981, at 10:00 a.m. The meeting will take place at the Main Commerce Building, Room 1624, 14th Street and Constitution Avenue, N.W., Washington, D.C.

Agenda: *General Session*

(1) Opening remarks by the Acting Chairman

(2) Presentation of papers or comments by the public

(3) Discussion of CCL entries 1526, 1519, 1548, 1767, 1519, 1544, and 1527 as they relate to fiber optic communication equipment

(4) Industry comments on relevant control parameters for export licensing purposes are requested

Executive Session

(5) Discussion of matters properly classified under Executive Order 12065, dealing with the U.S. and COCOM control program and strategic criteria related thereto

Public participation: The General Session of the meeting will be open to the public and a limited number of seats will be available. To the extent time permits members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting.

SUPPLEMENTARY INFORMATION: The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on September 29, 1981, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended by Section 5(c) of the Government In The Sunshine Act, Pub. L. 94-409, that the matters to be discussed in the Executive Session should be exempt from the provisions of the Federal Advisory Committee Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552b(c)(1) and are properly classified under Executive Order 12065. A copy of the Notice of Determination to close meetings or portions thereof is available for public inspection and copying in the Central Reference and Records Inspection Facility, Room 5317, U.S. Department of Commerce, telephone: 202-377-4217.

FOR FURTHER INFORMATION OR COPIES OF THE MINUTES CONTACT: Mrs. Margaret Cornejo, Office of the Director of Licensing, Office of Export Administration, Room 1609, U.S. Department of Commerce, Washington, D.C. 20230, Telephone: 202-377-2583.

Dated: October 16, 1981.

Saul Padwo,

Director of Licensing.

[FR Doc. 81-30503 Filed 10-20-81; 8:45 am]

BILLING CODE 3510-25-M

National Oceanic and Atmospheric Administration

Marine Mammal; Modification of Permit

Notice is hereby given that pursuant to the provisions of Section 216.24(b)(4) of Title 50 on the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216), that

General Permits in Categories 1, 3, 4, and 5 issued to the Pacific Coast Federation of Fishermen's Associations are hereby modified by deleting Section 5 in each permit and substituting therefor the following:

5. This Permit shall be valid from 0001 hours December 3, 1980 to 2400 hours December 31, 1983, or until such time as recent amendments to the Marine Mammal Protection Act regarding incidental taking during commercial fishing operations can be implemented.

This modification is effective October 21, 1981.

These Permits, as modified, are available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Services, 3300 Whitehaven Street, N.W., Washington, D.C.;
Regional Director, National Marine Fisheries Service, Northwest Region, 1700 Westlake Avenue, North, Seattle, Washington 98109;
Regional Director, National Marine Fisheries Service, Southeast Region, 9450 Koger Boulevard, St. Petersburg, Florida 33702;
Regional Director, National Marine Fisheries Service, Southwest Region, 300 South Ferry Street, Terminal Island, California 90731;
Regional Director, National Marine Fisheries Service, Northeast Region, Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930; and
Regional Director, National Marine Fisheries Service, Alaska Region, P.O. Box 1668, Juneau, Alaska 99802.

Dated: October 15, 1981.

Richard B. Roe,

Acting Director, Office of Marine Mammals and Endangered Species, National Marine Fisheries Service.

[FR Doc. 81-30302 Filed 10-20-81; 8:45 am]

BILLING CODE 3510-22-M

National Marine Fisheries Service; Marine Mammal Modification Request

Notice is hereby given that Mystic Marinelife Aquarium, Mystic, Connecticut 06355, has requested a modification to Public Display Permit No. 307 issued to them on October 20, 1980 (45 FR 70537) under the authority of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407) and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216).

The Permit Holder is requesting the option to take Atlantic white-sided dolphins (*Lagenorhynchus acutus*) and/or white-beaked dolphins (*Lagenorhynchus albirostris*) as well as harbor porpoise (*Phocoena phocoena*) currently authorized by Permit No. 307. No increase in the total number of animals to be taken is requested.

The arrangements and facilities for transporting and maintaining the marine mammals requested in the above described request have been inspected by a licensed veterinarian, who has certified that such arrangements and facilities are adequate to provide for the well-being of the marine mammals involved.

Concurrent with the publication of this notice in the Federal Register, the Secretary of Commerce is forwarding copies of this request to the Marine Mammal Commission and the Committee of Scientific Advisors.

Written data or views, or requests for a public hearing on this request should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, U.S. Department of Commerce, Washington, D.C. 20235, within 30 days of the publication of this notice. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate. The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries.

All statements and opinions contained in this request are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Documentation pertinent to this request is available for review by interested persons in the following Offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, N.W., Washington, D.C.; and

Regional Director, National Marine Fisheries Service, Northest Region, 14 Elm Street, Federal Building, Gloucester, Massachusetts 01930.

Dated: October 15, 1981.

Richard B. Roe,

Acting Director, Office of Marine Mammals & Endangered Species, National Marine Fisheries Service.

[FR Doc. 81-30291 Filed 10-20-81; 8:45 am]

BILLING CODE 3510-22-M

National Marine Fisheries Service; Issuance of Marine Mammal Permit

On August 21, 1981, notice was published in the Federal Register (46 FR 42499), that an application had been filed with the National Marine Fisheries Service by Dr. Donald B. Siniff, Department of Ecology and Behavioral Biology, 108 Zoology Building, University of Minnesota, Minneapolis, Minnesota 55455, for a permit to conduct studies involving six species of seals in Antarctica for the purpose of scientific research.

Notice is hereby given that on October 15, 1981, and as authorized by the provisions of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407), the National Marine Fisheries Service issued a Scientific Research Permit for the requested taking and importing to Dr. Donald B. Siniff, subject to certain conditions set forth therein.

The Permit is available for review in the following office:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, N.W., Washington, D.C.

Richard B. Roe,

Acting Director, Office of Marine Mammals and Endangered Species, National Marine Fisheries Service.

October 15, 1981.

[FR Doc. 81-30292 Filed 10-20-81; 8:45 am]

BILLING CODE 3510-22-M

National Marine Fisheries Service; Marine Mammal Receipt of Application for Permit

Notice is hereby given that an Applicant has applied in due form for a Permit to take marine mammals as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR Part 216).

1. Applicant:

a. Name: Dr. John L. Bengtson, Department of Ecology and Behavioral Biology (P290).

b. Address: 108 Zoology Building, University of Minnesota, Minneapolis, Minnesota 55455.

2. Type of Permit: Scientific Research.

3. Name and Number of Animals:

Crabeater Seal (Lobodon carcinophagus)—1,200
Leopard Seal (Hydrurga Leptonyx)—500
Weddell Seal (Leptonychots weddelli)—220
Ross Seal (Ommatophoca rossi)—210
Antarctic fur seal (Arctocephalus gazella)—220
Southern elephant seal (Mirounga leonina)—220

4. Type of Take: Animals will be tagged, sampled, occasionally blood sampled, and in some cases radio tagged. Up to 600 Crabeater seals, 100 Leopard Seals, 20 Weddell seals, 10 Ross seals, 20 Antarctic fur seals, and 20 Southern elephant seals may be sacrificed over a two-year period.

5. Location of Activity: Antarctic Peninsula.

6. Period of Activity: 2 years.

Concurrent with the publication of this notice in the Federal Register, the Secretary of Commerce is forwarding copies of this application to the Marine Mammal Commission and the Committee of Scientific Advisors.

Written data or views, or requests for a public hearing on this application should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, U.S. Department of Commerce, Washington, D.C. 20235, within 30 days of the publication of this notice. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries.

All statements and opinions contained in this application are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Documents submitted in connection with the above application are available for review in the following offices:

Assistant Administrator for Fisheries, National Marine Fisheries Service, 3300 Whitehaven Street, N.W., Washington, D.C. 20235; and

Regional Director, National Marine Fisheries Service, Northeast Region, 14 Elm Street, Federal Building, Gloucester, Massachusetts 01930.

Dated: October 14, 1981.

Richard B. Roe,

Acting Director, Office of Marine Mammals and Endangered Species, National Marine Fisheries Service.

[FR Doc. 81-30393 Filed 10-20-81; 8:45 am]

BILLING CODE 3510-22-M

Pacific Fishery Management Council, Its Salmon Subpanel, and Its Scientific and Statistical Committee; Public Meetings With a Partially Closed Session

AGENCY: National Marine Fisheries Service, NOAA.

ACTION: Notice of public meetings with a partially closed session.

SUMMARY: As required by the Federal Advisory Committee Act, this notice sets forth the schedule and proposed agendas of the forthcoming separate public meetings of the Pacific Fishery Management Council, its Scientific and Statistical Committee and its Salmon Subpanel. The Council, its Scientific and Statistical Committee and its Salmon Subpanel were established by Section 302 of the Magnuson Fishery Conservation and Management Act (Pub. L. 94-265,) (16 U.S.C. 1852), to manage and conserve America's fisheries as specified by the Act.

Meeting Agendas

Council (open meeting)—consideration of salmon, pink shrimp and herring fishery management plans (FMPs) and/or amendments. In addition, a meeting will be conducted to determine the scope and significance of issues related to the 1982 salmon plan amendment. This scoping meeting will be held from 2 p.m. to 5 p.m., on November 11, 1981. Oral comments or questions by the public will also be invited beginning at 4 p.m., on November 12, 1981.

Council (closed session)—discussion of the status of maritime boundary and resource negotiations between the U.S. and Canada. Only those Council members and selected staff having security clearances will be allowed to attend this closed session.

FOR FURTHER INFORMATION CONTACT: South Atlantic Fishery Management Council, One Southpark Circle—Suite 306, Charleston, South Carolina 29406, Telephone: (803) 571-4366.

Dated: October 15, 1981.

Jack L. Falls,

Chief, Administrative Support Staff, National Marine Fisheries Service.

[FR Doc. 81-30394 Filed 10-20-81; 8:45 am]

BILLING CODE 3510-22-M

Pacific Fishery Management Council; Its Salmon Subpanel And Its Scientific And Statistical Committee Public Meetings With a Partially Closed Session

AGENCY: National Marine Fisheries Service, NOAA.

ACTION: Notice of public meetings with a partially closed session.

SUMMARY: As required by the Federal Advisory Committee Act, this notice sets forth the schedule and proposed agendas of the forthcoming separate public meetings of the Pacific Fishery Management Council, its Scientific and Statistical Committee and its Salmon Subpanel. The Council, its Scientific and Statistical Committee and its Salmon Subpanel were established by Section 302 of the Magnuson Fishery Conservation and Management Act (Public Law 94-265), 16 U.S.C. 1852), to manage and conserve America's fisheries as specified by the Act.

Meeting Agendas:

Council (open meeting)—consideration of salmon, pink shrimp and herring fishery management plans (FMPs) and/or amendments. In addition, a meeting will be conducted to determine the scope and significance of issues related to the 1982 salmon plan amendment. This scoping meeting will be held from 2 p.m. to 5 p.m., on November 11, 1981. Oral comments or questions by the public will also be invited beginning at 4 p.m., on November 12, 1981.

Council (closed session)—discussion of the status of maritime boundary and resource negotiations between the U.S. and Canada. Only those Council members and selected staff having security clearance will be allowed to attend this closed session.

Scientific and Statistical Committee (open meeting)—consideration of salmon, pink shrimp and herring FMPs and/or amendments; evaluation and development of recommendations on issues referred to the Committee by the Council following the Council's October 6-7, 1981, meeting. Oral comments or questions by the public will also be invited beginning at 3:30 p.m., on November 11, 1981.

Salmon Subpanel (open meeting)—identification of issues to consider in the 1981 salmon plan amendment.

DATES:

Council (open meeting)—November 11-12, 1981 (2 p.m. to 5 p.m., on November 11, 1981; 10 a.m. to 5 p.m., on November 12).

Council (closed session)—November 12, 1981 (8 a.m. to 10 a.m.).

Scientific and Statistical Committee (open meeting)—November 11-12, 1981 (1 p.m. to 5 p.m., on November 11; 8 a.m. to 5 p.m., on November 12).

Salmon Subpanel (open meeting)—November 11-12, 1981 (1 p.m. to 5 p.m., on November 11; 8 a.m. to 5 p.m., on November 12).

ADDRESS: All meetings will take place at the Cosmopolitan Hotel, 1030 N.E. Union Avenue, Portland, Oregon. However, the Council will meet in the Capri-Del Rio Room, the Scientific and Statistical Committee will meet in the Athens Room and the Salmon Subpanel will meet in the Hall of Fame Room.

FOR FURTHER INFORMATION CONTACT: Pacific Fishery Management Council, 526 S.W. Mill Street, Second Floor, Portland, Oregon 97201, Telephone: (503) 221-6352.

SUPPLEMENTARY INFORMATION: The Assistant Secretary for Administration of the Department of Commerce, with the concurrence of the General Counsel.

formally determined on October 14, 1981, pursuant to Section 10(d) of the Federal Advisory Committee Act, that the agenda item covered in the closed session is exempt from the provisions of the Act relating to open meetings and public participation therein, because the meeting will be concerned with matters that are within the purview of 5 U.S.C. 552b(c)(1), as information which will disclose matters that are (A) specifically authorized under criteria established by an executive order to be kept secret in the interests of national defense or foreign policy and (B) in fact properly classified pursuant to such an executive order. (A copy of the determination is available for public inspection and copying in the Central Reference Records Inspection Facility, Room 5317, Department of Commerce.) All other portions of the meetings will be open to the public.

Dated: October 15, 1981.

Jack L. Falls,

Chief, Administrative Support Staff, National Marine Fisheries Service.

[FR Doc. 81-30395 Filed 10-20-81; 8:45 am]

BILLING CODE 3510-22-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Soliciting Public Comment on Bilateral Consultations With the Government of the People's Republic of China to Include a Review of Trade in Categories 315 (Cotton Printcloth) and 320 (Other Woven Cotton Fabrics)

October 20, 1981.

Pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Agreement of September 17, 1980 between the Governments of the United States and the People's Republic of China, the United States, on October 20, 1981, requested consultations with the Government of the People's Republic of China concerning imports of cotton printcloth in Category 315 and other cotton fabrics in Category 320.

The purpose of this notice is to advise that if no solution is agreed upon between the two governments within 90 days of the request for consultations, entry and withdrawal from warehouse for consumption of cotton fabrics in Categories 315 and 320, produced or manufactured in the People's Republic of China and exported to the United States during the twelve-month period beginning on January 19, 1982 and extending through January 18, 1983, may restrained at respective levels of 109,812,778 square yards and 57,214,246 square yards. The United States reserves the right to invoke import controls on these categories during the 90-day consultation period at levels of 32,81,078 square yards for Category 315 and 18,191,281 square yards for Category 320.

Anyone wishing to comment or provide data of information regarding the treatment of Categories 315 or 320 is invited to submit such comments on information in ten copies to Mr. Paul T. O'Day, Chairman, Committee for the Implementation of Textile Agreements and Deputy Assistant Secretary for Textiles and Apparel, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230. Since the exact timing of the consultations is not yet certain, it is requested that comments be submitted promptly.

Comments or information submitted in response to this notice will be available for public inspection in the Office of Textiles and Apparel, Room 2808, U.S. Department of Commerce, 14th & Constitution Avenue, NW., Washington, D.C. 20230, and may be obtained upon written request. Further comment may be invited regarding particular comments or information received from the public which the Committee for the Implementation of Textile Agreements considers appropriate for further consideration.

The solicitation of comments regarding any aspect of the U.S. textile and apparel import restraint program is not a waiver in any respect of the exemption contained in 5 U.S.C. 553(a)(1) and 554(a)(4) relating to matters which constitute "a foreign affairs function of the United States."

Paul T. O'Day,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 81-30062 Filed 10-20-81; 10:42 am]

BILLING CODE 3510-25-M

COPYRIGHT ROYALTY TRIBUNAL

[Docket 81-2]

Commencement of Cable Television Copyright Royalty Proceeding

Pursuant to 17 U.S.C. 801(b)(2) (B) and (C), the Copyright Royalty Tribunal publishes notice of the commencement of a proceeding to consider possible adjustment of certain cable television royalty rates established by 17 U.S.C. 111(d)(2)(B) to reflect the amendment of the Federal Communications Commission rules and regulations pertaining to carriage by cable systems of distant broadcast signals, and program exclusivity.

Anyone wishing to participate as a party to this proceeding shall notify the Tribunal of such intention not later than November 25, 1981. Such notification shall be addressed to Chairman, Copyright Royalty Tribunal, 1111 20th Street, NW., Room 450, Washington, D.C. 20036

Jurisdictional and procedural motions and proposals shall be submitted not later than January 11, 1982.

Each party shall submit a pre-hearing position statement not later than March 1, 1982. Reply comments may be submitted by March 15, 1982.

Any economic or other studies or surveys shall be submitted not later than March 31, 1982. All such materials shall be prepared in accordance with the Rules of Procedure of the Tribunal.

The Tribunal later will commence a pre-hearing conference to consider matters relating to the evidentiary hearing of this proceeding.

Thomas C. Brennan,

Acting Chairman.

October 15, 1981.

[FR Doc. 81-30465 Filed 10-20-81; 8:45 am]

BILLING CODE 1410-01-M

[Docket 81-4]

Possible Declaration of Controversy Concerning Distribution of 1980 Jukebox Royalty Fees

Pursuant to 17 U.S.C. 116(c)(3), the Copyright Royalty Tribunal requests comments as to whether there exists a controversy concerning the distribution of the 1980 royalty fees deposited for public performances by means of coin-operated phonorecord players (jukeboxes). Such comments shall be addressed to Chairman, Copyright Royalty Tribunal, 1111 20th Street NW., Room 450, Washington, D.C. 20036, and shall be submitted not later than January 29, 1982.

Thomas C. Brennan,

Acting Chairman.

October 15, 1981.

[FR Doc. 81-30466 Filed 10-20-81; 8:45 am]

BILLING CODE 1410-07-M

DEPARTMENT OF DEFENSE

Department of the Navy

Newport, Rhode Island; Intent To Prepare a Draft Environmental Impact Statement

In compliance with the National Environmental Policy Act, the Navy will prepare a Draft Environmental Impact Statement to assess the impact of homeporting additional ships at the

Naval Educational and Training Center, Newport, Rhode Island.

The Draft Environmental Impact Statement will consider the impact of the proposed action on environmental factors, including, but not limited to, increased demand on community services, school enrollments and availability of rental properties, and will also examine mitigation measures which would reduce any identified adverse impact.

To initiate the scoping process, interested persons are invited to submit comments on this proposed action for consideration by the Navy and for possible incorporation into the Draft Environmental Impact Statement. Please forward comments to the following address: Commanding Officer, Northern Division, Naval Facilities Engineering Command, Philadelphia Naval Base, Building 77–I, Philadelphia, Pennsylvania 19112. ATTN: Code 202.

In order that comments may be considered in a timely manner, correspondence should be mailed no later than November 5, 1981.

When the Draft Environmental Impact Statement is completed, a public notice of its availability for review will be announced in order that interested persons may comment on the document.

Following publication of the Draft Environmental Impact Statement, a public hearing is planned to be held at a convenient location in Newport, Rhode Island, to solicit public response to the proposed action. All comments will be addressed in a Final Environmental Impact Statement.

No decision to undertake the proposed action will be made until the environmental process is completed and the Secretary of the Navy or his representative prepares a Public Record of Decision for publication in the **Federal Register.**

The Navy will submit the final Environmental Impact Statement to the appropriate Federal, state, and local agencies as required by law.

Dated: October 19, 1981.

F. N. Ottie,

Lieutenant Commander, JAGC, U.S. Navy, Alternate Federal Register, Liaison Officer.

[FR Doc. 81–30555 Filed 10–20–81; 8:45 am]

BILLING CODE 3810–AE–M

Office of the Secretary

Defense Advisory Committee on Military Personnel Testing

Pursuant to Pub. L. 92–463, notice is hereby given that a meeting of the Defense Advisory Committee on Military Personnel Testing is scheduled to be held from 9 a.m. to 5 p.m. on 12 and 13 November 1981 at the Air Force Human Resources Laboratory, Brooks Air Force Base, San Antonio, Texas. Meeting sessions will be open to the public.

The purpose of the meeting is to review the validation of the Armed Services Vocational Aptitude Battery (ASVAB) as well as the rationale for and procedures used in establishing enlistment criteria and prerequisites for military occupations. The agenda for the next meeting of the Committee, scheduled for 18–19 February 1982 in San Diego, California, will also be discussed.

Persons desiring to make oral presentations or submit written statements for consideration at the Committee meeting must contact Dr. W. S. Sellman, Executive Secretary, Defense Advisory Committee on Military Personnel Testing, Office of the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics), Room 2B269, The Pentagon, Washington, D.C. 20301, telephone (202) 695–5525 no later than 1 November 1981.

October 16, 1981.

M. S. Healy,

OSD Federal Register Liaison Officer, Washington Headquarters Services, Department of Defense.

[FR Doc. 81–30485 Filed 10–20–81; 8:45 am]

BILLING CODE 3810–01–M

DEPARTMENT OF ENERGY

Office of Conservation and Renewable Energy

[Case No. WH–001]

Energy Conservation Program for Consumer Products; Petition for Waiver of Water Heater Test Procedures From A. O. Smith Corporation

AGENCY: Office of Conservation and Renewable Energy, DOE.

SUMMARY: Today's notice publishes a "Petition for Waiver" from A. O. Smith Corporation requesting a waiver from the existing Department of Energy (DOE) test procedures for water heaters. The petition requests DOE to grant relief from the test procedure requirements relating to the determination of first hour rating for A. O. Smith's gas fired water heaters equipped with thermal compensating dip tubes. DOE is soliciting comments, data and information respecting the contents of the petition.

DATE: DOE will accept comments, data, and information not later than November 20, 1981.

ADDRESS: Written comments and statements shall be sent to: Department of Energy, Office of Conservation and Renewable Energy, Case No. WH–001, Mail Stop, CE–113.1, Forrestal Building, 1000 Independence Avenue, SW., Washington, D.C. 20585.

FOR FURTHER INFORMATION CONTACT: James A. Smith, U.S. Department of Energy, Office of Conservation and Renewable Energy, Mail Stop CE–113.1, Forrestal Building, 1000 Independence Avenue, SW., Washington, D.C. 20585, (202) 252–9127. Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Room 6B–128, Forrestal Building, 1000 Independence Avenue, SW., Washington, D.C. 20585, (202) 252–9510.

SUPPLEMENTARY INFORMATION:

Background:

The Energy Conservation Program for Consumer Products (other than automobiles) was established pursuant to the Energy Policy and Conservation Act (EPCA), Pub. L. 94–163, 89 Stat. 917, as amended by the National Energy Conservation Policy Act (NECPA), Pub. L. 95–619, 92 Stat. 3266, which requires DOE to prescribe standardized test procedures to measure the energy consumption of certain consumer products, including water heaters. The intent of the test procedures is to provide a comparable measure of energy consumption that will assist consumers in making purchasing decisions. These test procedures appear at 10 CFR Part 430, Subpart B.

DOE has amended the prescribed test procedures by adding 10 CFR § 430.27, Petitions for Waiver, to allow the Assistant Secretary for Conservation and Renewable Energy temporarily to waive test procedures for a particular basic model. 45 FR 64108 (September 26, 1980). Waivers may be granted when one or more design characteristics of a basic model either prevent testing of the basic model according to the prescribed test procedures or lead to results so unrepresentative of the model's true energy consumption so as to provide materially inaccurate comparative data.

On May 4, 1981, A. O. Smith Corporation filed a "Petition for Exception; Application for Temporary Exception" with the Office of Hearings and Appeals (OHA) of the Department of Energy in accordance with 10 CFR §§ 205.50 and .120, respectively. By letter dated May 19, 1981, the Associate Director of OHA notified A. O. Smith

that since the firm's request pertains to the appropriateness and the accuracy of the test procedures, it has forwarded the submission to the Office of Conservation and Renewable Energy which, under 10 CFR § 430.27, has jurisdiction over such waiver applications. By memorandum of the same date, the Associate Director forwarded the petition to the Assistant Secretary for Conservation and Renewable Energy to be acted upon in accordance with the provisions for the waiver of Consumer Product Test Procedures, 10 CFR § 430.27. That section provides that granting of relief occurs after a final decision has been reached. Therefore, the "Petition for Exception; Application for Temporary Exception" from A. O. Smith Corporation, dated May 4, 1981, will be considered a "Petition for Waiver" (Case No. WH-001) requiring appropriate action by the Assistant Secretary for Conservation and Renewable Energy in accordance with the provisions of 10 CFR § 430.27. By letter of June 29, 1981 to the Consumer Product Efficiency Branch, the company substituted an original photograph of the thermogard dip tube for a copy of the picture initially filed with OHA.

The A. O. Smith petition seeks a waiver from the DOE test procedures for water heaters on the grounds that the procedures give materially inaccurate estimates of the first hour rating for its gas fired water heaters equipped with thermal compensating dip tubes. The first hour rating represents the hot water available to be delivered on demand by the water heater. It is determined by the amount of water that can be heated and made available over the first hour of operation. Water heaters are one of the products the Federal Trade Commission has labeled. This information forms the basis of the Energy Guide labels used in the Federal Trade Commission Appliance Labeling Program and assists consumers in making comparisons between water heaters of different energy sources. A. O. Smith's petition alleges that the first hour rating test requirements of a starting temperature of 160°F, a 20°F temperature drop and a temperature ratio adjustment in the calculation formula yield an inaccurate estimate of the performance of gas water heaters equipped with the thermal compensating dip tubes.

Pursuant to paragraph (b) of 10 CFR § 430.27, DOE is required to publish in the **Federal Register** a Petition for Waiver and supporting documents. In consideration of the foregoing and in accordance with the provisions of 10 CFR § 430.27(b), DOE is hereby publishing the "Petition for Waiver" in the **Federal Register** in its entirety. The petition and supporting documents contain no confidential information. DOE is hereby soliciting comments, data and information respecting the contents of the petition.

Issued in Washington, D.C., October 1, 1981.

Joseph J. Tribble,

Assistant Secretary, Conservation and Renewable Energy.

Petitioner: A. O. Smith Corporation, *Highway 45 South, Kankakee, Illinois*

Petition for Exception; Application for Temporary Exception

To: the United States Department of Energy, Washington, D.C.

Pursuant to the procedures described in Section 205.50 *et seq.* Subpart D, entitled *Exception,* 39 FR 1924, as amended, and Section 205.120 *et seq.* Subpart 1, entitled *Stay and Temporary Exception* 39 FR 1924, A. O. Smith (herein "Smith") respectfully simultaneously petitions the Department of Energy, for a temporary exception and a permanent exception to the requirements of the energy efficiency test procedures and requirements specified in 19 CFR, Part 430, particularly Appendix E, subpart B, relating to the test procedures for consumer appliances for determining first hour rating until such time as a suitable test procedure is developed by the Department of Energy for gas fired water heaters equipped with thermal compensating dip tubes as follows:

(1) Smith is a New York corporation which maintains a Consumer Products Division at Highway 45 South, in the City of Kankakee, Illinois 60901. Among other products, Smith's Consumer Products Division manufactures and distributes to wholesaler plumbing distributors, various models of gas fired water heaters equipped with navel inlet devices—being called thermal compensating dip tubes, hereinafter referred to as TCDT.

(2) The provisions of the Energy Policy and Conservation Act as amended by the National Energy Conservation Policy Act prohibits a user of TCDT's from a) making representations in writing; b) labeling appliances; and c) broadcasting advertisements with regard to any particular product subject to the Act unless that manufacturer has first conducted tests of representative samples of products manufactured by it subject to the Act in acccordance with standard test procedures and methods prescribed by the Act in Appendix N of 10 CFR, Part 430, Subpart B. The provisions of the Act are effective May 19, 1980 and as of that date manufacturers of water heaters must test and label products manufactured by them from that date forward as prescribed by the Act.

(3) Present test procedures prescribed by Appendix N of the Act, applicable to first hour rating of water heaters do not yield or provide an accurate estimate of the performance of TCDT's used by Smith, as more fully described in the affidavit of Robert E. Cook, Smith's director of product engineering and development, Exhibit A herein.

(4) Unless the Federal Energy Administration of the Department of Energy grants Smith a temporary exception and issues an exception to the test procedures described in Appendix N of 10 CFR, Part 430, as to TCDT's Smith will be required to continue testing of representative samples of its water heater at substantial cost and expense and label its water heaters with materially inaccurate estimates of first hour rating to the detriment of the general public (in its selection process of energy efficient water heaters based on materially inaccurate comparative data) and to the detriment of Smith, by placing Smith in an unfair position in the marketplace as a result of distorted and spurious test data.

(b) Smith's specific grounds and justification for the requested exception and temporary exception are as follows:

a. Smith will be caused irreparable injury if Smith is required to continue to label its water heaters as prescribed by standard test procedures and methods established by the Energy Policy and Conservation Act as amended by the National Energy Conservation Policy Act because the test results will be inaccurated and misleading.

b. To deny Smith an immediate temporary exception would result in more immediate severe hardship and inequity to Smith than to any other interested person in that Smith would be forced to continue to expend substantial time and expense in testing representative samples of its water heaters and in the printing and labeling of water heaters in an inaccurate, spurious and misleading manner while their competitors, (who do not use the TCDT's) would not. Not only would the cost in time and money of the testing be wasted, but Smith would be irreparably injured in the marketplace because the labels on its appliances would materially underestimate first hour rating of water heaters thus making Smith's products unjustifiably and unfairly appear unattractive when compared with water heaters that do not use TCDT's whose first hour rating

may well be accurately measured by the prescribed test procedures.

c. It is consistent with public policy to grant Smith an immediate stay and temporary exception pending a final decision of the Department of Energy on Smith's petition for an exception and ultimately the development of a proper test procedure for first hour rating rather than to subvert the purpose of the legislation by misleading the public by failing to grant Smith a temporary exception as well as an exception pursuant to subpart D, Section 205.50. The Department of Energy has recognized in its Proposed Decision and Order, dated August 10, 1979, relating to petitions for exceptions filed by Teledyne Laars and Raypak pursuant to Section 205.50, that it is not desirable or in the public interest, and certainly contrary to the legislative intent of Congress in adopting the Energy Policy and Conservation Act and amendments thereto, to require manufacturers of consumer appliances to make representations in writing, label appliances, or conduct broadcast advertising that would be misleading to the public as a result of inaccuracies in the prescribed standard test procedures and methods.

d. Smith has shown by the materials it has filed in this matter, including the affidavit of Robert E. Cook dated April 29, 1981 attached as Exhibit A hereto, which is incorporated herein by reference, that it is impossible for Smith to test its water heaters with TCDT's in a manner that would produce accurate first hour ratings and still fulfill the requirements of the standard test procedures. Smith specifically believes that tests on Smith water heaters including a TCDT should be performed at temperatures different than those specified in Appendix E, Subpart B, 10 CFR, Part 430.

Until a revised test procedure is prescribed by the Department of Energy, specifically for TCDT's Smith and any other user of TCDT's cannot comply with the existing regulations regarding written representations and labeling requirements concerning first hour rating without test results being inaccurate, misleading and causing consumers to make invalid comparisons.

e. The temporary exception applied for by Smith with regard to its water heaters with TCDT's should be granted immediately and continue until a more accurate standard test procedure applicable to TCDT's is prescribed by the Department of Energy. Only by the issuance of a temporary exception, however, can Smith be spared the immediate and substantial interference with its business and the cost and expense associated with testing and labeling its water heaters in accordance with the presently prescribed test procedures (which results would be inaccurate and misleading to consumers and which would cause Smith to suffer irreparable damage in the marketplace).

Wherefore Smith requests the Department of Energy to issue a temporary exception to stay immediate irreparable injury and hardship caused by the requirement to label Smith's water heaters containing TCDT's with inaccurate and spurious first hour ratings, and further requests the Department of Energy issue an *exception* to Smith with regard to provisions of the Energy Policy and Conservation Act, as amended and the required standard test procedures described in Appendix N to the regulations until such time as an appropriate test for first hour rating has been developed and adopted by the Department of Energy for gas fired water heaters equipped with thermal compensating dip tubes.

Respectfully submitted,

John R. Kuhnmuench, Jr.

Petitioner: A. O. Smith Corporation, *Highway 45 South, Kankakee, Illinois*

Affidavit

Robert E. Cook, residing at 1435 Budd Boulevard, in the city of Kankakee, State of Illinois 60901, under oath deposes and states as follows:

1. That I am the director of product engineering and development of the A. O. Smith Corporation, Consumer Products Division (herein the "Division") and in such capacity my primary duties consist of responsibility for product development, the coordination of the Division's research and development and responsibility for the Division's compliance with various governmental regulations and standards relating to product performance, including compliance with the Federal Trade Commission's energy efficiency labeling requirements pursuant to consumer product test procedures established by the Department of Energy; and

2. That A. O. Smith Corporation maintains a Consumer Products Division, with headquarters located at Highway 45 South, Kankakee, Illinois 60901. The Division manufactures residential and commercial water heaters and boilers and among the products manufactured by the Division it manufactures water heaters utilizing inlet devices called thermal compensating dip tubes known as model numbers PGC–30, 40, 50 and 65, an illustration of which is attached as Exhibit A; and

3. That I have reviewed the test procedures contained in Appendix E to subpart B of part 430 in section 3.7 entitled First Hour Rating Water Draw Test together with the calculations contained in section 4.7 of Appendix E entitled Recovery Rate and the calculations in section 4.8 entitled First Hour Ratings and conclude that the calculations do not accurately measure the usable water and therefore penalize the actual contribution of our thermal compensating dip tube; and

4. That I have second hand knowledge that the starting temperature specified in section. 3.7 was established for testing convenience; and

5. That said starting temperature of 160° F adversely affects the results obtained when a water heater is equipped with a thermal compensating dip tube as shown in attachment 1; and

6. That the normal setting on gas fired water heaters would be 140–145° F as that is the mid-point of the thermostat provided on all water heaters intended for residential use; and

7. That varying the starting temperature has little impact on draw results with open end dip tubes as shown in attachment 1; and

8. That varying the starting temperature has a major impact on the draw results with thermal compensating dip tubes again as shown in attachment 1; and

9. That I have second hand knowledge that the 20° F temperature drop was picked for testing convenience; and

10. That said temperature drop has a major impact on the results where thermal compensating dip tubes are used; and

11. That varying the temperature drop shows a major adverse impact on thermal compensating dip tubes as water outlet temperature is not dropping rapidly with volume; and

12. That the best procedure does not reflect field operation as the draw results are not determined with the burner on as would actually occur; and

13. That the one hour time period overemphasizes recovery to the detriment of draw; and

14. That the temperature ratio adjustment in section 4.8 is capricious and arbitrary due to its reliance on the Fahrenheit scale of temperatures; and

15. That if such a temperature ratio adjustment is deemed necessary it should be based on a temperature scale referenced to absolute zero; and

16. That reliance on first hour rating by consumers will mislead the public in their selection process as demonstrated in attachment 1; and

17. That such selection by consumers relying on erroneous and misleading data will unfairly penalize Smith in the marketplace.

Robert E. Cook.

Subscribed and sworn to before me this 29th day of April, 1981.

Audrey Gresham,

Notary Public.

My commission expires 4–4–82.

BILLING CODE 6450-01-M

A. O. SMITH THERMOGARD™ DIP TUBE

EXHIBIT A

BILLING CODE 6450-01-C

LABORATORY TEST DATA—DRAW COMPONENT OF FIRST HOUR RATING

Temp. drop (° F)	Start temp.	5 gpm draw rate		3 gpm draw rate	
		OEDT	TCDT	OEDT	TCDT
20	140	32	28	35	31
	150	32	26	34	28
	160	32	20	34	25
30	140	34	35	36	39
	150	34	34	36	37
	160	33	29	35	32
40	140	37	41	38	44
	150	36	41	37	43
	160	34	37	36	40

OEDT = Open End Dip Tube.
TCDT = Thermal Compenstating Dip Tube.

Conclusions/Comments Regarding First Hour Rating

1. Starting temp of 160° F was established for testing convenience (verbal from Charles Howard of NBS).

2. Starting temp of 160° F adversely affects the results obtained with TCDT.

3. Normal setting on gas fired units would be 140–145° F as that is where the "detent" is set.

4. U.S. Government recomments a setting of 105° F.

5. Starting temp has little impact on draw results with OEDT (1–3 gallon).

6. Starting temp has major impact on draw results with TCDT (4–8 gallons).

7. Temperature drop shows little impact on OEDT—temp is dropping rapidly with increased volume.

8. A 20° F drop was picked for testing convenience (verbal from Charles Howard).

9. Temperature drop shows major impact on TCDT as temperature is not dropping rapidly with volume.

10. Draw rate has little impact on relative performance.

11. A minimum temperature of 140° F was defended as being needed by dishwashers yet the typical dishwasher only uses 11–12 gallons over a 30–45 minute period which values fall well within volume and recovery capacities of covered units and consequently should not be used as limits.

12. The test procedure does not reflect field operation as draw is not determined with the burner on as would actually occur.

13. The consumer's main interest in sizing a heater should be how much not water can be drawn before encountering cold water, i.e., recovery doesn't do one much good if the hot water runs out during a shower.

14. The temperature ratio adjustment adversely affects TCDT due to its mixing action yet all water drawn is above the minimum temperature.

15. A performance factor not included in the testing would be a dip tubes ability to avoid "stacking"; i.e., getting non-uniform thermal layers within a tank.

16. Stacking can lead to relief valve problems, inconsistent operation and potential scalds.

17. Using an arbitrary draw schedule we find an OEDT allowing water at the top of a tank to be 18° F higher than at the bottom. A TCDT allowed only a 2° F difference.

[FR Doc. 81-30431 Filed 10-20-81; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration

Tom Miers d.b.a. Milinda Oil Co.; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of action taken on consent order.

SUMMARY: The Office of Enforcement (OE), Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces notice of filing a Petition for the Implementation of Special Refund Procedures for refunds received pursuant to a Consent Order.

DATE: Petition submitted to the Office of Hearings and Appeals: October 8, 1981.

FOR FURTHER INFORMATION CONTACT: Crude Oil Branch, Attn: Rod McKim, Office of Enforcement, 2000 M Street, N.W., Washington, D.C. 20461, 202/653-3551.

SUPPLEMENTARY INFORMATION: On January 29, 1980, the OE published notification in the Federal Register that it executed a Consent Order with Tom Miers d/b/a/ Milinda Oil Company (Milinda) of Sterling, Colorado, on October 30, 1979, 45 FR 6642 (1980). Interested persons were invited to submit comments concerning the terms, conditions, or procedural aspects of the Consent Order. In addition, persons who believed they had a claim to all or a portion of the refund amount paid by Milinda pursuant to the Consent Order were requested to submit notice of their claims to the OE.

Although interested persons were invited to submit comments regarding the Consent Order to the OE, no comments were received. Therefore, the Consent Order was not modified.

The OE received no notices of claim to the refunds.

Pursuant to the Consent Order, Milinda refunded the sum of $80,000.00 by certified checks made payable to the United States Department of Energy in twenty equal installments. This sum has been deposited in a suitable account pending determination of its proper distribution.

Action taken: The OE is unable, readily, to identify the persons entitled to receive the $80,000.00, or to ascertain the amounts of refunds that such persons are entitled to receive. Therefore, the OE petitioned the Office of Hearings and Appeals (OHA) on October 8, 1981 to implement Special Refund Procedures pursuant to 10 CFR Part 205, Subpart V, 10 CFR 205.280 *et seq.* to determine the identity of persons entitled to the refunds and the amounts owing to each of them. Persons who believe they are entitled to all or a portion of the refunds should comply with the procedures of 10 CFR Part 205, Subpart V.

Issued in Washington, D.C. on the 9th day of October, 1981.

Robert D. Gerring,

Director, Program Operations Division.

[FR Doc. 81-30403 Filed 10-20-81; 8:45 am]

BILLING CODE 6450-01-M

Office of the Secretary

Proposed Subsequent Arrangement Concerning Peaceful Uses of Atomic Energy

Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed "subsequent arrangement" under the Agreement for Cooperation Between the Government of the United States of America and the International Atomic Energy Agency (IAEA) Concerning Peaceful Uses of Atomic Energy, as amended.

The subsequent arrangement to be carried out under the above mentioned agreement involves supply of the following material to the Nuclear Research Institute, Czechoslovak Socialist Republic through the IAEA:

Contract Number WC-IA-118, 23.6 grams of uranium enriched to 2.87% in U-235.

The above material is to be utilized in the Safeguards Analytical Laboratory Evaluation (SALE) Program. This program is designed to evaluate the capability of participating laboratories to analyze materials to be safeguarded in the nuclear fuel cycle, and to provide means by which measurement capability may be improved through the interchange of measurement technology.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that the furnishing of this nuclear material will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days

after the date of publication of this notice.

For the Department of Energy.

Dated: October 15, 1981.

Harold D. Bengelsdorf,

Director for Nuclear Affairs, International Nuclear and Technical Programs.

[FR Doc. 81-30405 Filed 10-20-81; 8:45 am]

BILLING CODE 6450-01-M

Proposed Subsequent Arrangement Concerning Peaceful Uses of Atomic Energy

Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed "subsequent arrangement" under the Additional Agreement for Cooperation Between the Government of the United States of America and the European Atomic Energy Community (EURATOM) Concerning Peaceful Uses of Atomic Energy, as amended.

The subsequent arrangement to be carried out under the above mentioned agreement involves contractual arrangements under which DOE will consent, if requested, to the assignment of 35,000 separative work units from a uranium enrichment services contract held by a U.S. utility to PZEM in the Netherlands in 1982.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

For the Department of Energy.

Dated: October 16, 1981.

Harold D. Bengelsdorf,

Director for Nuclear Affairs, International Programs.

[FR Doc. 81-30404 Filed 10-20-81; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration

[ERA Case No. 65031-9208-21-22; Docket No. ERA-FC-81-017]

North Little Rock Electric Department; Availability of Tentative Staff Analysis

AGENCY: Economic Regulatory Administration, Energy.

ACTION: Notice of Availability of Tentative Staff Analysis.

SUMMARY: On July 13, 1981, North Little Rock Electric Department (NLRED) petitioned the Economic Regulatory Administration (ERA) of the Department of Energy (DOE) for a permanent peakload powerplant exemption from the provisions of the Powerplant and Industrial Fuel Use Act of 1978, 42 U.S.C. 8301 *et seq.* (FUA or the Act) which prohibit the use of petroleum or natural gas as a primary energy source in new powerplants. A final rule setting forth the procedure for petitioning and the criteria for an exemption was published in the **Federal Register** on June 6, 1980 (45 FR 38276 and 45 FR 38302), 10 CFR Part 500. This rule became effective August 5, 1980.

NLRED plans to install a 39,055 KW natural gas and/or oil-fired combustion turbine unit to be known as CT Unit No. 1 in North Little Rock, Arkansas. NLRED certifies that the unit will be operated solely as a peakload powerplant and will be operated only to meet peakload demand for the life of the plant.

ERA accepted the petition pursuant to 10 CFR 501.3 and 501.63 on August 18, 1981, and published notice of its acceptance in the **Federal Register** on August 26, 1981 (46 FR 43079). Publication of the Notice of Acceptance commenced a 45-day public comment period pursuant to section 701 of FUA and 10 CFR 501.31 and 501.33, during which time interested persons were also afforded an opportunity to file comments and to request a public hearing on the petition. The comment period ended October 13, 1981. No comments or requests for a public hearing were received.

Based upon ERA's review and analysis of the information presently contained in the record of this proceeding a Tentative Staff Analysis has been made. The analysis recommends that ERA issue an order which would grant the requested peakload powerplant exemption.

DATES: Written comments on the Tentative Staff Analysis and requests for a public hearing are due on or before November 4, 1981.

ADDRESSES: Fifteen copies of written comments and any requests for a public hearing should be submitted to: Department of Energy, Case Control Unit, Box 4629, Room 3214, 2000 M Street NW., Washington, D.C. 20461. Docket Number ERA-FC-81-017 should be printed clearly on the outside of the envelope and on the document contained therein.

FOR FURTHER INFORMATION CONTACT:

Jack C. Vandenberg, Office of Public Information, Economic Regulatory Administration, Department of Energy, 2000 M Street, NW., Room B-110, Washington, D.C. 20461, Phone (202) 653-4055;

Louis T. Krezanosky, Economic Regulatory Administration, Department of Energy, 2000 M Street NW., Room 3012B, Washington, D.C. 20461, Phone (202) 653-4206;

Christina Simmons, Office of General Counsel, Department of Energy, 1000 Independence Avenue SW., Room 6B-178, Washington, D.C. 20585, Phone (202) 252-2967.

The public file containing a copy of the Tentative Staff Analysis and other documents and supporting materials is available upon request at: ERA Room B-110, 2000 M St., NW., Washington, D.C., Monday through Friday, 8:00 a.m.—4:30 p.m.

SUPPLEMENTARY INFORMATION: NLRED plans to install a 39,055 KW natural gas-and/or oil-fired combustion turbine to be known as CT Unit No. 1 in North Little Rock, Arkansas.

NLRED submitted a sworn statement with its petition, signed by Mr. Robert E. Hogan, Manager of NLRED, as required by 10 CFR 503.41(b)(1). In his statement, Mr. Hogan certified that the unit will be operated solely as a peakload powerplant and will be operated only to meet peakload demand for the life of the plant. He also certified that the maximum design capacity of the unit is 39,055 KW; and that the maximum generation that the unit will be allowed during any 12-month period is the design capacity times 1,500 hours or 58,582,500 Kwh.

Under the requirements of 10 CFR 503.41(b)(1)(ii), if a petitioner proposes to use natural gas, or to construct a powerplant to use natural gas in lieu of an alternate fuel as a primary energy source, it must obtain an air quality certification from the Administrator of the Environmental Protection Agency or the Director of the appropriate state air pollution control agency. However, since ERA has determined that there are no presently available alternate fuels which may be used in the proposed powerplants, no such certification can be made. The certification requirement is therefore waived with respect to this petition.

Tentative Staff Analysis

On the basis of NLRED's sworn statements and information provided, the staff recommends that ERA grant the requested peakload powerplant exemption.

On August 11, 1980, DOE published in the **Federal Register** (45 FR 53199) a notice of proposed amendments to the guidelines for compliance with the National Environmental Policy Act of 1969 (NEPA). Pursuant to the guidelines, the granting or denial of certain FUA permanent exemptions, including the permanent exemption by certification

for a peakload powerplant, was identified as an action which normally does not require an Environmental Impact Statement or Environmental Assessment pursuant to NEPA (categorical exclusion).

This classification raises a rebuttable presumption that the grant or denial of the exemption will not significantly affect the quality of the human environment. NLRED has certified that it will secure all applicable permits and approvals prior to commencement of operation of the new unit under exemption. The Environmental Checklist, completed and certified to by NLRED pursuant to 10 CFR 503.15(b), has been reviewed by DOE's Office of Environment, in consultation with the Office of the General Counsel. It has been determined that NLRED's responses to the questions therein indicate that the operation of the peakload powerplant will have no impact on those areas regulated by specified laws that impose consultation requirements on DOE, and otherwise affirms the applicability of the categorical exclusion to this FUA action. Therefore, no additional environmental review is deemed to be required.

This Tentative Staff Analysis does not constitute a decision by ERA to grant the requested exemption. Such a decision will be made in accordance with 10 CFR 501.68 on the basis of the entire record of this proceeding, including any comments received on the Tentative Staff Analysis.

Terms and Conditions

Section 214(a) of the Act gives ERA the authority to attach terms and conditions to any order granting an exemption. Based upon the information submitted by NLRED and upon the results of the staff analysis, the staff of ERA recommends that any order granting the requested peakload powerplant exemption should, pursuant to section 214(a) of the Act, be subject to the following terms and conditions:

A. NLRED shall not produce more than 58,582,500 Kwh during any 12-month period with CT Unit No. 1. NLRED shall provide annual estimates of the expected periods (hours during specific months) of operation of the unit for peakload purposes (e.g., 8:00–10:00 a.m. and 3:00—6:00 p.m. during the June–September period, etc.). Estimates of the hours in which NLRED expects to operate CT Unit No. 1 during the first 12-month period shall be furnished within 30 days from the date of this order.

B. NLRED shall comply with the reporting requirements set forth at 10 CFR 503.41(d).

C. The quality of any petroleum to be burned in the unit will be the lowest grade available which is technically feasible and capable of being burned consistent with applicable environmental requirements.

D. NLRED shall comply with the terms and conditions which may be imposed pursuant to the environmental requirements set forth in 10 CFR 503.15(b).

Issued in Washington, D.C., on October 14, 1981.

Robert L. Davies,

Director, Office of Fuels Conversion, Economic Regulatory Administration.

Background and Substance

The Powerplant and Industrial Fuel Use Act of 1978, 42 U.S.C. 8301 *et seq.* (FUA or the Act) prohibits the use of natural gas or petroleum in certain new major fuel burning installations and powerplants unless an exemption for such use has been granted by ERA. The Economic Regulatory Administration (ERA) published a final rule in the **Federal Register** on June 6, 1980 (45 FR 38276, 38302) which became effective on August 5, 1980, to implement the provisions of FUA.

On July 13, 1981, North Little Rock Electric Department (NLRED) petitioned ERA for a permanent peakload powerplant exemption from the provisions of the Act for the proposed unit pursuant to 10 CFR 503.41. ERA accepted the petitions pursuant to 10 CFR 501.3 and 501.63 and a Notice of Acceptance of the petition was published in the **Federal Register** on August 26, 1981 (46 FR 43079).

The acceptance of the petition commenced a 45-day comment period pursuant to section 701 of FUA and 10 CFR 501.31 and 501.33, during which time interested persons were provided with the opportunity to file comments, or to request a public hearing on the petition. The comment period ended on October 10, 1981. No comments or requests for a public hearing were received.

NLRED proposes to install a 39,055 KW natural gas- and/or oil-fired combustion turbine unit to be known as CT Unit No. 1 to be used solely as a peakload powerplant. The unit is expected to consume the energy equivalent of approximately 106,514 barrels of oil per year, and is scheduled for commercial operation in May 1982.

NLRED submitted with its petition a sworn statement by Mr. Robert E. Hogan, Manager of NLRED pursuant to 10. CFR 503.41(b)(1). In his statement, Mr. Hogan certified that the proposed combustion turbine will be operated solely as a peakload powerplant to meet peakload demand for the life of the plant. He also certified that the maximum design capacity of the unit is 39,055 KW and that the maximum allowable generation during any 12-month period will be the design capacity times 1500 hours or 58,582,500 Kwh.

Under the requirements of 10 CFR 503.41(b)(1)(ii), if a petitioner proposes to use natural gas or to construct a powerplant to use natural gas in lieu of an alternate fuel as a primary energy source, it must obtain an air quality certification from the Administrator of the Environmental Protection Agency or the Director of the appropriate state air pollution control agency. This certification must state that the use by the powerplant of any available alternate fuel as a primary energy source will cause or contribute to a concentration, in an air quality control region or any area within the region, of a pollutant for which any national air quality standard is or would be exceeded. However, since ERA has determined that there are no presently available alternate fuels which may be used in the proposed powerplant, no such certification can be made. The certification requirement is therefore waived with respect to this petition.

Tentative Staff Analysis

On the basis of NLRED's sworn statements and information provided, the staff recommends that ERA grant the requested peakload powerplant exemption.

On August 11, 1980, DOE published in the **Federal Register** (45 FR 53199) a notice of proposed amendments to the guidelines for compliance with the National Environmental Policy Act of 1969 (NEPA). Pursuant to the guidelines, the granting or denial of certain FUA permanent exemptions, including the permanent exemption by certification for a peakload powerplant, was proposed to be categorically excluded from the requirement to prepare an Environmental Impact Statement pursuant to NEPA (categorical exclusion).

This classification raises a rebuttable presumption that the granting or denial of the exemption will not significantly affect the quality of the human environment. NLRED has certified that it will secure all applicable permits and approvals prior to commencement of operation of the new unit under exemption. The Environmental Checklist completed and certified to by NLRED pursuant to 10 CFR 503.15(b) has been reviewed by DOE's Office of Environment, in consultation with the

Office of the General Counsel. It has been determined that NLRED's responses to the questions therein indicate that the operation of the peakload powerplant will have no impact on those areas regulated by specified laws that impose consultation requirements on DOE, and otherwise affirms the applicability of the categorical exclusion to this FUA action. Therefore, no addditional environmental review will be required.

Terms and Conditions

Section 214(a) of the Act gives ERA the authority to attach terms and conditions to any order granting an exemption. The staff of ERA recommends that any order which would grant the requested peakload powerplant exemption should, pursuant to section 214(a) of the Act, be subject to the following terms and conditions:

A. NLRED shall not produce more than 58,582,500 Kwh during any 12-month period with CT Unit No. 1. NLRED shall provide annual estimates of the expected periods (hours during specific months) of operation of the unit for peakload purposes (e.g. 8:00—10:00 a.m. and 3:00—6:00 p.m. during the June–September period, etc.). Estimates of the hours in which NLRED expects to operate CT Unit No. 1 during the first 12-month period shall be furnished within 30 days from the date of this order.

B. NLRED shall comply with the reporting requirements set forth in 10 CFR 503.41(d).

C. The quality of any petroleum to be burned in the unit will be the lowest grade available which is technically fessible and capable of being burned consistent with applicable environmental requirements.

D. NLRED shall comply with the terms and conditions which may be imposed pursuant to the environmental requirements set forth at 10 CFR 503.15(b).

[FR Doc. 81-30387 Filed 10-20-81; 8:45 am]

BILLING CODE 6450-01-M

Energy Information Administration

Respondent Information System

Pursuant to a recommendation of the General Accounting Office to communicate to the interested public any plans for future use of the Respondent (formerly Regulatory) Information System (RIS), notice is hereby given that the RIS will receive no further development support from the Energy Information Administration.

This notice is concurred in by the Federal Energy Regulatory Commission.

Issued at Washington, D.C. on October 14, 1981.

J. Erich Evered,

Administrator, Energy Information Administration.

[FR Doc. 81-30406 Filed 10-20-81; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket No. RP81-136-000]

Algonquin Gas Transmission Co.; Change Pursuant to Rate Schedule STB Provision

Correction

In FR Doc. 81-28261 appearing on page 47813 in the issue of Wednesday, September 23, 1981, the Docket Number should have appeared as set forth above.

BILLING CODE 1505-01-M

Office of Hearings and Appeals

Issuance of Proposed Decisions and Orders; Week of September 21 Through September 25, 1981

During the week of September 21 through September 25, 1981, the proposed decisions and orders summarized below were issued by the Office of Hearings and Appeals of the Department of Energy with regard to applications for exception.

Under the procedural regulations that apply to exception proceedings (10 CFR Part 205, Subpart D), any person who will be aggrieved by the issuance of a proposed decision and order in final form may file a written notice of objection within ten days of service. For purposes of the procedural regulations, the date of service of notice is deemed to be the date of publication of this Notice (October 21, 1981) or the date an aggrieved person receives actual notice, whichever occurs first.

The procedural regulations provide that an aggrieved party who fails to file a Notice of Objection within the time period specified in the regulations will be deemed to consent to the issuance of the proposed decision and order in final form. An aggrieved party who wishes to contest a determination made in a proposed decision and order must also file a detailed statement of objections within 30 days of the date of service of the proposed decision and order. In the statement of objections, the aggrieved party must specify each issue of fact or law that it intends to contest in any further proceeding involving the exception matter.

Copies of the full text of these proposed decisions and orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room B-120, 2000 M Street, NW., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays.

George B. Breznay,

Director, Office of Hearings and Appeals.

October 14, 1981.

Lake Charles Refining Company
Washington, D.C., BEE-0715, crude oil

Lake Charles Refining Company filed an Application for Exception from the provisions of 10 CFR 211.67. The exception request, if granted, would result in the issuance of an Order granting additional entitlements to Lake Charles for the firm's permanent inventory of crude oil at its new refinery. On September 24, 1981, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be denied.

J. M. Reeves, Decatur, Georgia, BEE-1643, motor gasoline

J. M. Reeves filed an Application for Exception from the provisions of 10 CFR 212.93. If granted, the relief requested by Reeves would permit retroactive increases in the maximum lawful selling prices that pertained to motor gasoline sold by Reeves during the period September 1, 1979 through March 31, 1980. This retroactive relief would nullify part or all of Reeves' obligations to refund overcharges specified in a Proposed Remedial Order issued to the firm by the Southeast District Office of Enforcement of the DOE on May 7, 1980. On September 24, 1981, the Department of Energy issued a Proposed Decision and Order which tentatively determined that the exception request should be denies.

[FR Doc. 81-30380 Filed 10-20-81; 8:45 am]

BILLING CODE 6450-01-M

Issuance of Proposed Decisions and Orders; Week of September 28 Through October 2, 1981

During the week of September 28 through October 2, 1981, the proposed decisions and orders summarized below were issued by the Office of Hearings and Appeals of the Department of Energy with regard to applications for exception.

Under the procedural regulations that apply to exception proceedings (10 CFR Part 205, Subpart D), any person who will be aggrieved by the issuance of a proposed decision and order in final form may file a written notice of objection within ten days of service. For purposes of procedural regulations, the date of service of notice is deemed to be the date of publication of this Notice or

the date an aggrieved person receives actual notice, whichever occurs first.

The procedural regulations provide that an aggrieved party who fails to file a Notice of Objection within the time period specified in the regulations will be deemed to consent to the issuance of the proposed decision and order in final form. An aggrieved party who wishes to contest a determination made in a proposed decision and order must also file a detailed statement of objections within 30 days of the date of service of the proposed decision and order. In the statement of objections, the aggrieved party must specify each issue of fact or law that it intends to contest in any further proceeding involving the exception matter.

Copies of the full text of these proposed decisions and orders are available in the Public Docket Room of the Office of Hearings and Appeals, Room B-120, 2000 M Street NW., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except Federal holidays.

George B. Breznay,

Director, Office of Hearings and Appeals.

October 14, 1981.

Petraco-Valley Oil & Refining Company, Washington, D.C., BEE-0878, crude oil

Petraco-Valley Oil & Refining Company filed an Application for Exception from the provisions of 10 CFR 211.67. The exception request, if granted, would result in the issuance of an Order granting entitlements to Petraco-Valley for the firm's permanent inventory of crude oil at its new refinery. On October 2, 1981, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be denied.

Homestead Gas Co., Inc., Homestead, Florida, DEE-5116, propane

Homestead Gas Company, Inc. filed an Application for Exception from the provisions of 10 CFR 212.93 and 6 CFR 150.359. The requested relief, if granted, would permit Homestead to retroactively increase its prices in retail sales of propane. On September 30, 1981, the Department of Energy issued a proposed Decision and Order that tentatively determined that the exception request should be granted in part.

[FR Doc. 81-30389 Filed 10-20-81; 8:45 a.m.]

BILLING CODE 6450-01-M

Objection to Proposed Remedial Order Filed; Week of September 28 through October 2, 1981

During the week of September 28 through October 2, 1981, the notice of objection to proposed remedial order listed in the Appendix to this Notice was filed with the Office of Hearings and Appeals of the Department of Energy.

Any person who wishes to participate in the proceeding the Department of Energy will conduct concerning the proposed remedial order described in the Appendix to this Notice must file a request to participate pursuant to 10 CFR 205.194 within 20 days after publication of this Notice. The Office of Hearings and Appeals will then determine those persons who may participate on an active basis in the proceeding and will prepare an official service list, which it will mail to all persons who filed requests to participate. Persons may also be placed on the official service list as non-participants for good cause shown.

All requests to participate in this proceeding should be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20461.

George B. Breznay,

Director, Office of Hearings and Appeals.

October 14, 1981.

Broadway Shell, Oakland, CA, BRO-1542

On September 28, 1981, Raymond S. Williams (d/b/a Broadway Shell), 4496 Broadway, Oakland, CA 94611, filed a Notice of Objection to a Proposed Remedial Order which the DOE Western District Office of Enforcement issued to the firm on March 31, 1981.

In the PRO the Western District found that during August 1, 1979 to December 31, 1979 Broadway Shell had charged prices in excess of the maximum legal selling price allowed by 10 CFR Part 212.

According to the PRO the Broadway Shell violation resulted in $7,356.04 of the overcharges.

[FR Doc. 81-30386 Filed 10-20-81; 8:45 am]

BILLING CODE 6450-01-M

Office of Special Counsel for Compliance

Action on Consent Order With Western Crude Oil, Inc.

AGENCY: Department of Energy (DOE).

ACTION: Adoption of proposed consent order as final.

SUMMARY: The Office of Special Counsel for Compliance (OSC) hereby gives the notice required by 10 CFR 205.199J that it has adopted the Consent Order with Western Crude Oil, Inc. (Western), executed on August 12, 1981 and published for comment in 46 FR 44030 on September 2, 1981 as a final order of DOE. The Consent Order settles civil matters relating to certain resales of domestic crude oil by Western during 1974 and 1975 and certain transactions involving exchanges of domestic for foreign crude oil during the period July 1975 to April 1976. To remedy any excess recovery that may have occurred in connection with these matters, Western has agreed to remit $5,500,000 to the United States Treasury.

As required by the regulation cited above, OSC received comments on the proposed Consent Order for a period of not less than 30 days following publication of the notice cited above. Four comments were recieved by October 2, 1981, the thirtieth day following publication of the notice of the Proposed Consent Order. An additional comment was received after that deadline. OSC has considered all comments, including the one filed late, and determined that the Consent Order should be made final without modification. The Consent Order becomes effective as a Final Order of the DOE upon publication of this notice.

FOR FURTHER INFORMATION CONTACT:

Jeffrey R. Whieldon, Deputy Solicitor, Office of Special Counsel, Department of Energy, 1200 Pennsylvania Ave., N.W., Washington, D.C. 20461.

Copies of the Consent Order may be received free of charge by written request to: Western Consent Order Request, Office of Special Counsel, Department of Energy, 1200 Pennsylvania Avenue, N.W, Room 5109, Mail Stop 4111, Washington, D.C., 20461.

Copies may also be obtained in person at the same address or at the Freedom of Information Reading Room, Forrestal Building, 1000 Independence Avenue, S.W., Room 1E-190, Washington, D.C. 20585.

SUPPLEMENTARY INFORMATION:

The Consent Order

On September 2, 1981, OSC published notice in the **Federal Register** at page 44030, announcing the execution of a Consent Order between Western and OSC. In compliance with DOE regulations, that notice and a press release, issued on August 25, 1981, and September 4, 1981, respectively, summarized the Consent Order and the relevant facts upon which it was based. The notice and press release also gave instructions for obtaining copies of the Consent Order.

The proposed Consent Order can be summarized as follows:

1. The Consent Order pertains to Western's compliance with the Federal Petroleum Price Regulations in connection with certain resales of domestic crude oil during the period 1974 and 1975 and certain transactions involving the exchange of domestic for foreign crude oil during the period July

1975 to April 1976. Compliance by Western with the Consent Order shall be deemed by DOE to constitute full compliance for civil purposes with the Federal Petroleum Price Regulations with regard to the matters covered by the agreement.

2. To remedy any excess recovery that may have occurred in connection with these matters, Western has agreed to remit $5,500,000 to the United States Treasury, to be deposited as miscellaneous receipts within fifteen days after the effective date of the Consent Order.

3. The Consent Order also provides for the dismissal of Western's complaint in the case of *Western Crude Oil, Inc.* v. *DOE*, No 78–W–436 (D. Colo.) and provides procedures for the enforcement of the provisions of the Consent Order. These provisions include DOE's agreement to not voluntarily participate adversely to Western in any administrative or civil judicial proceeding related to Western's compliance with the Federal Petroleum Price Regulations for the matters covered by this Consent Order and DOE's agreement to maintain the confidentiality required by law of proprietary data received from Western. The Consent Order also provides that Western has waived its right to an administrative or judicial appeal of the Consent Order. The Consent Order does not constitute an admission by Western nor a finding by DOE of a violation of any Federal Petroleum Price Regulations.

Comments Received

OSC received five comments which were addressed to this Consent Order. Comments were submitted by the states of New York and California and by the Gulf Oil Corporation, Energy Cooperative, Inc. (ECI) and Commonwealth Oil Refining Co., Inc. (CORCO). The comments questioned only the remedy set forth in the Consent Order, which provides for payment by Western to the United States Treasury. All commenters specifically questioned OSC's legal authority to order payment to the United States Treasury and argued that this would not provide restitution to overcharged or injured parties.

The Department's aim in structuring remedies is to provide some form of restitution. In its enforcement actions, the Department attempts to identify individual purchasers or classes or types of purchasers, to the maximum extent possible, and to implement restitutionary remedies. However, in cases of alleged crude oil reseller pricing violations, the nature of DOE regulations would necessarily require tracing such violations to the ultimate refiners of such crude oil and, further, to specific product sales after the refining of the crude oil in order to indentify those purchasers who may have suffered the ultimate consequences of these alleged violations. Given the multi-level distribution process, it is virtually impossible to identify and locate such injured customers.

For the above reasons, direct restitution to the ultimate consumers of refined product is not feasible.

The initial **Federal Register** Notice addressed this issue:

> Since these transactions occurred prior to the ultimate refining of such crude oil into refined products which were, in turn, marketed through a multi-level distribution process, DOE has determined that it is impossible to identify particular consumers who may have suffered the ultimate consequences of these alleged violations. In addition, the effect of the DOE entitlements program further complicates any such determination. 46 FR 44030, September 2, 1978.

Not one of the commenters has alleged that it purchased crude oil from Western during the relevant time period. Further, DOE audit records in this matter confirm this. Therefore, the commenters have not and, indeed, cannot establish any claim on this basis. Any possible claim to a refund, at a minimum, has to be premised on some injury or loss.

In this connection, four commenters suggested that they were injured as a result of Western's possible crude oil violations because of the under-reporting of price-controlled crude oil receipts in the entitlements program. The two states suggested that the Consent Order provide for a state-by-state allocation based upon total refined product consumption. ECI and CORCO merely argued that each was injured as a result of the entitlements impact.

OSC recognizes that the nexus between a refiner's price violations of refined petroleum product and a particular state's consumption of such products marketed by that refiner may be sufficient to justify a remedy which could include some form of state-by-state allocation of refund proceeds. However, when the allged violations involve only crude oil pricing, the impact of these upstream costs issues on refined product sales cannot be feasibly determined. Further, the impact of the entitlements program distributed the alleged violations over all products marketed by U.S. refiners. Even if it could be ascertained that the alleged overcharges flowed all the way through to the ultimate consumer, such *pro rata* distribution to all consumers or all states is administratively unfeasible when such a small sum of money is at issue.

The Department believes that payment to the U.S. Treasury reflects the same general restitution as would be reflected in a distribution to all states or all consumers. Comments to this Consent Order contend that payments to the U.S. Treasury pursuant to settlements are in excess of DOE's authority because there is no express statutory authorization or requirement for payment to the U.S. Treasury. We disagree with the assertion that payments to the U.S. Treasury are legitimate remedies only if there is express statutory authorization or permission. Treasury payments are entirely appropriate in the context of resolution of civil and administrative disputes relating to a company's compliance with the DOE regulations. As we stated in response to a comment filed in the Sun Company, Inc. Consent Order, "[t]he use of a Treasury payment reflects DOE's inability to determine a more appropriate distribution mechanism in the circumstances of this case and our belief that this payment is an appropriate enforcement remedy." 45 FR 80348 (December 4, 1980).

Comments generally questioned the authority of the OSC to implement remedies other than refunds to customers. Some of the problems associated with the question of identifying refunds to customers have already been dealt with above. DOE derives its authority to construct remedies from several statutes, among them the Economic Stabilization Act of 1970 ("ESA"), the Emergency Petroleum Allocation Act of 1973 (EPAA), the Federal Energy Administration Act of 1974 (FEAA) and the Department of Energy Organization Act of 1977 (DOEA). These statutes conferred broad enforcement powers on the President and successive energy agencies to achieve certain objectives. Authority to structure remedies consistent with the statutory objections flows from the broad enforcement powers.

The authority to fashion remedies was recognized in the regulatory program. 10 CFR 205.199I(a) reads in part:

> * * * a Consent Order may * * * take such other action as the DOE determines is necessary to eliminate or to compensate for the effects of a violation * * *

Finally, it is important to note that the Consent Order settles only claims by the DOE against Western. Claims by the commenters, or any other private parties, against Western are in no way

settled, estopped or extinguished by this Consent Order.

Having considered all comments submitted DOE has determined that the proposed Consent Order with Western should be made final without modification.

Issued in Washington, D.C., October 15, 1981.

Bethel Larey,

Acting Special Counsel.

[FR Doc. 81-30386 Filed 10-20-81; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[OPTS-51334; TSH-FRL-1965-4]

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 two PMNs and provides a summary of each.

DATE: Written comments by: December 13, 1981, PMN 81-520 and 81-521.

ADDRESSES: Written comments, identified by the document control number "[OPTS-51334]" 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, DC 20460 (202-755-5687).

FOR FURTHER INFORMATION CONTACT: David Dull, Acting Chief, Notice Review Branch, Chemical Control Division (TS-794), Office of Toxic Substances, Environmental Protection Agency, Rm. E-216, 401 M St., SW., Washington, DC 20460, (202-426-2601).

SUPPLEMENTARY INFORMATION: The following are summaries of information provided by the manufacturer of the PMNs received by EPA:

PMN 81-520

Close of Review. January 12, 1981.

Manufacturer's Identity. Gaco Western, Inc., P.O. Box 88698, Seattle, WA 98188.

Specific Chemical Identity. Claimed confidential business information. Generic name provided: Isocyanate functional polyester.

Use. The manufacturer states that the PMN substance will be used in roof coverings and walking decks.

PRODUCTION ESTIMATES

	Kilograms per year	
	Minimum	Maximum
1st year	4,500	6,500
2d year	5,000	8,000
3d year	6,000	12,000

Physical/Chemical Properties

Boiling point, Degrades above 170°C
Melting point, 30-40°C
Solubility, **@ RT xylene
Density, 9.0 lbs/gal (calculated)

Toxicity Data. No data were submitted.

Exposure. The manufacturer states that during manufacture 2 workers may experience dermal exposure 1 hr/day, up to 200 days/yr. During use over 200 customers may experience dermal exposure.

Environmental Release/Disposal. The manufacturer states that 10-100 kg/yr will be released to the land. Disposal is by Chemical Security Systems, Inc., Arlington, OR and an approved landfill.

PMN 81-521

Close of Review Period. January 12, 1982.

Manufacturer's Identity. Claimed confidential business information.

Specific Chemical Identity. Polymer of linseed oil, pentaerythritol, benzoic acid, and toluene diisocyanate.

Use. The manufacturer states that the PMN substance will be used as a urethane resin for air dry varnish and enamels.

PRODUCTION ESTIMATES

	Kilograms per year	
	Minimum	Maximum
1st year	264,000	440,000
2d year	264,000	440,000
3d year	264,000	440,000

Physical/Chemical Properties. No data were submitted.

Toxicity Data. No data were submitted.

Exposure. The manufacturer states that during manufacture, processing and use 303 workers may experience dermal exposure up to .1 hr/day, up to 85 days/yr.

Environmental Release/Disposal. The manufacturer states that less than 10 kg/yr will be released to the land. Disposal is by commercial waste removal service.

Dated: October 16, 1981.

Edward J. Cull,

Acting Director, Management Support Division.

[FR Doc. 81-30436 Filed 10-20-81; 8:45 am]

BILLING CODE 6560-31-M

[PF-204A; PH-FRL-1964-6]

Dow Chemical Co.; Amendments to Pesticide Petition

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces that a pesticide petition proposing the establishment of tolerances for the combined residues of the soil microbiocide nitrapyrin [2-chloro-6-(trichloromethyl)pyridine] and its metabolite 6-chloropicolinic acid in or on the raw agricultural commodity has been amended.

ADDRESS: Written comments to: Richard Mountfort, Product Manager (PM) 23, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 401 M Street SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Richard Mountfort, (703-557-1830).

SUPPLEMENTARY INFORMATION: EPA issued a notice that published in the **Federal Register** of October 29, 1980 (45 FR 71678), announcing that Dow Chemical Co., PO Box 1706, Midland, MI 48640, had submitted a pesticide petition (PP 0F2404) proposing that 40 CFR 180.350 be amended by establishing tolerances for the combined residues of the soil microbiocide nitrapyrin [2-chloro-6-(trichloromethyl)pyridine] and its metabolite 6-chloropicolinic acid in or on rice grain at 0.05 part per million (PPM).

Dow Chemical Co. has submitted amendments proposing that the tolerance limitation on rice grain be increased from 0.05 ppm to 0.2 ppm and to add the commodity rice straw at 2.0 ppm. The proposed analytical method for determining residues is gas chromatography using electron capture detector.

(Sec. 408(d)(1), 68 Stat. 512, (7 U.S.C. 136))

Dated: October 14, 1981.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 81-30439 Filed 10-20-81; 8:45 am]

BILLING CODE 6560-32-M

[PF-129A; PH-FRL-1964-7]

Hexakis; Filing of Food and Feed Additive Petition; Correction

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice corrects a food and feed additive petition proposing the establishment of a food and feed regulation for the combined residues of the insecticide hexakis (2-methyl-2-phenylpropyl)distannoxane and its organotin metabolites calculated as hexakis (2-methyl-2-phenylpropyl)distannoxane.

ADDRESS: Written comments to: Jay S. Ellenberger, Product Manager (PM) 12, Registration Division (TS-767C), Office of Pesticide Programs, Environmental Protection Agency, 401 M Street SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Jay S. Ellenberger (703-557-2387).

SUPPLEMENTARY INFORMATION: EPA issued a notice that published in the **Federal Register** of May 9, 1979 (44 FR 27262) that Shell Chemical Co., 1025 Connecticut Ave. NW., Washington, DC 20036 had submitted a feed additive petition (FAP 9H5214) to the EPA proposing that a feed additive regulation be established permitting the combined residues of the insecticide hexakis (2-methyl-2-phenylpropyl)distannoxane and its organotin metabolites calculated as hexakis (2-methyl-2-phenylpropyl)distannoxane in the processed feed items: apple pomace; dried at 20 parts per million (ppm); citrus pulp, dried at 7 ppm; grape pomace, dried at 100 ppm; and raisin waste at 20 ppm.

A request for establishment of a food additive regulation permitting hexakis and its metabolites in or on raisins at 20 ppm was inadvertently omitted from the notice of filing. This correction proposes that 21 CFR Part 193 be amended by establishing a food additive regulation permitting the combined residues of the insecticide hexakis (2-methyl-2-phenylpropyl)distannoxane and its organotin metabolites calculated as hexakis (2-methyl-2-phenylpropyl)distannoxane in or on raisins at 20 ppm.

(Sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348))

Dated: October 13, 1981.

Douglas D. Campt,

Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 81-30438 Filed 10-20-81; 8:45 am]

BILLING CODE 6560-32-M

[WH-FRL 1930-6]

Approval of Revised NPDES Memorandum of Agreement With Tennessee

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of approval of revised National Pollutant Discharge Elimination System (NPDES) Memorandum of Agreement (MOA) with Tennessee.

SUMMARY: On October 5, 1981, the Administrator of EPA approved a revised NPDES MOA between the State of Tennessee and EPA.

FOR FURTHER INFORMATION CONTACT: Allen J. Danzig, Permits Division (EN-336), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460, 202-755-0750.

SUPPLEMENTARY INFORMATION: Under section 402(b) of the Clean Water Act (33 U.S.C. 1251, et seq.), States may be authorized to participate in the NPDES program if they satisfy certain minimum requirements. On December 28, 1977, the State of Tennessee was approved to administer the NPDES permit program within its borders. At that time, a Memorandum of Agreement (MOA) was entered into between EPA and Tennessee governing the administration of the NPDES program.

In October 1977 Congress passed a new set of amendments to the Federal Water Pollution Control Act which made changes to the NPDES permit program. The Federal regulations governing NPDES programs were significantly revised and republished on June 7, 1979 (44 FR 32854, et seq.) and on May 19, 1980 (45 FR 33290, et seq.). In order for the State of Tennessee's NPDES program to conform to the new Federal regulations, many changes in the MOA were mandated. On August 22, 1980, a notice appeared in the **Federal Register** (45 FR 56320) announcing a proposed revision of the MOA. Nine responses to the public notice for the revised Tennessee MOA were received, seven of which were merely requests for a copy of the public notice. The remaining two requests for public hearing dealt with what was at the time a backlog of unissued permits in Tennessee. The State has resolved these problems and following discussions with the concerned parties, their request was verbally withdrawn.

Since the MOA meets all current EPA requirements, I have today approved the revised MOA with Tennessee. No changes have been made to the version of the MOA on which the August 22, 1980 **Federal Register** notice requested comments.

Dated: October 5, 1981.

Anne M. Gorsuch,

Administrator.

[FR Doc. 81-30482 Filed 10-20-81; 8:45 am]

BILLING CODE 6560-29-M

FEDERAL RESERVE SYSTEM

Bank Holding Companies; Notice of Proposed De Novo Nonbank Activities

The bank holding companies listed in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reseve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and, except as noted, received by the appropriate Federal Reserve Bank not later than November 16, 1981.

A. **Federal Reserve Bank of Boston** (Richard E. Randall, Vice President) 600

Atlantic Avenue, Boston, Massachusetts 02106:

Suburban Bancorporation, Hyattsville, Maryland (mortgage banking and finance activities; Alabama, Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, South Carolina, Vermont, and Virginia): to engage through its subsidiary, Suburban Mortgage Associates Incorporated, in the business of mortgage banking and mortgage brokering, including acquiring and servicing loans and other extensions of credit for itself and others, and engaging in the business of arranging, structuring, and analysis of real estate financing. These activities would be conducted from an office in Boston, Massachusetts, serving the states listed in the above caption.

B. **Federal Reserve Bank of New York** (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

1. **Citicorp,** New York, New York (finance and insurance activities; Colorado): To engage, through its subsidiary, Citicorp Person-to-Person Financial Center, Inc., in the making and acquiring of loans and other extensions of credit, secured or unsecured, for consumer and other purposes; the extension of loans to dealers for the financing of inventory (floor planning) and working capital purposes; the purchasing and servicing for its own account of sales finance contracts; the sale of credit related life and accident and health or decreasing or level (in the case of single payment loans) term life insurance by licensed agents or brokers, as required; the sale of consumer oriented financial management courses and the servicing for any person, of loans and other extensions of credit. Credit related life, accident, and health insurance may be written by Family Guardian Life Insurance Company, an affilitate of Citicorp Person-to-Person Financial Center, Inc. These activities would be conducted from an office in Aurora, Colorado, serving the entire State of Colorado.

2. **Citicorp,** New York, New York (consumer finance and insurance activities; Virginia): To relocate an existing office of its subsidiary, Citicorp Person-to-Person Financial Center, Inc., from 101 Buford Road, Richmond, Virginia to 503 Libbie Avenue, Richmond, Virginia. The previously approved activities which will be relocated to the new office are as follows: the making or acquiring of loans and other extensions of credit, secured or unsecured, for consumer and other purposes; the extension of loans to dealers for the financing of inventory (floor planning) and working capital purposes; the purchasing and servicing for its own account of sales finance contracts; the sale of credit related life and accident and health or decreasing or level (in the case of single payment loans) term life insurance by licensed agents or brokers, as required; the sale of consumer oriented financial management courses; and the servicing, for any person, of loans and other extensions of credit. The service area of the office would be comprised of the State of Virginia. Credit related life, accident, and health insurance may be written by Family Guardian Life Insurance Company, an affiliate of Citicorp Person-to-Person Financial Center, Inc.

C. **Federal Reserve Bank of Cleveland** Harry W. Hunning, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

F.N.B. Corporation, Hermitage, Pennsylvania (consumer finance and insurance activities; DuBois, Pennsylvania): To engage, through its subsidiary, F.N.B. Consumer Discount Company, in consumer finance activities, including the extension of direct loans to consumers, the discount of retail installment notes or contracts, and acting as agent for the sale of life, accident and health, and physical damage insurance directly related to its extensions of credit. These activities would be conducted from offices in DuBois, Clearfield County, Pennsylvania, serving the county in which that office is located, and those portions of contiguous counties within a 20 mile radius of the office. Comments on this application must be received not later than November 10, 1981.

D. **Federal Reserve Bank of Richmond** (Lloyd W. Bostian, Jr., Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

Dominion Bancshares Corporation, Roanoke, Virginia (mortgage, financing, and loan servicing activities; San Antonio, Texas): To engage through its subsidiary, Metropolitan Mortgage Fund, Inc., in making or acquiring for its own account loans and other extensions of credit, including but not limited to: mortgage banking activities of originating residential, commercial, industrial, and construction loans for its own account and for sale to others, and servicing such loans for others. The service area of this office will be the San Antonio, Texas, SMSA, which includes Bexar, Comal, and Guadelupe counties.

E. **Federal Reserve Bank of San Francisco** (Harry W. Green, Vice President) 400 Sansome Street, San Francisco, California 94120:

Security Pacific Corporation, Los Angeles, California (commercial financing activities; United States): To engage through its subsidiary, Security Pacific Finance Corp. in making or acquiring for its own account or for the account of others, asset based business loans and other commercial or industrial loans and extensions of credit such as would be made by a factoring, rediscount or commercial finance company. These activities would be conducted from an office of Security Pacific Finance Corp. in Newport Beach, California, serving the United States.

F. **Other Federal Reserve Banks:** None.

Board of Governors of the Federal Reserve System, October 14, 1981.

Theodore E. Downing, Jr.,

Assistant Secretary of the Board.

[FR Doc. 81-30427 Filed 10-20-81; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Alcohol, Drug Abuse, and Mental Health Administration

Interagency Committee on Federal Activities for Alcohol Abuse and Alcoholism; Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. Appendix I), announcement is made of the following national advisory body scheduled to assemble during the month of November 1981:

Interagency Committee on Federal Activities for Alcohol Abuse and Alcoholism

November 10; 9:30 a.m.—open

Conference Room 403A

Hubert H. Humphrey Building

200 Independence Avenue, S.W., Washington, D.C. 20201

Contact: Mr. Lee Towle, Room 16C–03, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857 (301) 443–2593

Purpose: The Interagency Committee on Federal Activities for Alcohol Abuse and Alcoholism: (1) Evaluates the adequacy and technical soundness of all Federal programs and activities which relate to alcoholic abuse and alcoholism, and provides for the communication and exchange of information necessary to maintain the coordination and effectiveness of such programs and activities, and (2) seeks to coordinate the efforts undertaken to deal with alcohol abuse and alcoholism in carrying out Federal health, welfare, rehabilitation, highway safety, law

enforcement, and economic opportunity laws.

Agenda: The meeting will consist of a discussion and vote by the members as to the size and composition of the Interagency Committee.

Substantive program information may be obtained from the contact person listed above. Mr. Towle, who will also furnish, upon request, summaries of the meeting and a roster of Committee members.

Dated: October 15, 1981.

Elizabeth A. Connolly,

Committee Management Officer, Alcohol, Drug Abuse, and Mental Health Administration.

[FR Doc. 81-30380 Filed 10-20-81; 8:45 am]

BILLING CODE 4110-88-M

Health Care Financing Administration

Medicare and Medicaid Programs; Less Than Effective Drug Products Subject to a Notice of Opportunity for Hearing

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: General notice.

SUMMARY: This notice sets forth the list of drug products determined by the Food and Drug Administration (FDA) of HHS to lack substantial evidence of effectiveness for all labeled indications. For these drug products, FDA publishes a **Federal Register** notice offering an opportunity for hearing on a proposal to withdraw approval of the product. Under the authority of an interim final rule published in the October 1, 1981 issue of the **Federal Register,** Federal reimbursement is no longer available under the Medicare Part B and Medicaid programs for these drug products. This prohibition on payment will be enforced beginning January 1, 1982.

FOR FURTHER INFORMATION CONTACT:

Henry J. Hehir (HCFA), 301-594-8561.
Herbert Gerstenzang (FDA), 301-443-3650.

SUPPLEMENTARY INFORMATION: Recent changes to the Social Security Act enacted by Congress in Pub. L. 97-35, the Omnibus Budget Reconciliation Act of 1981, prohibit Federal payment under the Medicare Part B and Medicaid programs for certain drug products. (These drug products have been the subject of a notice of opportunity for hearing (NOOH) issued by the Food and Drug Administration (FDA) under section 505(e) of the Federal Food, Drug, and Cosmetic Act and published in the **Federal Register.** The NOOH is issued to allow drug manufacturers and distributors an opportunity for a hearing when FDA proposes to withdraw approval of the product because it lacks substantial evidence of effectiveness for all labeled indications.)

The regulations implementing these statutory changes were published in the **Federal Register** on October 1, 1981 (46 FR 48550) (Less Than Effective Drugs and Inpatient Hospital Tests, Interim Final Rule With Comment Period). The Supplementary Information section of that interim final rule contained a detailed explanation of the statutory changes, the regulatory provisions, and the FDA processes and procedures.

This list includes the active ingredients of drug products that are currently the subject of an NOOH issued under section 505(e) of the Federal Food, Drug, and Cosmetic Act. Any drug product, regardless of manufacturer, that contains these active ingredients is included in the Medicare and Medicaid prohibition on reimbursement. The NOOH contains further information on the drug products and the FDA hearing process. If you have questions concerning specific drug products, please contact either of the persons listed in the "For Further Information" section, above.

This list does not contain "section 507" drugs (antibiotics) that are subject to an NOOH because, under our final regulations (42 CFR 405.232(c) and 441.25), only drug products subject to section 505 of the Federal Food, Drug, and Cosmetic Act are included in the reimbursement prohibition. A detailed explanation of the section 505 and section 507 drugs can be found in the Supplementary Information section of the interim final rule.

After October 1, 1981 when an NOOH is published in the **Federal Register,** we will notify Medicare contractors and Medicaid State agencies. We will expect them to forward the information to their providers and suppliers. (Of course, the publication of the NOOH itself will serve as the first notice to the public that certain drug products have been added to the FDA listing and thus will not be reimbursed under Medicare Part B or Medicaid.)

The prohibition of the use of Federal funds for the listed drug products will be enforced beginning January 1, 1982 for the Medicare Part B and Medicaid programs.

We plan to issue instructions to State Medicaid agencies and Medicare carriers that will include the brand names of the affected products. At present, we can identify only the brand names of those products that are the subject of an approved new drug application or for which a hearing has been requested from FDA. The public is requested to supply us with the brand names and other identifying information with respect to any identical, similar, or related drugs that are no longer subject to reimbursement, as well as to point out any errors in the list below. Any information received by November 1, 1981 will be included in our initially issued instructions. Information received after that date will be included in supplemental instructions. Please address this information to:

Henry J. Hehir, Director, Division of Medical Services Coverage Policy, Bureau of Program Policy, Room 489 East High Rise, 6325 Security Boulevard, Baltimore, Maryland 21207.

DRUG PRODUCTS THAT HAVE BEEN THE SUBJECT OF A NOTICE OF OPPORTUNITY FOR HEARING BEFORE OCTOBER 1, 1981

Active Ingredient(s)	Dosage, Form/ Route	Remarks
Acetaminophen	Cap/Oral	
Dichloralphenazone		
Isometheptene		
Alcohol	Sol/Top	
Boric Acid		
Salicylic Acid		
Tannic Acid		
Aluminum Hydroxide	Tab/Oral	
Magnesium Trisilicate		
Phenylbutazone		
Aluminum Hydroxide Gel	Sus/Oral	
Magnesium Hydroxide		
Oxethazaine		
Aminobenzoate Potassium	Tab/Oral	
	Cap/Oral	
	Pwr/Oral	
Aminophylline	Cap/Oral	
Amobarbital		
Aminophylline	ECT/Oral	
Amobarbital	Cap/Oral	
Ephedrine Hydrochloride		
Aminophylline	Tab/Oral	
Benzocaine		
Dried Aluminum Hydroxide Gel		
Ephedrine Hydrochloride		
Phenobarbital		
Aminophylline	Tab/Oral	
Benzocaine		
Dried Aluminum Hydroxide Gel		
Ephedrine Hydrochloride		
Phenobarbital		
Potassium Iodide		
Anisotropine Methylbromide	Tab/Oral	
Phenobarbital		
Antazoline Phosphate	Sol/Oph	
Naphazoline Hydrochloride		
Aspirin	Cap/Oral	
Caffeine		
Dihydrocodeine Bitartrate		
Promethazine Hydrochloride		
Aspirin	Tab/Oral	
Caffeine		
Ethoheptazine		
Phenacetin		
Aspirin	Cap/Oral	
Caffeine		
Promethazine Hydrochloride		
Aspirin	Tab/Oral	
Ethoheptazine Citrate		
Aspirin	Tab/Oral	
Meprobamate		
Ethoheptazine Citrate		
Atropine Sulfate	SRT/Oral	(1)
Hyoscine Hydrobromide		
Hyoscyamine Sulfate		
Phenobarbital		
Belladonna Extract	Sup/Rtl	
Bismuth Subcarbonate		
Bismuth Oxyiodide		
Boric Acid		
Ephedrine Sulfate		
Hydrocortisone Acetate		
Peruvian Balsam		

DRUG PRODUCTS THAT HAVE BEEN THE SUBJECT OF A NOTICE OF OPPORTUNITY FOR HEARING BEFORE OCTOBER 1, 1981—Continued

Active ingredient(s)	Dosage, Form/ Route	Remarks
Zinc Oxide		
Benactyzine Hydrochloride	Tab/Oral	
Meprobamate		
Bendroflumethiazide	Tab/Oral	
Potassium Chloride		
Bendroflumethiazide	Tab/Oral	
Potassium Chloride		
Rauwolfia Serpentina		
Benzocaine	AER/Top	
Tetracaine Hydrochloride	Ont/Top	
	Gel/Top	
	Liq/Top	
Betamethasone	Crm/Top	
Neomycin Sulfate		
Bromelains	ECT/Oral	
Butabarbital	Cap/Oral	
Ephedrine Hydrochloride	Elx/Oral	
Guaifenesin		
Theophylline		
Caffeine	Tab/Oral	
Cyclizine Hydrochloride		
Ergotamine Tartrate		
Calcium Amphomycin	Crm/Top	
Hydrocortisone Acetate		
Neomycin Sulfate		
Cyclandelate	Tab/Oral	
Calcium Undecylenate	Ont/Top	
Hydrocortisone Acetate		
Calcium Undecylenate	Ont/Top	
Hydrocortisone Acetate		
Neomycin Sulfate		
Carbazochrome Salicylate	Tab/Oral	
	Sol/Im	
Carbromal	Cap/Oral	
Sodium Pentobarbital	Elx/Oral	
Chlordiazepoxide Hydrochloride	Cap/Oral	
Clidinium Bromide		
Chymotrypsin	ECT/Oral	
Chymotrypsin	ECT/Oral	
Trypsin		
Coal Tar	Ont/Top	
Hydrocortisone	Crm/Top	
Coal Tar Extract	Ont/Top	
Hydrocortisone		
Neomycin Sulfate		
Coal Tar Solution	Crm/Top	
Diiodohydroxyquin	Lot/Top	
Hydrocortisone		
Cryptenamine Tannates	Tab/Oral	
Methyclothiazide		
Cyclandelate	Cap/Oral	
	Tab/Oral	
Deanol Acetamidobenzoate	Tab/Oral	
Dexamethasone	Aer/Top	
Neomycin Sulfate		
Dexamethasone Sodium	Crm/Top	
Neomycin Sulfate		
Dexamethasone Sodium Phosphate	Crm/Top	
Neomycin Sulfate		
Dichlorisone	Crm/Top	
Neomycin Sulfate		
Dicyclomine Hydrochloride	Cap/Oral	(1)
Phenobarbital	Tab/Oral	
Diiodohydroxyquin	Crm/Top	
Hydrocortisone		
Dried Aluminum Hydroxide Gel	Cap/Oral	
Magnesium Trisilicate		
Phenylbutazone		
Prednisone		
Dyphilline	Tab/Oral	
Ephedrine Hydrochloride	Elx/Oral	
Guaifenesin		
Phenobarbital		
Ephedrine Hydrochloride	Tab/Oral	
Guaifenesin		
Phenobarbital		
Theophylline		
Ephedrine Hydrochloride	Tab/Oral	
Phenobarbital		
Potassium Iodide		
Theophylline Calcium Salicylate		
Ephedrine Sulfate	Tab/Oral	
Hydroxyzine Hydrochloride		
Theophylline		
Erythromycin	Ont/Top	

DRUG PRODUCTS THAT HAVE BEEN THE SUBJECT OF A NOTICE OF OPPORTUNITY FOR HEARING BEFORE OCTOBER 1, 1981—Continued

Active ingredient(s)	Dosage, Form/ Route	Remarks
Erythromycin	Ont/Top	
Hydrocortisone		
Neomycin Sulfate		
Ethoheptazine Citrate	Tab/Oral	
Fludrocortisone Acetate	Lot/Top	
Gramicidin		
Neomycin Sulfate		
Fludrocortisone Acetate	Ont/Top	
Gramicidin		
Neomycin Sulfate		
Nystatin		
Flumethiazide	Tab/Oral	
Potassium Chloride		
Rauwolfia Serpentina		
Fluocinolone Acetonide	Crm/Top	
Neomycin Sulfate		
Fluorometholone	Ont/Top	
Neomycin Sulfate		
Flurandrenolide	Ont/Top	
Neomycin Sulfate	Crm/Top	
	Lot/Top	
Gramicidin	Crm/Top	
Hydrocortisone		
Neomycin Sulfate		
Polymyxin B Sulfate		
Gramicidin	Crm/Top	
Neomycin Sulfate		
Polymyxin B Sulfate		
Gramicidin	Ont/Top	
Neomycin Sulfate	Crm/Top	
Nystatin		
Triamcinolone Acetonide		
Gramicidin	Ont/Top	
Neomycin Sulfate	Crm/Top	
Triamcinolone Acetonide	Lot/Top	
Hydrocortamate Hydrochloride	Ont/Top	
Neomycin Sulfate		
Hydrocortisone	Crm/Top	
Iodochlorhydroxyquin	Ont/Top	
Hydrocortisone	Crm/Top	
Iodochlorhydroxyquin		
Neomycin Sulfate		
Hydrocortisone	Ont/Top	
Iodochlorhydroxyquin	Lot/Top	
Nystatin		
Hydrocortisone	Lot/Top	
Neomycin Sulfate	Crm/Top	
	Ont/Top	
Hydrocortisone	Ont/Top	
Neomycin Sulfate		
Nystatin		
Hydrocortisone	Crm/Top	
Neomycin Sulfate		
Resorcinol Monoacetate		
Sulfur		
Hydrocortisone	Lot/Top	
Nystatin		
Hydrocortisone	Ont/Top	
Oxytetracycline Hydrochloride		
Hydrocortisone	Aer/Top	
Oxytetracycline Hydrochloride		
Polymyxin B Sulfate		
Hydrocortisone Acetate	Ont/Top	
Neomycin Sulfate	Lot/Top	
	Crm/Top	
Hydroflumethiazide	Tab/Oral	
Potassium Chloride		
Hydroflumethiazide	Tab/Oral	
Potassium Chloride		
Rauwolfia Serpentina		
Hydroxyzine Hydrochloride	Tab/Oral	
Pentaerythritol Tetranitrate		
Isopropamide Iodide	Cap/Oral	
Prochlorperazine		
Isopropamide Iodide	SRC/Oral	
Prochlorperazine Maleate		
Isosorbide Dinitrate	Tab/Oral	
Phenobarbital		
Isoxsuprine Hydrochloride	Tab/Oral	
	Sol/IM	
Mannitol Hexanitrate	Tab/Oral	
Phenobarbital		
Mannitol Hexanitrate	Tab/Oral	
Reserpine		
Mepenzolate Bromide	Tab/Oral	
Phenobarbital		

DRUG PRODUCTS THAT HAVE BEEN THE SUBJECT OF A NOTICE OF OPPORTUNITY FOR HEARING BEFORE OCTOBER 1, 1981—Continued

Active ingredient(s)	Dosage, Form/ Route	Remarks
Meperidine Hydrochloride	Cap/Oral	
Promethazine Hydrochloride		
Meprobamate	Tab/Oral	
Pentaerythritol Tetranitrate		
Meprobamate	Tab/Oral	
Tridihexethyl Chloride		
Methylprednisolone Acetate	Crm/Top	
Neomycin Sulfate		
Neomycin Sulfate	Lot/Top	
Polymyxin B Sulfate		
Neomycin Sulfate	Ont/Top	
Prednisolone	Aer/Top	
Neomycin Sulfate	Ont/Top	
Prednisolone Acetate	Lot/Top	
Neomycin Sulfate	Lot/Top	
Prednisolone Sodium Phosphate	Ont/Top	
Neomycin Sulfate	Crm/Top	
Triamcinolone Acetonide	Ont/Top	
	Aer/Top	
Nicotinyl Alcohol	Elx/Oral	
Nicotinyl Alcohol Tartrate	Tab/Oral	
	SRT/Oral	
Nylidrin Hydrochloride	Tab/Oral	
Oxymorphone Hydrochloride	Sup/Rtl	(3)
Oxyphencyclimine Hydrochloride	Tab/Oral	
Phenobarbital		
Pentaerythritol Tetranitrate	Tab/Oral	
Phenobarbital	SRT/Oral	
Pentaerythritol Tetranitrate	Cap/Oral	
Secorbarbital	SRC/Oral	
Phenazopyridine Hydrochloride	Tab/Oral	
Sulfamethoxazole		
Phenobarbital	Tab/Oral	
Propantheline Bromide		
Phenobarbital	Tab/Oral	
Tridihexethyl Chloride	SRC/Oral	
Phenoxybenzamine Hydrochloride	Cap/Oral	(4)
Povidone-Iodine	Gel/Vag	
Propionate Calcium	Gel/Vag	
Propionate Sodium		
Proteolytic Enzymes from carica Papaya.	Chewable Tab/ Oral or Bucc.	
Thiphenamil Hydrochloride	Tab/Oral	
Tolazoline Hydrochloride	Sol/IM-IV-SC.	
Tridihexethyl Chloride	SRC/Oral	
Trimethobenzamide Hydrochloride	Cap/Oral Supp/ Rectal	(5)
Tyloxapol	Sol/Inh	

[1] NOOH applies only to controlled release product.
[2] NOOH does not apply to syrup.
[3] NOOH applies only to 2 mg strength. The 5 mg suppository is effective.
[4] NOOH does not apply to "pheochromocytoma" indication.
[5] NOOH does not apply to capsules in 200 mg or 400 mg strengths.

Abbreviations

Dosage Forms

Aer—Aerosol
Cap—Capsule
Crm—Cream
Dps—Drops
ECT—Enteric coated tablets
Elx—Elixir
Liq—Liquid
Lot—Lotion
Ont—Ointment
Pwr—Powder for reconstitution
SRC—Sustained release capsule
SRT—Sustained release tablet
Sol—Solution
Sup—Suppositories
Sus—Suspension
Syr—Syrup
Tab—Tablet

Routes of Administration

Bucc–Buccal
IM–Intramuscular
IV–Intravenous
Inh–Inhalation
Oph–Ophthalmic
Rtl–Rectal
SC–Subcutaneous
Top–Topical
Vag–Vaginal

(Sections 1862(c) and 1903(i)(5) of the Social Security Act (42 U.S.C. 1395y and 1396d))

(Catalog of Federal Domestic Assistance Program No. 13.714, Medical Assistance Program and No. 13.774, Medicare, Supplementary Medical Insurance)

Dated: October 16, 1981.

Carolyne K. Davis,

Administrator, Health Care Financing Administration.

[FR Doc. 81-30607 Filed 10-20-81; 8:45 am]

BILLING CODE 4110-35-M

National Institutes of Health

Aging Review Committee; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Aging Review Committee, National Institute on Aging, on December 3–4, 1981, in Building 31, Conference Room 4 (A wing), National Institutes of Health, Bethesda, Maryland.

The meeting will be open to the public from 9:00 a.m. to 10:00 a.m. on December 3, for introductory remarks. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552b(c)(4) and 552(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 December 3, from 10:00 a.m. to adjournment on December 4, 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.

Ms. June C. McCann, Committee Management Officer, NIA, Building 31, Room 2C05, National Institutes of Health, Bethesda, Maryland, Area Code 301 496–5898, will provide summaries of meetings and rosters of Committee members as well as substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.866, Aging Research, National Institutes of Health)

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: October 14, 1981.

Thomas E. Malone,

Acting Director, NIH.

[FR Doc. 81-30418 Filed 10-20-81; 8:45 am]

BILLING CODE 4110-08-M

Animal Resources Review Committee, Primate Research Centers Subcommittee; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Subcommittee On Primate Research Centers, Animal Resources Review Committee, Division of Research Resources, on November 18, 1981, in the Zurich Room, Howard Johnson's Midtown, 100 Tenth Street, N.W., Atlanta, Georgia 30309.

The meeting will be open to the public from approximately 1:00 p.m., until adjournment, for a staff presentation on the current status of the Animal Resources Program, and the selection of future meeting dates. Attendance by the public will be limited to space available.

In accordance with the 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 from 9:00 a.m. to approximately 1:00 p.m., 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, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. James Augustine, Information Officer, Division of Research Resources, Room 5B13, Building 31, National Institutes of Health, Bethesda, Maryland 20205, (301) 496–5545, will provide summaries of the meeting and rosters of the Committee members. Dr. Carl E. Miller, Executive Secretary of the Animal Resources Review Committee, Room 5B55, Building 31, National Institutes of Health, Bethesda, Maryland 20205, (301) 496–5175, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Programs No. 13.306, Laboratory Animal Sciences and Primate Research, National Institutes of Health)

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: October 14, 1981.

Thomas E. Malone,

Deputy Director, NIH.

[FR Doc. 81-30416 Filed 10-20-81; 8:45 am]

BILLING CODE 4110-08-M

Biotechnology Resources Review Committee; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Biotechnology Resources Review Committee, Division of Research Resources, November 5 and 6, 1981, Conference Rooms 7 and 6, Building 31, National Institutes of Health, Bethesda, Maryland 20205.

This meeting will be open to the public November 5 from 8:30 a.m. to approximately 5:00 p.m., and from 8:30 a.m. to approximately 11:30 a.m. on November 6 for presentations and discussion on the current and future needs for support of laser applications in biology and for support of computer applications in biology and medicine, discussions on revision of the guidelines for Biotechnology Resources Program applications, and a review of instrumentation activities within the NIH. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Sections 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. and Section 10(d) of Pub. L. 92–463, the meeting will be closed to the public from approximately 11:30 a.m. to adjournment on November 6 for review, discussion, and evaluation of individual research prospectuses submitted by organizations seeking access to PROPHET System services. These prospectuses and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the prospectuses, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. James Augustine, Chief, Office of Science and Health Reports, Division of Research Resources, Bldg. 31, Rm. 5B–13, National Institutes of Health, Bethesda, Maryland 20205, telephone area code 301 496–5545, will provide summaries of meetings and rosters of committee members.

Dr. Charles L. Coulter, Executive Secretary, Biotechnology Resources Review Committee, Division of Research Resources, Bldg. 31, Rm. 5B–41, National Institutes of Health, Bethesda, Maryland 20205, telephone area code 301 496–5411, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.371, Biotechnology Research, National Institutes of Health)

NIH programs are not covered by OMB Circlar A-95 because they fit the description of "programs not considered appropriate" in section 8(b) (4) and (5) of that circular.

Dated: October 14, 1981.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 81-30407 Filed 10-20-81; 8:45 am]

BILLING CODE 4110-08-M

Cellular and Molecular Basis of Disease Review Committee; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Cellular and Molecular Basis of Disease Review Committee, National Institute of General Medical Sciences, on November 24, 1981, at the Linden Hill Hotel, Bethesda, Maryland.

This meeting will be open to the public on November 24, 1981, from 8:30 a.m. until 10:00 a.m. for background information and discussion of issues relevant to the National Institute of General Medical Sciences and its National Research Service Award training activities and research programs. 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. 92-463, the meeting will be closed to the public on November 24, 1981, from 10:00 a.m. until adjournment for the review, discussion, and evaluation of individual grant applications. These applications and discussions could reveal personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. Ellen Casselberry, Public Information Officier, National Institute of General Medical Sciences, National Institutes of Health, Room 9A10, Westwood Building, Bethesda, Maryland, 20205 (Telephone: 301/496-7301) will provide a summary of the meeting and a roster of committee members.

Dr. Carl D. Rhodes, Executive Secretary, Cellular and Molecular Basis of Disease Review Committee, NIGMS, National Institutes of Health, Room 950, Westwood Building, Bethesda, Maryland, 20205 (Telephone: 301/496-7125) will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13-863, Cellular and Molecular Basis of Disease Research)

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: October 14, 1981.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 81-30410 Filed 10-20-81; 8:45 am]

BILLING CODE 4110-08-M

Clinical Applications and Prevention Advisory Committee; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Clinical Applications and Prevention Advisory Committee, Division of Heart and Vascular Diseases, National Heart, Lung, and Blood Institute, National Institutes of Health, November 5-6, 1981. The meeting will be held at the National Medical Audiovisual Center, NMAC Conference Room, Lister Hill National Center for Biomedical Communications, Building 38A, 8600 Rockville Pike, Bethesda, Maryland 20205.

This meeting will be open to the public on November 5 from 10:00 a.m. to 3:00 p.m. and all day November 6 when the Committee will discuss the status of new initiatives and the Ten Year Plan. 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 5 from approximately 3:00 p.m. to adjournment for the review, discussion and evaluation of individual contract renewal proposals. The proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with tihe proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. York Onnen, Chief, Public Inquiries and Reports Branch, National Heart, Lung, and Blood Institute, Building 31, Room 4A21, National Institutes of Health, Bethesda, Maryland 20205, phone (301) 496-4236, will provide summaries of meetings and rosters of committee members. Dr. William Friedewald, Executive Secretary of the Committee, Federal Building, Room 212, Bethesda, Maryland 20205, phone (301) 496-2533, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.837, Heart and Vascular Diseases Research, National Institutes of Health)

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: October 14, 1981.

Thomas E. Malone,

Deputy Director, NIH.

[FR Doc. 81-30408 Filed 10-20-81; 8:45 am]

BILLING CODE 4110-08-M

Clinical Trials Review Committee; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the Clinical Trials Review Committee, National Heart, Lung, and Blood Institute, on November 29-30, 1981, at the Loews Summit Hotel, East 51st Street at Lexington Avenue, New York, New York 10022.

This meeting will be open to the public from 8:00 p.m. to 9:00 p.m. on November 29, 1981 to discuss administrative details and to hear a report concerning the current status of the National Heart, Lung, and Blood Institute. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Section 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 29, from 9:00 p.m. to adjournment on November 30, 1981, for the review, discussion and evaluation of an individual grant application. This application and the discussion could reveal personal information concerning individuals associated with this application, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. York Onnen, Chief, Public Inquiries and Reports Branch, NHLBI, National Institutes of Health, Bethesda, Maryland 20205, Building 31, Room 4A-21, phone (301) 496-4236, will provide summaries of the meeting and rosters of the committee members. Dr. Fred P. Heydrick, Chief, Research Contracts Review Section, Division of Extramural Affairs, NHLBI, Westwood Building, Bethesda, Maryland 20205, Room 548B, phone (301) 496-7363, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.837, Heart and Vascular Diseases Research, National Institutes of Health)

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: October 14, 1981.

Thomas E. Malone,

Deputy Director, NIH.

[FR Doc. 81-30411 Filed 10-20-81; 8:45 am]

BILLING CODE 4110-08-M

Genetic Basis of Disease Review Committee; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Genetic Basis of Disease Review Committee, National Institute of General Medical Sciences on November 20, 1981, at the Holiday Inn, 420 S. Illinois Avenue, Oak Ridge, Tennessee 37830.

This meeting will be open to the public on November 20, 1981, from 9:00 a.m. until 10:00 a.m. for background information and discussion of issues relevant to the National Institute of General Medical Sciences and its National Research Service Award training activities and research programs. 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. 92–463, the meeting will be closed to the public for approximately two hours for the review, discussion, and evaluation of individual grant applications. It is anticipated that this will occur on November 20 from 10:00 a.m. until adjournment. These applications and the discussions could reveal personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. Ellen Casselberry, Public Information Officer, NIGMS, Westwood Building, Room 9A10, Bethesda, Maryland 20205, Telephone 301–496–7301, will furnish summary minutes of the meeting and a roster of committee members.

Dr. Helen Sunshine, Acting Executive Secretary, Genetic Basis of Disease Review Committee, National Institute of General Medical Sciences, National Institutes of Health, Room 949, Westwood Building, Bethesda, Maryland 20205 (Telephone 301–496–7585) will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13–862, Genetics Research, National Institute of General Medical Sciences, National Institutes of Health)

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: October 14, 1981.

Thomas E. Malone,

Deputy Director, NIH.

[FR Doc. 81–30409 Filed 10–20–81; 8:45 am]

BILLING CODE 4110–08–M

Heart, Lung, and Blood Research Review Committee B; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the heart, Lung, and Blood Research Review Committee B, National Heart, Lung, and Blood Institute, National Institutes of Health, December 4, 1981, Chevy Chase Holiday Inn, Chevy Chase, Maryland 20015.

This meeting will be open to the public on December 4, 1981, from 8:30 AM to approximately 9:30 AM to discuss administrative details and to hear reports concerning the current status of the National Heart, Lung, and Blood Institute. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Section 552b(c)(6), Title 5, U.S.C., and Section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on December 4, 1981, from approximately 9:30 AM to adjournment for the review, discussion, and evaluation of 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 personal privacy.

Mr. York E. Onnen, Chief, Public Inquiries and Reports Branch, National Heart, Lung, and Blood Institute, Building 31, Room 4A21, National Institutes of Health, Bethesda, Maryland 20205, (301) 496–4236, will provide summaries of the meeting and rosters of the committee members.

Dr. Louis M. Ouellette, Executive Secretary, NHLBI, Westwood Building, Room 554, (301) 496–7915, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.837, Heart and Vascular Diseases Research; and 13.839, Blood Diseases and Resources Research, National Institutes of Health)

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: October 14, 1981.

Thomas E. Malone,

Deputy Director, NIH.

[FR Doc. 81–30412 Filed 10–20–81; 8:45 am]

BILLING CODE 4110–08–M

Maternal and Child Health Research Committee; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Maternal and Child Health Research Committee, National Institute of Child Health and Human Development, on November 17–18, 1981, in the Georgia Room, Holiday Inn Bethesda, 8120 Wisconsin Avenue, Bethesda, Maryland.

This meeting will be open to the public on November 17, from 9:00 a.m. to 10:30 a.m. to discuss items relative to the Committee's activities including announcements by the Acting Director, Associate Director for Scientific Review and Chiefs of the Human Learning and Behavior and the Clinical Nutrition and Early Development Branches and the Executive Secretary of the Committee. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in Title 5, U.S.C. 552b(c)(4) and 552b(c)(6) and Section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on November 17 from 10:30 a.m. to adjournment on November 18 for the review, discussion and evaluation of individual grant applications.

The 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, the disclosure of which would constitute a clearly unwarranted invasion of personal property.

Mrs. Marjorie Neff, Committee Management Officer, NICHD, Landow Building, Room 6C06, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496–1485, will provide a summary of the meeting and a roster of committee members. Dr. Jane Showacre, Executive Secretary, Maternal and Child Health Research Committee, NICHD, Landow Building Room 6C03, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496–1696, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.865, Research for Mothers and Children, National Institutes of Health)

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: October 14, 1981.

Thomas E. Malone,

Deputy Director, NIH.

[FR Doc. 81–30415 Filed 10–20–81; 8:45 am]

BILLING CODE 4110–08–M

Mental Retardation Research Committee; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Mental Retardation Research Committee, National Institute of Child Health and Human Development, on

November 19–20, 1981, in the Pennsylvania Room at the Holiday Inn of Bethesda, 8120 Wisconsin Avenue, Bethesda, Maryland.

This meeting will be open to the public on November 19 from 9:00 a.m. to 11:00 a.m. to discuss items relative to the Committee's activities including announcements by the Acting Director, National Institute of Child Health and Human Development, and the Executive Secretary, Mental Retardation Research Committee.

In accordance with provisions set forth in Sections 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. and Section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on November 19 from 11:00 a.m. to adjournment on November 20 for the review, discussion and evaluation of individual grant applications. The 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.

Mrs. Marjorie Neff, Committee Management Officer, NICHD, Landow Building, 6C–08, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496–1485, will provide a summary of the meeting and roster of committee members. Dr. Stanley L. Slater, Executive Secretary, Mental Retardation Research Committee, NICHD, Landow Building, Room 6C–04, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496–1696, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.865, Research for Mothers and Children, National Institutes of Health)

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: October 14, 1981.

Thomas E. Malone,

Deputy Director, NIH.

[FR Doc. 81–30414 Filed 10–20–81; 8:45 am]

BILLING CODE 4110–08–M

National Arthritis Advisory Board; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the National Arthritis Advisory Board on November 18, 1981, 9:00 a.m. to 5:00 p.m., at the Capital Holiday Inn, 550 C Street, S.W., Washington, D.C. 20201. The Meeting, which will be open to the public, is being held to discuss the Board's activities and to continue the evaluation of the implementation of the long-range plan to combat arthritis. Attendance by the public will be limited to space available. Notice of the meeting will be posted in the Hotel lobby.

Mr. William Plunkett, Executive Director, National Arthritis Advisory Board, P.O. Box 30286, Bethesda, Maryland 20205 (301) 496–1991, will provide an agenda and roster of members. Summaries of the meeting may be obtained by contacting Carole A. Peters, Committee Management Office, NIADDK, National Institutes of Health, Room 9A46, Building 31, Bethesda, Maryland 20205, (301) 496–5765.

Dated: October 14, 1981.

Thomas E. Malone,

Deputy Director, NIH.

[FR Doc. 81–30419 Filed 10–20–81; 8:45 am]

BILLING CODE 4110–08–M

National Institute of Dental Research Programs Advisory Committee, Subcommittee on Periodontal Diseases; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Subcommittee on Periodontal Diseases, National Institute of Dental Research Programs Advisory Committee, on December 17–18, 1981, in Conference Room 503, Westwood Building, National Institutes of Health, Bethesda, Maryland.

The entire meeting will be open to the public from 9:00 a.m. to 5:00 p.m. on December 17, and from 9:00 a.m. to adjournment on December 18 to discuss research progress and ongoing plans and programs of the Periodontal Diseases Program Branch. Attendance by the public will be limited to space available.

Dr. Paul F. Parakkal, Executive Secretary, Subcommittee on Periodontal Diseases, National Institute of Dental Research, National Institutes of Health, Westwood Building, Room 519, Bethesda, MD 20205, (phone 301–496–7784) will furnish rosters of committee members, a summary of the meeting, and other information pertaining to the meeting.

(Catalog of Federal Domestic Assistance Program No. 13.841—Periodontal Diseases Research, National Institutes of Health)

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: October 14, 1981.

Thomas E. Malone,

Deputy Director, NIH.

[FR Doc. 81–30420 Filed 10–20–81; 8:45 am]

BILLING CODE 4110–08–M

NIDR Special Grants Review Committee; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the National Institute of Dental Research Special Grants Review Committee, on November 9, 1981, in Conference Room 4, Building 31–A, National Institutes of Health, Bethesda, Maryland. This meeting will be open to the public from 9:00 a.m. to 10:00 a.m. on November 9, 1981, for general discussions. Attendance by the public is 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 from 10:00 a.m. to adjournment on November 9, 1981, 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, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Emil L. Rigg, Executive Secretary, NIDR Special Grants Review Committee, National Institute of Dental Research, National Institutes of Health, Westwood Building, Room 504, Bethesda, MD 20205, (telephone 301 496–7658) will provide summaries of meeting, rosters of committee members, and substantive program information.

(Catalog of Federal Domestic Assistance Programs Nos. 13.840-Caries Research, 13.841-Periodontal Diseases Research, 13.842-Craniofacial Anomalies Research, 13.843-Restorative Materials Research, 13.844-Pain Control and Behavioral Studies, 13.845-Dental Research Institutes, 13.878-Soft Tissue Stomatology and Nutrition Research, National Institutes of Health)

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: October 14, 1981.

Thomas E. Malone,

Deputy Director, NIH.

[FR Doc. 81–30413 Filed 10–20–81; 8:45 am]

BILLING CODE 4110–08–M

Vision Research Program Committee; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Vision Research Program Committee, National Eye Institute, November 19–20, 1981, Building 1, Wilson Hall, National Institutes of Health, Bethesda, Maryland.

This meeting will be open to the public on Thursday, November 19, from 8:30 a.m. to 9:00 a.m. for opening remarks and discussion of program guidelines. 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.C. and Section 10(d) of Pub. L. 92–463, the meeting will be closed to the public from 9:00 a.m. on November 19 until adjournment on November 20, 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, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. Mary Carter, Committee Management Officer, National Eye Institute, Building 31, Room 6A–04, National Institutes of Health, Bethesda, Maryland 20205, (301) 496–4903, will provide summaries of the meeting and rosters of committee members.

Dr. Catherine Henley, Review and Special Projects Officer, Extramural and Collaborative Programs, National Eye Institute, Building 31, Room 6A–04, National Institutes of Health, Bethesda, Maryland 20205, (301) 496–5561, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.867, Retinal and Choroidal Diseases Research; 13.868, Corneal Diseases Research; 13.869, Cataract Research; 13.870, Glaucoma Research; and 13.871, Sensory and Motor Disorders of Visual Research; National Institutes of Health)

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: October 14, 1981.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 81-30417 Filed 10-20-81; 8:45 am]

BILLING CODE 4110-08-M

Department of Health and Human Services

President's Cancer Panel; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the President's Cancer Panel, October 27, 1981, International Club of Washington, Board Room, 1800 K Street, N.W., Washington, D.C. 20006.

The entire meeting will be open to the public from 9:00 a.m. to adjournment. Agenda items are reports by the Director, National Cancer Institute, and the Chairman, President's Cancer Panel. Attendance by the public will be limited to space available.

Mrs. Winifred Lumsden, Committee Management Officer, National Cancer Institute, Building 31, Room 10A06, National Institutes of Health, Bethesda, Maryland 20205 (301/496–5708) will provide summaries of the meeting and rosters of Panel members, upon request.

Dr. Richard A. Tjalma, Executive Secretary, National Cancer Institute, Building 31, Room 4B29, National Institutes of Health, Bethesda, Maryland 20205 (301/496–5854) will furnish substantive program information.

Dated: October 16, 1981.

Thomas E. Malone,

Deputy Director, National Institutes of Health.

[FR Doc. 81-30563 Filed 10-20-81; 8:45 am]

BILLING CODE 4110-08-M

DEPARTMENT OF THE INTERIOR

Office of the Secretary

Alaska Land Use Council; Meeting

As required by the Alaska National Interest Lands Conservation Act, Pub. L. 96–487, dated December 2, 1980, section 1201 paragraph (h), the Alaska Land Use Council will meet November 13, 1981, at 10 AM, at 1689 C Street, Room 107, in the South Kaloa Building, Anchorage Alaska. The agenda will include recommendations from the Chugach Study Group and adoption of a Work Program Plan.

William P. Horn,

Deputy Under Secretary.

October 13, 1981.

[FR Doc. 81-30377 Filed 10-20-81; 8:45 am]

BILLING CODE 4310-10-M

Land Use Advisors Committee; Solicit Nominations

The Co-Chairman of the Alaska Land Use Council are soliciting nominations for appointments to the Council's Land Use Advisors Committee.

The Land Use Advisors Committee, mandated by Section 1201(m)(1) of the Alaska National Interest Lands Conservation Act, will be responsible for the development of a public participation program and subsequently to oversee implementation of that program. The Committee will play a continuing role in the public input process to the Alaska Land Use Council.

The Alaska Lands Act states that the Land Use Advisors Committee should be representative of a balance between the many interests concerned with use of public lands in Alaska and the several geographic regions of the State.

If you are interested in serving on the Land Use Advisors Committee please send your resume to: Alaska Land Use Council, Governor Jay S. Hammond, State Co-Chairman, Vernon R. Wiggins, Federal Co-Chairman Nominee, P.O. Box 120, Anchorage, Alaska 99510.

The deadline for filing is October 23, 1981. For further information you may write to the above address or call (907) 272–3422.

William P. Horn,

Deputy Under Secretary.

October 13, 1981.

[FR Doc. 81-30376 Filed 10-20-81; 8:45 am]

BILLING CODE 4310-10-M

Bureau of Indian Affairs

Final Determination That the Lower Muskogee Creek Tribe—East of the Mississippi, Inc., Does not Exist as an Indian Tribe

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

Pursuant to 25 CFR 54.9(h) notice is hereby given that the Assistant Secretary has determined that the Lower Muskogee Creek Tribe—East of the Mississippi, Inc., does not exist as an Indian tribe within the meaning of Federal law. This notice is based on a confirmed determination, following a review of public comments on the proposed findings, that the group does not meet four of the criteria set forth in 25 CFR 54.7 and, therefore, does not meet the requirements necessary for a government-to-government relationship with the United States.

Notice of the proposed findings to decline to acknowledge the group was published on page 11718 of the Federal Register on February 10, 1981. Interested

parties were given 120 days in which to submit factual or legal arguments to rebut evidence used to support the findings that the Lower Muskogee Creeks (hereinafter referred to as LMC) do not exist as an Indian tribe.

During the comment period, two substantive rebuttals were submitted challenging the proposed findings pursuant to 25 CFR 54.9(g). The first was submitted on May 18, 1981, over the signature of Neal McCormick of Cairo, Georgia, chief of the petitioning group. A second, and separate rebuttal, was submitted on June 9, 1981, by John Wesley Thomley of Molino, Florida, as vice chief of the petitioning group. Subsequent to publication of the proposed findings, Mr. Thomley notified the Acknowledgment staff that he was severing all connections with the McCormicks and that he intended to file a separate rebuttal contending that the original petition had omitted substantial amounts of important evidence.

Three letters were received in support of the findings: one from the Director of the McIntosh Reserve of Carroll County, Georgia; one from the Director, Office of Indian Heritage for the State of Georgia; and one from the Principal Chief of the Muskogee (Creek) Nation of Oklahoma.

Both rebuttals were carefully considered, individually as well as collectively, to determine whether the sum of the evidence and arguments would strengthen the group's overall petition for acknowledgment. The rebuttals, whether considered separately or together, did not present evidence which would warrant changing the conclusion that the LMC does not exist as an Indian tribe within the meaning of Federal law.

Although both rebuttals spoke to some degree to the four criteria which the LMC had failed to meet, neither rebuttal addressed the following major factual conclusions set out in the proposed findings: (1) The unstable membership which shows great fluctuations in size and composition; (2) the lack of historical data for most geographic areas and for many time periods, and the concurrent lack of evidence of political continuity; (3) the apparent recent institution of "clan" organizations; and (4) the lack of historical connections or association between families that would be expected from the assserted historical tribal character. The conclusions regarding the limited historical identification of the group as Indian and the lack of proven Creek ancestry for a large part of the group's membership were either not addressed or were answered by restating earlier arguments. Some of the factual conclusions in themselvs were sufficient to deny tribal status to the group, but collectively they were overwhelmingly against the LMC assertion that they were a tribe.

In accordance with § 54.9(j) of the Acknowledgment regulations, an analysis was made to determine what, if any, options other than acknowledgment are available under which the Lower Muskogee Creek Tribe—East of the Mississippi, Inc., could make application as a tribe for services and other benefits available to recognized Indian tribes. No viable alternatives could be found due to the group's uncertain Indian ancestry, the geographical dispersion of its membership, and the group's lack of inherent social and political cohesion and continuity. This conclusion is based on independent research conducted by the Acknowledgment staff and on the factual arguments and evidence presented in the LMC petition and in the two rebuttals which challenged the proposed findings.

As individuals, however, those who shared in Docket 21 will also share in the per capita award to be made under Docket 275. Persons who did not share in Docket 21 who have applied and meet the requirements of the judgment fund distribution plan could share in Docket 275. With regard to future awards to individual Eastern Creek Indian descendants, we are unable to say what the eligibility requirements for sharing in such awards might be or who the eligible beneficiaries would be.

A report summarizing the Department's response to the evidence and arguments submitted to refute the proposed findings is available to the petitioner and interested parties upon written request. Requests for copies of the report or the proposed findings published earlier should be addressed to the Assistant Secretary—Indian Affairs, Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20242, Attention: Branch of Federal Acknowledgment.

This determination is final and will become effective December 21, 1981 unless the Secretary of the Interior requests the determination be reconsidered pursuant to 25 CFR 54.10(a–c).

Ken Smith,

Assistant Secretary—Indian Affairs.

October 8, 1981.

[FR Doc. 81-30483 Filed 10-20-81; 8:45 am]

BILLING CODE 4310-02-M

Bureau of Land Management

[DES INT 81-45]

Alaska Outer Continental Shelf; Availability of Draft Environmental Impact Statement and of Intent To Hold Public Hearings Regarding Proposed Oil and Gas Lease Sale No. 70

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Bureau of Land Management has prepared a draft environmental impact statement relating to a proposed Outer Continental Shelf oil and gas lease sale of 479 tracts of submerged Federal lands in the St. George Basin area in Alaska.

Single copies of the draft environmental impact statement can be obtaned from the Office of the Manager, Bureau of Land Management, Alaska OCS Office, 620 E. 10th Street, P.O. Box 1159, Anchorage, Alaska 99510 and from the Office of Public Affairs, Bureau of Land Management (130), Washington, D.C. 20240.

Copies of the draft environmental impact statement will also be available for review in the following public libraries: Alaska Federation of Natives, 1577 O Street, Suite 304, Anchorage, AK 99501; Anchor Point Public Library, Anchor Point, AK 99556; Department of the Interior Alaska Resources Library, 701 "C" Street, Box 36, Anchorage, AK 99513; Cordova Public Library, Box 472, Cordova, AK 99574; Kenai Community Library, Box 157, Kenai, AK 99611; Elim Learning Center, Elim, AK 99739; Haines Public Library, P.O. Box 36, Haines, AK 99827; North Star Borough Library, Fairbanks, AK 99701; University of Alaska, Institute of Social and Economic Research Library, Fairbanks, AK 99801; Homer Public Library, Box 356, Homer, AK 99603; Z. J. Loussac Public Library, 427 F Street, Anchorage, AK 99801; Juneau Memorial Library, 114 W. 4th Street, Juneau, AK 99824; Alaska State Library, Documents Librarian, Pouch G, Juneau, AK 99811; Ketchikan Public Library, 629 Dock Street, Ketchikan, AK 99901; Department of Defense, Army Corps of Engineers Library, P.O. Box 7002, Anchorage, AK 99501; Kodiak Public Library, P.O. Box 985, Kodiak, AK 99615; Metlakatla Extension Center, Metlakatla, AK 99926; Department of Interior, Bureau of Mines Library, AF–F.O. Center, P.O. Box 550, Juneau, AK 99802; Petersburg Extension Center, Box 289, Petersburg, AK 99833; Seldovia Public Library, Drawer D, Seldovia, AK 99663; Seward Community Library, Box 537, Seward, AK 99664; University of Alaska Juneau Library, P.O. Box 1447,

Juneau, AK 91447; Sitka Community Library, Box 1090, Sitka, AK 99835; Douglas Public Library, Box 469, Douglas, AK 99824; University of Alaska Anchorage Library, 3211 Providence Drive, Anchorage, AK 99504; University of Alaska Elmer E. Rasmusson Library, Fairbanks, AK 99701; Wrangell Extension Center, Box 651, Wrangell, AK 99929.

We anticipate that public hearings will be held during the period of March 29 through April 2, 1982, for the purpose of receiving comments and suggestions relating to the draft statement. The exact locations and dates of these hearings will be announced at a later date. Comments concerning the draft environmental impact statement will be accepted until April 9, 1982, and should be sent to the Manager, Alaska OCS Office, at the above listed address.

After the public hearings are held and comments are received and considered, a final environmental impact statement will be prepared.

Ed Hastey,

Associate Director, Bureau of Land Management.

Approved: October 15, 1981.

Bruce Blanchard,

Director, Environmental Project Review.

[FR Doc. 81-30428 Filed 10-20-81; 8:45 am]

BILLING CODE 4310-84-M

Bureau of Reclamation

Rehabilitation and Minor Construction at the Yuma Mesa Pumping Plant; Intent To Enter Into Repayment Contracts With Yuma Mesa and Unit B Irrigation and Drainage Districts for Installation of a Pump and Rewinding of Motors

The Department of the Interior, through the Bureau of Reclamation (Bureau), intends to enter into a drainage and minor construction (D&MC) contract with the Yuma Mesa Irrigation and Drainage District (District), and an amendatory rehabilitation and betterment (R&B) contract with the Unit B Irrigation and Drainage District (Unit B) to provide for the installation of one additional pump, with a capacity of 50 to 55 cubic feet per second, at the Yuma Mesa Pumping Plant (Plant). Also, the proposed contracts will include provisions for the United States to finance and Unit B to repay its share of the cost of rewinding existing pump motors being done by the District.

The additional pump is necessary due to reduced demands during certain portions of the year, such as weekends and holidays. During these periods of low pumping requirements, the District is unable to reduce the volume of the existing pumps without bypass return pumping, or throttling back, which causes excessive wear on the pumps and motors. These measures cause an increase in the District's cost of supplying water.

Since existing legislation authorizing construction of the pumping plant limits its total pumping capacity, thereby prohibiting the addition of more pumps, the District has petitioned its congressional delegation to introduce legislation permitting an increase in capacity, and for the cost of the work to be accomplished. As a result, authorization has been written in to the House version of the Bureau of Reclamation appropriations bill, HR 4144, for the use of $300,000 of construction and rehabilitation program funds by the District and Unit B. Passage of that bill will provide, among other things, for installation of an additional regulatory pump, additional pumping capacity, and reimbursement of the District for Unit B's share of the cost of rehabilitation of existing motors at the pumping plant.

The proposed D&MC contract with the District would be written pursuant to the Act of Congress approved June 17, 1902 (32 Stat 388), and Acts amendatory thereof and supplementary thereto, particularly the Acts of July 30, 1947 (61 Stat. 628), as amended and the Act of June 31, 1956 (70 Stat. 274). The proposed amendatory R&B contract with Unit B would be written pursuant to the Act of Congress approved June 17, 1902 (32 Stat. 3889, and Acts amendatory thereof and supplementary thereto, particularly the Act of October 7, 1949 (63 Stat. 724), as amended.

The public may observe any meetings scheduled to discuss terms and conditions of the contract. Advance notice of any such meetings will be furnished on request. Requests must be in writing and must identify the contract in which the party is interested. Inquiries or comments concerning the proposed contract should be directed to Regional Director, Lower Colorado Region, Bureau of Reclamation, P.O. Box 427, Boulder City, Nevada 89005, or call Mr. Ralph Pedersen at (702) 293-8652.

Upon completion of negotiations, the proposed contract will be made available to the public for review and written comment for thirty (30) days after it has been declared available for such review. Unless significant public interest is expressed in the contract negotiations in response to this notice and related press releases, no further notice will be published in the **Federal Register**. All written correspondence pertaining to the proposed contract will be made available for review pursuant to the Freedom of Information Act (80 Stat. 383) as amended.

Dated: October 15, 1981.

Aldon D. Nielsen,

Acting Assistant Commissioner of Reclamation.

[FR Doc. 81-30384 Filed 10-20-81; 8:45 am]

BILLING CODE 4310-09-M

INTERNATIONAL COMMUNICATION AGENCY

Performance Review Board Members

AGENCY: International Communication Agency.

ACTION: Notice.

SUMMARY: This Notice is issued to revise the membership of the International Communication Agency (USICA) Performance Review Board.

DATE: October 21, 1981.

FOR FURTHER INFORMATION CONTACT: Mr. Alvin H. Cohn, Special Assistant to the Director, Office of Personnel Services, International Communication Agency, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547 (202-724-9633).

SUPPLEMENTARY INFORMATION: In accordance with Section 4314(c)(1) through (5) of the Civil Service Reform Act of 1978 (Pub. L. 95-454), the following list amends the International Communication Agency Notice (45 FR 79611, December 1, 1980) effective December 1, 1980:

Chairperson: Associate Director for Management—James T. Hackett.

Career SES: Chief, Operations Division, Office of Engineering and Technical Operations, Associate Directorate for Broadcasting—Robert J. Kent.

Manager, Office of Program Development and Coordination, Television and Film Service, Associate Directorate for Programs—John H. Deviney.

Executive Director, Associate Directorate for Educational and Cultural Affairs—Thomas G. Leydon.

Director, Office of Comptroller Services, Associate Directorate for Management—Stanley M. Silverman.

Foreign Service Information Officer (FSIO): Counselor of the Agency—John W. Shirley.

Executive Level IV: Associate Director for Programs—John Huges.

Executive Secretary: Special Assistant to the Director, Office of Personnel Services—Alvin H. Cohen.

The following names announced in the International Communication

Agency Notice (45 FR 79611, December 1, 1980) are removed from the International Communication Agency Performance Review Board Register:

Mary G. F. Bitterman, Associate Director for Broadcasting.
Angie Garcia, Director, Office of Personnel Services, Associate Directorate for Management.
Michael A. Glass, General Counsel.
Alan L. Heil, Jr., Chief, News, and Current Affairs, Associate Directorate for Broadcasting.
Stanley Nicholson, Director, Office of Academic Programs, Associate Directorate for Educational and Cultural Affairs.
Norris P. Smith, Foreign Service Information Officer (FSIO), Acting Director, Office of East Asian and Pacific Affairs.
Director, Office of Engineering and Technical Operations, Associate Directorate for Broadcasting—Vacant.
Director, Exhibits Service, Associate Directorate for Programs—Vacant.

Gilbert A. Robinson,

Deputy Director, International Communication Agency.

October 15, 1980.

[FR Doc. 81-30402 Filed 10-20-81; 8:45 am]

BILLING CODE 8230-01-M

INTERSTATE COMMERCE COMMISSION

Agricultural Cooperative; Intent To Perform Interstate Transportation for Certain Nonmembers

Dated: October 16, 1981.

The following Notices were filed in accordance with section 10526(a)(5) of the Interstate Commerce Act. These rules provide that agricultural cooperatives intended to perform nonmember, nonexempt, interstate transportation must file the Notice, form BOP-102, with the Commission within 30 days of its annual meeting each year. Any subsequent change concerning officers, directors, and location of transportation records shall require the filing of a supplemental Notice within 30 days of such change. The name and address of the agricultural cooperative, the location of the records, and the name and address of the person to whom inquiries and correspondence should be addressed, are published here for interested persons. Submission of information that could have bearing upon the propriety of a filing should be directed to the Commission's Office of Consumer Protection, Washington, D.C. 20423. The Notices are filed in Ex Parte MC 75 (Sub 1) and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

1. Ag. Carriers, Inc., Complete Legal Name of Cooperative Association or Federation of Cooperative Associations.

P.O. Box 2460, Leesburg, FL 32748, Principal Mailing Address (Street No., City, State, and Zip Code).

5501 South Highway 441, Leesburg, FL 32748, Where Are Records of your Motor Transportation Maintained (Street No., City, State and Zip Code).

Michael Pregmon, Jr., P.O. Box 2460, Leesburg, FL 32748, Person To Whom Inquiries and Correspondence should be Addressed (Name and Mailing Address).

2. Sutherland Farmers Co-op Company, Inc., Complete Legal Name of Cooperative Association or Federation of Cooperative Associations.

Box 100, Sutherland, Iowa 51058, Principal Mailing Address (Street No., City, State, and Zip Code).

Iowa Better Trucking, 328 Livestock Exchange, Sioux City, IA 51107, Where Are Records of your Motor Transportation Maintained (Street No., City, State and Zip Code).

Ernest J. Conley, Box 100, Sutherland, IA 51058, Person To Whom Inquiries and Correspondence should be Addressed (Name and Mailing Address).

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-30460 Filed 10-20-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Decision Notice Finance Applications

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10926, 10931 and 10932.

We find

Each transaction is exempt from section 11343 (formerly section 5) of the Interstate Commerce Act, and complies with the appropriate transfer rules.

This decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

Petitions seeking reconsideration must be filed within 20 days from the date of this publication. Replies must be filed within 20 days after the final date for filing petitions for reconsiderations; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1132.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will indicate that consummation of the transfer will be presumed to occur on the 20th day following service of the notice, unless either applicant has advised the Commission that the transfer will not be consummated or that an extension of time for consummation is needed. The notice will also recite the compliance requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 30 days after publication, or within any approved extension period. Otherwise, the decision-notice shall have no further effect.

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.

No. MC-FC-79285. By decision of September 30, 1981, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to ABLE TRUCK LINES, INC. of Garland, TX of Permit MC 152407 (Sub-1) issued to SKIP'S TRUCKING CO., INC. of Allen, TX authorizing the transportation of machinery between points in the U.S. under continuing contract(s) with Pettibone Corporation of Irving, TX. Representative: William Sheridan, P.O. Drawer 5049, Irving, TX 75062. TA lease is sought. Transferee is not a carrier.

MC-FC-79297. (Republican)—Orginally published in **Federal Register** of August 26, 1981, Page 43108, Review Board Number 3 approved the transfer to JERRY NEWMAN AND SON, LIMITED, of Cottom, Ontario, Canada, of Certificate MC 112991 and Certificate MC 112991 (Sub-4) issued to LIVINGSTON TRANSPORTATION, LIMITED, of Tillsonburg, Ontario, Canada, authorizing in the lead, over irregular routes: *general commodities,* except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, (1) Between the United States-Canada Boundary line at Detroit, MI, on the one hand, and, on the other, points in the Detroit, MI,

Commercial Zone, as defined by the Commission; and (2) Between the Kelsey-Hayes Company plant site, located at the intersection of Northline Road and Huron River Drive, Romulus Township, Wayne County, MI, and the port of entry on the United States-Canada Boundary line at Detroit, MI. Restriction: The service authorized herein is subject to the following conditions: (1) The operations authorized in (2) above are restricted to traffic originiating at or destined to points in Canada; and (2) The operations authorized herein are limited to transportation in foreign commerce only. Representative: Harold G. Hernly, Jr., 110 S. Columbus St., P.O. Box 1281, Alexandria, VA 22313. TA lease is not sought. Transferee is a carrier, holding authority under No. MC-143910.

Note.—The purpose of this republication is to include the authority being transferred in the lead certificate. The authority embraced in the Sub-No. 4 remains as originally published.

No. MC-FC-79354. By decision of October 5, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132 Review Board Number 3 approved the transfer to JAMES P. SETARO, an individual, d.b.a. SETARO MOVING UNLIMITED of Permit MC 50847 issued May 8, 1969, to BURTON L. STRID, an individual, d.b.a. SETARO MOVING UNLIMITED authorizing the transportation of *general commodities*, from Danbury, CT, to points in NY within 25 miles of Danbury, with no transportation for compensation on return except as otherwise authorized. Representative is: James P. Setaro, 3A Old Shelter Rock Road, Danbury, CT 06810, (203) 743-1351. TA has not been filed. Transferee holds no authority from the Commission.

No. MC-FC-79357. By decision of September 30, 1981 issued under 49 U.S.C. 10931 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to Five Star Transportation, Inc., of Houston, TX, of Certificate of Registration MC 108942 (Sub-3) issued to C. G. TODD TRUCKING COMPANY, of Grand Prairie, TX authorizing: *Mercer commodities*, named types of machinery, and commodities requiring special handling because of size of weight, between points in TX, corresponding to Certificate No. 6165, dated July 21, 1961 issued by the Railroad Commission of Texas. Representative: J. G. Dail, Jr., P.O. Box LL, McLean, VA 22101. TA lease is not sought. Transferee is not a carrier.

Note.—No. MC-157924 (Sub-No. 2), published in another section of the **Federal Register** issue, is a directly related matter.

No. MC-FC-79361. By decision of September 30, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to THE READ TRANSPORTATION COMPANY of Certificate MC 103552 (Sub-4, 11, and 12X), issued November 6, 1947, August 6, 1979 and May 7, 1981 to THE FARER TRANSPORTATION COMPANY authorizing the transportation of (1) *printed matter*, and *materials, equipment and supplies* used in their manufacturing and distribution, (a) between New York, Mount Vernon and Pelham, NY, and Hartford, Meriden, New Britain, New Haven and Waterbury, CT, on the one hand, and, on the other, Holyoke and Springfield, MA, and points in that part of CT on and west of the east bank of the Connecticut River, and points in Nassau, Suffolk and Westchester Counties, NY, (b) between New York, NY, on the one hand, and, on the other, Spring Valley, NY, (c) between Orangeburg, NY, on the one hand, and, on the other, New York City, Mount Vernon, and Pelham, NY, points in Nassau, Suffolk, and Westchester Counties, NY, points in that part of CT on and west of the east bank of the Connecticut River and Springfield, MA, (d) between Kingston, Beacon, Newburgh, Peekskill and Poughkeepsie, NY, on the one hand, and, on the other, New York, Mount Vernon and Pelham, NY, points in Nassau, Suffolk and Westchester Counties, NY, and Bridgeport, Hartford, Meriden, New Britain, New Haven and Waterbury, CT, and points in that part of CT on and west of the east bank of the Connecticut River, and Springfield, MA, and (e) between Waterbury and Hartford, CT, on the one hand, and, on the other, New London, CT, (2) *newspapers, newspaper supplements, advertising matter, books, magazines and periodicals*, from New Haven and Waterbury, CT, to Boylston and Worcester, MA, and (3) *advertising matter, books, magazines, periodicals, song sheets, sheet music, comics, comic sheets, and shopping news*, (a) from Dunellen, NJ, to New York, NY, Holyoke and Springfield, MA, and points in Westchester County, NY, and points in that part of CT on and west of the east bank of the Connecticut River, (b) from Springfield, MA, and Meriden CT, to North Bergen, Newark, Paterson, Passaic, New Brunswick, Hackensack, and Elizabeth, NY, and (c) between New York, NY, on the one hand, and, on the other, North Bergen, Newark, Paterson, Passaic, New Brunswick, Hackensack and Elizabeth, NJ. Representative: Edward M. Taber, 64 Nottingham Terrace, Waterbury, CT 06704.

Notes.—(1) No application for temporary authority has been filed. (2) Transfer is a non-carrier.

No. MC-FC-79363. By decision of September 30, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to MID AMERICAN SHIPPERS AND RECEIVERS, INC., of St. Louis, MO, of Certificate Nos. MC 123361 and MC 123361 (Sub-2, 4, 6, 7, and 9) issued to CANTWELL MOTOR SERVICE, INC., of Fairview Heights, IL, which authorize the transportation, as a motor common carrier, over iregular routes, as summarized: (1) *foodstuffs*, (a) from St. Louis, MO, to points in KY, IN, IA, IL, and MO, and (b) from Indianapolis, IN, to points in KY, IL, and MO; and (2) *meats, meat products, meat by-products, dairy products and packing houses articles*, between St. Louis, MO, and Bloomington and DuQuoin, IL, on the one hand, and, on the other, specified points in AL, AR, GA, FL, IL, IN, IA, KY, MN, MI, MO, MS, OH, TN, and WI. Representative: B.W. LaTourette, Jr., 11 S. Meramec, Suite 1400, St. Louis, MO 63105.

Notes.—Transferee does not hold any authority from this Commission. Application for TA has been filed.

No. MC-FC-79364. By decision of September 30, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to FRANK J. MILES d.b.a. MILES BUS COMPANY of Rt. 6, Box 326, Blackfoot, ID, 83221 of Certificate MC 125868 isued October 6, 1964 to CLAUDE WREN of Rt. 3, Box 379, Blackfoot, ID, 83221, authorizing the transportation of *Passengers and their baggage*, in the same vehicle with passengers, in special and charter round-trip operations, beginning and ending at points in Bingham, Bannock and Power Counties, ID, and extending to points in Lincoln and Teton Counties, WY. Representative: Frank J. Miles, Rt. 6, Box 326, Blackfoot, ID 83221. TA lease is not sought. Transferee is not a carrier.

No. MC-FC-79366. By decision of October 1, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to TOMLINSON TRANSPORTATION, INC., of Seekonk, MA, of Certificate MC 89228 (Sub-3) issued to V. IACONO TRUCKING CO., of Providence, RI, authorizing general commodities (except clases A and B explosives) between points in CT, MA, and RI. Representative: Steven J. Ferdinandi, 1441 Park Avenue, Cranston, RI 02920. TA lease is not sought. Transferee is not a carrier.

No. MC–FC–79378. By decision of October 5, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to ALBERTSON'S TRUCKING, INC., of Boise, ID, of Permit MC 146452 (Subs-1 and 3) issued to ALBERTSON'S INC., of Boise, ID, authorizing (in Sub-1) *frozen novelties*, from Caldwell, ID, to South Lake City, UT, under contract with WESTERN GENERAL DAIRIES, INC., of Midvale, UT; (in Sub-3) *such commodities* as are dealt in by wholesale, retail and chain grocery stores (except in bulk), from points in Washington, Oregon, Utah, and Idaho to Fremont, CA; under contract with FLEMING FOODS COMPANY, of Oklahoma City, OK. Representative: Robert P. Baker, P.O. Box 20, Boise, ID 83726. TA lease is not sought. Transferee is not a carrier.

No. MC–FC–79381. By decision of October 5, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to B & T TRUCKING COMPANY, INC., of Certificate MC 143867 (Sub-1, 2 and 3) issued July 7, 1978, March 18, 1981, and November 7, 1980, respectively issued to SINGER CONTRACTING COMPANY, INC., authorizing the transportation of (A) Sub-No. 1 (1) *Sawdust*, shavings, and *wood residue*, and (2) *bark*, otherwise exempt from economic regulation, when moving in mixed loads with the commodities named in (1) above, from points in Stewart, Randolph, and Webster Counties, GA, to points in AL; (B) Sub-No. 2-*Wood* residuals, (1) from points in Muscogee, Harriss, Talbot, Marion, Schley, Quitman, Clay, and Sumter Counties, GA, to points in Barbour, Henry, and Russell Counties, AL and (2) from points in Russell County, AL, to points in Dooley, Dougherty, and Macon Counties, GA; and (C) Sub-No. 3 (1) *Sawdust, shavings*, and *wood residue*, and (2) *bark*, otherwise exempt from economic regulations when moving in mixed loads with the commodities named in (1) above, from points in Holmes and Jackson Counties, FL, to points in Barbour County, AL and from Barbour County, AL, to points in Macon and Dougherty Counties, GA. Representative: Ralph B. Matthews, Suite 1200, Atlanta Gas Light Tower, 235 Peachtree Street, N.E., Atlanta, GA 30303. TA lease is not sought. Transferee is not a carrier.

MC–FC–79384. By decision of October 2, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to POZO MOVING CO. INC., of North Bergen, NJ of Certificate No. MC–148251 issued to A and B SARDINA MOVING & STORAGE, INC., of Cliffside Park, NJ, authorizing: household goods as defined by the Commission, between New York, NY, on the one hand, and, on the other, points in Connecticut, Florida, New Jersey, and New York. Representative: Justo Pozo, 138–76 St., North Bergen, NJ 07047. TA lease is not sought. Transferee is not a carrier.

No. MC–FC–79390. By decision of October 5, 1981 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132, Review Board Number 3 approved the transfer to EVENSON BROS., INC. of 835 1st St., SW, Pelican Rapids, MN 56572 Certificate of MC 143939 (Sub-2, 3 and 5) thereunder, and permit MC 133883 (Sub-2, 4, and 6) thereunder issued to GERALD N. EVENSON, INC. of P.O. Drawer I, 835 1st St. SW, Pelican Rapids, MN 56572 authorizing under the (A) certificates described above, (1) *bagged insulation*, from Barrett and Vergas, MN, to points in CO, IL, IA, KS, MI, MO, MT, NE, ND, SD, WI, and WY, and (2) *scrap paper, waste products for recycling, and other materials and supplies used in the manufacture and distribution of bagged insulation* (except commodities in bulk, in tank vehicles), from points in the United States (except AK, HI, and MN) to Barrett and Vergas, MN; (2) *Stone* from the facilities of G & T Fireplace Company, in Lewis and Clark County, MT, to points in MN, ND, and SD; and (3) *Rock paneling* from the facilities of Picture Rock Company in Becker County, MN, to points in the United States (except AK and HI), and (2) *rock* from points in ID and MT to the facilities of Picture Rock Company in Becker County, MN, and (B) permits described above: (1) *Kitchen and bathroom cabinets*, from Fergus Falls, MN to points in the United States (except AK and HI), under a continuing contract(s) with Medallion Kitchens, Inc., of Fergus Falls, MN. (2) *Materials and supplies* used in the manufacture of kitchen and bathroom cabinets, (except in bulk), (a) from points in the U.S. (except AK and HI), to Fergus Falls, MN; restricted against the transportation of iron and steel articles from points in Illinois, Indiana, and West Virginia; and (b) from points in Arkansas, Kentucky, Tennessee, Mississippi, and Missouri to Fergus Falls, MN under a continuing contract(s) with Medallion Kitchens, Inc. of Fergus Falls, MN., and (3) *Cabinets*, in crates, from the facilities of United Cabinet Corporation near Jasper, IN, to points in IA, MN, and NE, points in ND on and east of U.S. Hwy 281, points in SD on and east of U.S. Hwy 281, and points in Wisconsin on and west of U.S. Hwy 53, under a continuing contract(s) with A. N. MILLER & ASSOCIATES of Minneapolis, MN. Representative: Gene P. Johnson, P.O. Box 2471, Fargo ND 58108. TA lease is not sought. Transferee is a carrier.

Decision-Notice

The following operating rights applications, filed on or after July 3, 1980, are filed in connection with pending finance applications under 49 U.S.C. 10926, 11343 or 11344. The applications are governed by Special Rule 252 of the Commission's General Rules of Practice (49 CFR 1100.252).

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. Persons submitting protests to applications filed in connection with pending finance applications are requested to indicate across the front page of all documents and letters submitted that the involved proceeding is directly related to a finance application and the finance docket number should be provided. A copy of any application, together with applicant's supporting evidence, can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the request for authority are not allowed. However, the Commission may have modified the application to conform to the Commission's policy of simplifying grants of operating authority.

Findings: With the exceptions of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each applicant has demonstrated that its proposed service warrants a grant of the application under the governing section of the Interstate Commerce Act. Each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests in the form of verified statements as to the finance application *or* to the following operating rights applications directly related thereto filed within 45 days of publication of this decision-notice (or, if the application later becomes unopposed),

appropriate authority will be issued to each applicant (except where the application involves duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

Applicant(s) must comply with all conditions set forth in the grant or grants of authority within the time period specified in the notice by effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

By the Commission, Review Board Number 3, Members Krock, Joyce and Dowell.

MC 157924 (Sub-2), filed September 4, 1981. Applicant: FIVE STAR TRANSPORTATION, INC., 7814 Miller Road #3, Houston, TX 77049. Representative: J. G. Dail, Jr., P.O. Box LL, McLean, VA 22101. To transport *clay, concrete, glass and stone products, metal products, machinery, mercer commodities,* and *those commodities which* because of their size or weight require the use of special handling or equipment, between points in Texas.

Note.—This is a matter directly related to MC-FC-79357, published in the same **Federal Register** issued, in which applicant seeks transfer of Certificate of Registration MC-108942 (Sub-No. 3). The purpose of this application is to convert the Certificate of Registration to a Certificate of Public Convenience and Necessity inasmuch as applicant has pending an application for multi-State authority.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-30449 Filed 10-20-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions Volume No. 184, Restriction Removals; Decision-Notice

Decided: October 16, 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.

Agatha L. Mergenovich,

Secretary.

MC 1778 (Sub-9)X, filed October 5, 1981. Applicant: MOTOR EXPRESS, INC., 6501 West 65th Street, Chicago, IL 60638. Representative: Joel H. Steiner, 29 South LaSalle, Suite 905, Chicago, IL 60603. Lead and Sub-No. 7: broaden lead (a) from general commodities (with exeptions) to "general commodities, except classes A and B explosives," (b) (Sub 7) iron and steel to "metal products" (c) from points within 40 miles of Chicago, IL, including 217 points within Chicago commerical zone to Boone, McHenry Lake, DeKalb, Kane, DuPage, Cook, Kendall, Grundy, Will and Kankakee, Counties IL and Lake and Porter Counties, IN (lead and Sub 7) and from Burns Harbor to Porter County, IN (Sub 7) and (d) to radial authority in Sub 7.

MC 4519 (Sub-8)X, filed October 2, 1981. Applicant: PANAMA TRANSFER, INCORPORATED, P.O. Box 9, Panama, IA 51562. Representative: Marshall D. Becker, Suite 610, 7171 Mercy Road, Omaha, NE 68106. In lead and Sub 7 (1) remove all exceptions to general commodities, except Classes A and B explosives; (2) allow service at all intermediate points between Omaha, NE and Portsmouth, IA in the regular route portion of the lead; and (3) expand Manning to Carroll County, IA in Sub 7; and Harlan, IA, and points within 20 miles thereof to Crawford, Shelby, Harrison, Cass, Audubon, and Pottawattamie Counties, IA in irregular route portion of lead.

MC 55777 (Sub-13)X, filed October 1, 1981. Applicant: MILLS TRANSFER CO., 234 Pike St., Mariette, OH 45750. Representative: John N. Friedman, 2930 Putnam Ave., Hurricane, WV 25526. Lead, Sub 6 and 10 certificates and E-1 letter notice: (1) broaden commodity descriptions from (a) structural steel, assembled and unassembled, and parts for coal mining machinery, coal handling machinery, and coal preparation machinery to "metal products and machinery"; steamboat boilers, equipment and machinery, and parts thereof to "machinery"; and iron, steel, and iron and steel articles to "metal products" in the lead; (b) structural steel, and parts for coal mining machinery, coal handling machinery, and coal preparation machinery to "metal products and machinery" in Sub 6 and 10; and (c) iron and steel, and iron and steel articles to "metal products" in E-1 letter notice; (2) change one-way to radial authority; and (3) remove the restriction for interchange purposes only in Sub-6 and 10.

MC 76818 (Sub-1)X, filed October 6, 1981. Applicant: WM. J. PERRY TRUCKING, INC., 1 Warren Ave., Braintree, MA 02184. Representative: Francis E. Barrett, Jr., Esq., 10 Industrial Park Rd., Hingham, MA 02043. Lead: broaden to radial and county-wide service: Quincy and Boston, MA to Norfolk and Suffolk Counties, MA: Winsted, Danbury, Cornwall, Stafford Springs, Torrington and Barkamstead, CT to Litchfield, Fairfield and Tolland Counties, CT; Portsmouth, RI to Newport County, RI; Boston, Taunton, Billerica, Fitchburg, New Bedford, Wellesley, Malden and Quincy, MA to Suffolk, Bristol, Middlesex, Worcester and Norfolk Counties, MA; Quincy, MA to Norfolk County, MA; Greene, RI to Kent County, RI; and points in MA within 50 miles of Boston, including Boston, to Essex, Middlesex, Suffolk, Norfolk, Bristol, Worcester, Plymouth, and Barnstable Counties, MA; and from building materials, wooden, to "building materials".

MC 89617 (Sub-30)X, filed October 5, 1981. Applicant: LEWIS TRUCK LINES, INC., P.O. Box 1494, Conway, SC 29526. Representative: Herbert Alan Dubin, 818 Connecticut Avenue, NW., Washington, DC 20006. Lead and Subs 17, 18, 23, E1, and E2: (1) Broaden: lead, E1, and E2, forest products, lumber, and veneer to "forest products and building materials"; lead, fresh fruits and vegetables, beer, and empty beer containers to "food and related products"; resin and glue to "chemicals and related products, and rubber and plastic products"; Sub-17, scrap brass and brass rods to "metal products"; Sub-18, roofing, building, and insulating

materials (with exceptions), and materials, equipment and supplies, etc. to "building materials"; and Sub-23F, hardboard to "lumber and wood products"; (2) all subs, to radial authority; (3) Subs-17 and 18, remove facilities restrictions; and (4) change: lead, Red Springs to Robeson County, NC, Conway to Horry County, SC; Fayetteville to Cumberland County, NC; Wilmington to New Castle County, DE; within 75 miles of Red Springs, NC to Scotland, Richmond, Anson, Union, Moore, Stanly, Cabarrus, Montgomery, Davidson, Randolph, Chatham, Hoke, Robeson, Lee, Harnett, Guilford, Alamance, Orange, Durham, Wake, Johnston, Wayne, Sampson, Cumberland, Duplin, Bladen, Columbus, Brunswick, Pender, and New Hanover Counties, NC, and Dillon, Horry, Marion, Florence, Georgetown, Williamsburg, Marlboro, Darlington, Clarendon, Sumter, Lee, Kershaw, Lancaster, and Chesterfield Counties, SC; within 5 miles of Wilmington, DE to New Castle County, DE, Salem County, NJ, and Delaware and Chester Counties, PA; Sub-17, Conway to Horry County, SC, and Port Huron to St. Clair County, MI; Sub-23F, Marion to Marion County, SC; and Sub-E-2, Savannah, to Chatham County, GA.

MC 107515 (Sub-1421)X, filed September 30, 1981. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 305, Forest Park, GA 30050. Representative: Alan E. Serby, 5th Floor, Lenox Towers South, 3390 Peachtree Road, N.E., Atlanta, GA 30326. Sub-No. 1410: (1) remove all restrictions in the general commodities authority "except classes A and B explosives"; and 92) broaden La Porte to Harris County, TX.

MC 123285 (Sub-14)X, filed September 25, 1981. Applicant: CLETEX TRUCKING, INC., P.O. Box 812, Cleburne, TX 76031. Representative: Clayte Binion, 623 South Henderson, 2nd Floor, Fort Worth, TX 76104. Subs 2, 5, 11 and 12: (1) broaden to "dry commodities, in bulk", in Sub-No. 2 from lime, in bulk, in hopper type vehicles; in Sub-No. 5 from lime, in bulk; in Sub-No. 11F from calcium carbonate, in bulk; and in Sub-No. 12 from lime and flyash; (2) broaden to county-wide authority; in Sub-No. 5 from Cleburne to Johnson County; (3) in Sub-No. 2 remove hopper type vehicles restriction; and (4) broaden to radial authority in Sub-Nos. 2, 5, and 11F.

MC 125543 (Sub- 14)X, Filed October 9, 1981. Applicant: PERISHABLE SERVICES, INC., 770 North Springdale Road, Waukesha, WI 53186. Representative: Richard A. Westley, 4506 Regent Street, Suite 100, P.O. Box 5086, Madison, WI 53705-0086. Lead and Sub 1, 2, 4, 8, 10 and 12: Expand the territorial description to between points in the U.S. under continuing contract(s) with named shippers

MC 126899 (Sub- 149)X, Filed October 2, 1981. Applicant: USHER TRANSPORT, INC., 3925 Old Benton Rd. (P.O. Box 3156), Paducah, KY 42001. Representative: George M. Catlett, 708 McClure Bldg., Frankfort, KY 60601. Applicant seeks to (1) change one-way to radial authority, Subs 29, 35, 38, 52, 86, 88, 89, 96, 98, 101, 113, 127F, 128F, and 129F; (2) broaden (a) paper and paper products to "pulp, paper and related products" (Sub 29); (b) malt beverages (Subs 35, 88 and 101), molasses (Sub 89, part II), and malt beverages and incidental advertising material when shipped in connection with malt beverages (Sub 38) to "food and related products"; (c) petroleum products (except petrochemicals other than petroleum naptha) (Subs 52 and 129F), petroleum and petroleum products (Subs 89, parts 1 and 2, 127F and 128F), gasoline (Sub 89, part 3), petroleum products (Sub 89, parts 4, 5, and 7), and liquefied petroleum gas (except anhydrous ammonia) (Sub 89, part 14) to "petroleum, natural gas and their products"; (d) industrial belting and associated hardware to "rubber and plastic products, and machinery" (Sub 86); (e) asphalt, asphalt cutback, road oil, and fuel oil to "chemicals and related products, petroleum, natural gas and their products and coal and coal products" (Sub 89, parts 6 and 9); (f) liquid fertilizer solutions, to "chemicals and related products" (Sub 89, parts 8 and 13); (g) coal tar products (Sub 89, part 10) and package coal (Sub 113) to "coal and coal products"; (h) coal and coal spray oil and residual fuel oil to "coal and coal products and petroleum, natural gas and their products" (Sub 89, part 12); and (i) commodities in bulk (with exceptions) to "commodities in bulk" (Sub 96); (3) remove facilities limitations (Subs 29, 52, 86, 89, 96, 98 and 124F); (4) remove the following restrictions, ex-rail (Subs 38 and 86), in tank vehicles (Sub 98), commodities in bulk (Subs 29 and 86), special equipment (Sub 86), originating at or destined to (Subs 52 and 86), in containers (Subs 52, 88 and 101), in bulk, in tank vehicles (Subs 89 and 129F), and in bags (Sub 126F); against service at Delphi, Goodland, Monticello, Evansville, and Rensselaer, IN (Sub 29); Saginaw and Bay City, MI (Sub 38), facilities at or near Terre Haute, IN and, Peoria, IL, Belleville, IL commercial zone, (Sub 96), originating at Owensboro, KY (Sub 98), and Urbana, Champaign and Paris, IL (Sub 101); against the transportation of lards, fats tallow, oils, and greases to points in IN, and liquid, and dry acids and chemicals, in bulk to East St. Louis, IL (Sub 98; and (5) replace cities with county-wide authority: Ballard County, TN (Columbia), Sub 89; Daviess County, KY (Owensboro), Sub 98; Fulton County, KY (Wickliffe), Sub 29; Cook County, IL (Cicero), Sub 52; Alexander County, IL (Cairo), Mississippi County, MO (Birds Point), Gibson County, TN (Milan), and Maury County, KY (Hickman); and Cape Girardeau, Scott and Pemiscot Counties, MO (Cape Girardeau, Scott City and Caruthersville).

MC 141546 (Sub-36)X, filed October 2, 1981. Applicant: BULK TRANSPORT SERVICE, INC., 1 Dundee Park, Andover, MA 01810. Representative: Joseph M. Klements, 84 State St., Boston, MA 02109. Lead and Subs 10, 12 ,13 16, 19, 20, 21, 23, 25, 28F, 30, 31F, 32F, 33F, and 34F (1) broaden from various bulk items to "commodities in bulk"; (2) authorize radial authority for one-way; (3) remove vehicle restrictions, such as "tank or hopper-type"; (4) delete ex-rail restrictions; (5) remove facilities limitations; and (6) delete "originating at" restrictions.

MC 142466 (Sub-4)X, filed October 6, 1981. Applicant: TIMBER PRODUCTS TRANSPORT, INC., P.O. Box 1513, Longview, WA 98632. Representative: David W. Wiley, 1100 Norton Bldg., Seattle, WA 98104. Subs 1 and 3F: Broaden to (1) "lumber and wood products and building materials" from (a) western hardwood and gypsum products, Sub 1 and (b) western hardwood, gypsum products, roofing materials, and roofing insulation, Sub 3F; (2) county-wide authority: (a) Multnomah Columbia, Washington, Yamhill, Clackamas, Clark and Lane Counties, OR and Clark County, WA (Portland and Eugene) and Orange County, CA (Orange), Sub 1 and (b) Lane and Douglas Counties, OR (Eugene and Roseburg); Fresno, San Francisco, Los Angeles, Alameda and Sacramento Counties, CA (Fresno, Union City, San Francisco and Sacramento); and Washoe County, NV (Reno), Sub 3F; and (3) radial authority, both Subs.

MC 44065 (Sub-2)X, filed September 28, 1981. Applicant: LINUS JANKORD, d.b.a. JANKORD TRUCKING, Box 82, Revillo, SD 57259. Representative: James E. Ballenthin, 630 Osborn Building, St. Paul, MN 55102. MC 125697 and MC 144065 (Sub-No. 1): (1) broaden in Sub 1 from (a) livestock, empty barrels, drums, baskets, crates and boxes to "farm products, metal products, rubber and

plastic products, lumber and wood products, and pulp, paper and related products"; (b) twine to "textile mill products"; (c) dry fertilizer compounds to "chemicals and related products"; and (d) feed, livestock, agricultural commodities, lumber, household goods as defined by the Commission, twine, and farm machinery and parts thereof to "animal feed and related products, farm products, lumber and wood products, household goods, textile mill products, and machinery"; in MC 125697 (sheet 2) from feed ingredients to "animal feed and related products"; (2) authorize service at all intermedate points and remove all service restrictions on its specified regular routes between points in MN and SD; (3) Sub 1 broaden off-route point: Milbank and Revillo, SD to Grant County, SD in the lead; (4) broaden to countywide authority (a) Grant County, SD (Milbank); Dakota County, MN (Pine Bend and Valley Park); and Lac qui Parle County, MN (Nassau) in Sub 1; and Deuel County, SD (Clear Lake) in MC 125697 and (5) delete bulk commodity or in-bags restrictions on its authority to transport dry fertilizer compounds and feed ingredients.

MC 147681 (Sub-25)X, filed October 5, 1981. Applicant: HOYA EXPRESS, INC., P.O. Box 543, Rt. 18, West Middlesex, PA 16159. Representative: Michael P. Pitterich (same address as applicant). Subs 2F, 8F, 10F, 11F, 12F: Broaden aluminum and zinc alloy ingots to "metal products" (Sub 8); cleaning compounds, ice melting compounds and equipment, materials and supplies, to "chemicals and related products and materials, equipment and supplies" (Sub 19F); and from can ends and metal containers to "containers and related products" (Sub 12F); remove in bulk or in tank vehicles (Subs 8F, and 10F); remove facilities and/or replace Fair Lawn, NJ (Bergen County, Sub 2F); Maple Heights, OH (Cuyahoga County, Sub 8F); Barberton, OH (Summit County, Sub 10F); New York, NY (New York, Sub 11F); Baltimore, MD, (Baltimore, MD), Lawrence, MA (Essex County), North Bergen, NJ (Hudson County), Philadelphia, PA (Philadelphia), and Winchester, VA (Winchester) (Sub 12F); change one-way to radial authority.

MC 150973 (Sub-4)X, filed October 9, 1981. Applicant: HERBERT R. SHIPLEY,INC., 3304 Sykesville Road, Westminister, MD 21157. Representative: Theodore Polydoroff, 1307 Dolley Madison Blvd., McLean, VA 22101. Lead and sub-no. 1F permits: boarden (1) latex, in bulk, in tank vehicles to "chemicals and related products" (2) to between all points in the U.S., under continuing contract(s) with a named shipper, in both permits.

MC 151356 (Sub-2)X, filed October 5, 1981. Applicant: THE BIRGE COMPANY, INC., 421 East 16th Street, Paterson, NJ 07514. Representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08904. Sub-1 certificate: broaden from part (1) automotive products and parts, part (2) chemicals and cleaning compounds, part (3) oils, and part (4) anti-freeze to "transportation equipment, chemicals and related products and petroleum, natural gas and their products"; and remove except in bulk restriction.

MC 152594 (Sub-1)X, filed October 2, 1981. Applicant: MIDLANTIC TRANSFER, LTD., P.O. Box 92, Hanover, PA 17331. Representative: John P. Fonte, 1333 N. Hamp. Avenue NW., Suite 400, Washington, D.C. 20036. MC-152594: Broaden (1) general commodities (with exceptions) to "general commodities (except classes A and B explosives)", (2) replace one-way with radial authority and (3) remove the facilities restrictions at Adams and York Counties, PA, and Carrol and Baltimore Counties, MD.

MC 152616 (Sub-3)X, filed October 2, 1981. Applicant: MORTEN TRUCKING INC., 1341 Edgerton Ave., St. Paul, MN 55101. Representative: Joseph J. Dudley, Sr., W-1260 First National Bank Building, St. Paul, MN 55101. Sub 1F Permit: Broaden bottled wine and liquor to "food and related products".

[FR Doc. 81-30450 Filed 10-20-81; 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** 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 is is fit, willing, and able to perform the service proposed, and to conform to the requirements ot 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 applicant later become unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Agatha L. Mergenovich,

Secretary.

Note.—All applications are for authority to operate as a motor common carrier in interstate of 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 stuats inquiries to the Ombudsman's Office, (20) 275-7326.

Volume No. OPI-285

Decided: October 9, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 148351 (Sub-4), filed October 2, 1981. Applicant: MANKE TRUCK LINE, INC., 2550 Boynton Lane, Reno, NV 89502. Representative: Robert G. Harrison, 4299 James Drive, Carson City, NV 89701, (702) 882–5649. Transporting, for or on behalf of the United States Government, *general commodities* (except use household goods, hazardous or secret materials, and sensitive weapons and munitions), between pointed in the U.S.

MC 157811 (Sub-1), filed September 29, 1981. Applicant: GUILLOT TRUCKING, Route 1, Box 842, 1556 Railroad Ave., Dickenson, TX 77539. Representative: C. W. Ferebee, 14614 Falling Creek, Suite 124, Houston, TX 77068. Transporting (1) for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S., and (2) *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners* by the owner of the motor vehicle in such vehicle, between points in the U.S.

MC 158470, filed September 25, 1981. Applicant: SPECIALTY COURIERS, INC., P.O., Box 9741, Mobile AL 36691. Representative: Terry P. Wilson, 428 So. Larence St., Montgomery, AL 36104, (205) 262–2756. Transporting *shipments weighing 100 pounds or less if transported in a vehicle in which no one package exceeds 100 pounds*, between points in the U.S.

MC 158560, filed October 1, 1981. Applicant: COMPASS FORWARDING CO., INC., 19 Rector St., New York, NY 10006. Representative: Richard Shelala (same address as applicant), (212) 269–1322. As a *broker* of *general commodities* (except household goods) between points in the U.S.

MC 158561, filed October 1, 1981. Applicant: HARMONY HAULERS, INCORPORATED, 5762 Ellsworth Court, Merrillville, IN 46410. Representative: Donald A. Hayes (same address as applicant), (219) 980–5446. 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 vehicles, between points in the U.S.

MC 158600, filed October 2, 1981. Applicant: TESKE TRUCKING, 35 W. Lakeview Dr., Cokato, MN 55321. Representative: Thomas R. Teske, Box 39 RR 2, Cokato, MN 55321, (612) 286–5892. Transporting *food and other edible products and byproducts, intended for human consumption* (except alocholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners*, between points in the U.S.

Volume No. OPY–190

Decided: October 14, 1981.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 141014 (Sub-1), filed October 8, 1981. Applicant: SWANNER TRANSFER & STORAGE CO., INC., 3445 Aronov Ave., Montgomery, AL 36108. Representative: R. S. Richard, 57 Adams Ave., P.O. Box 2069, Montgomery, AL 36197, (205) 262–1671. Transporting *used household goods* for the account of the United States Government incident to the performance of a pack-and-crate service on behalf of the Department of Defense, between points in the U.S.

MC 158604, filed October 5, 1981. Applicant: GRABER AGRICULTURAL SERVICE, P.O. Box 128, Grabill, IN 46741. Representative: Ed Graber (same address as applicant), (219) 627–3997. 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. 81-30425 Filed 10-20-81; 8:45 am]
BILLING CODE 7035-01-M

[Volume No. 183]

Motor Carriers; Permanent Authority Decisions; Restriction Removals; Decision-Notice

Decided: October 15, 1981.

The following restriction removal applications filed after December 28, 1980, are governed by 49 CFR 1137. Part 1137 was published in the **Federal Register** on 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.

Agatha L. Mergenovich,

Secretary.

FF 521 (Sub-1)X, filed October 2, 1981. Applicant: HARBOUR FORWARDING CO. INC., P.O. Box 4–3050, Anchorage, AL 99509. Representative: Robert J. Gallagher, 1000 Connecticut Ave. NW., Suite 1200, Washington, DC 10036. Lead permit, broaden (1) used household goods to "household goods" and (2) remove import-Export restriction.

MC 119741 (Sub-308)X, filed September 28, 1981. Applicant: GREEN FIELD, 1515 Third Avenue NW., P.O. Box 1235, Fort Dodge, IA 50501. Representative: D. L. Robson (same address). Sub-No. 259F, broaden: (1) To "food and related products, pulp, paper and related products, and chemicals and related products" from foodstuffs, paper and paper products, and paint and paint products; (2) to radial service; and (3) countywide authority: Wayne County, NY (Wolcott), Gloucester County, NJ (Thorofare), Ashtabula County, OH (Ashtabula), Kalamazoo County, MI (Kalamazoo), Grant County, IN (Marion), Will County, IL (Joliet), Cumberland County, PA (Shiremanstown), and Erie County, OH (Huron).

MC 119762 (Sub-7)X, filed October 9, 1981. Applicant: KIMBERLAIN TRUCKING, INC., 5307 Cynthia La., Racine, WI 53406. Representative: Robert N. Maxwell, P.O. Box 2471, Fargo, ND 58108. Lead and Sub 5, broaden: malt beverages and non-alcoholic beverages (some in containers) to "food and related products" and to between points in the U.S., under continuing contract(s) with named shippers.

MC 124170 (Sub-190)X, filed October 5, 1981. Applicant: FROSTWAYS, INC., 3000 Chrysler Service Drive, Detroit, MI 48207. Representative: William J. Boyd, 2021 Midwest Road, Suite 205, Oak

Brook, IL 60521. Sub 81F: Broaden (1) confectionaries, cocoa, and cocoa products "in vehicles equipped with mechanical refrigeration," to "food and related products", (2) to radial authority; (3) to county-wide authority for facilities; Union, Warren and Morris Counties, NJ. (Elizabeth and Hackeftstown) and Lancaster and Lebanon Counties, PA (Elizabethtown), and (4) remove originating at restriction.

MC 129840 (Sub-4)X, filed October 5, 1981. Applicant: SPENCER BROKERAGE, INC., P.O. Box 332, Spencer, IA 51301. Representative: Michael J. Ogborn, P.O. Box 82028, Lincoln, NE 68501. Sub-Nos. 2 and 3 permits, broaden: (1) to "such commodities as are dealt in by manufacturers and distributors of prefabricated buildings," from pre-cut and prefabricated farm, commercial and industrial buildings, and spare parts; and (2) to "between points in the U.S.," under continuing contract(s) with the named shipper.

MC 144821 (Sub-15)X, filed September 28, 1981. Applicant: FREEDOM FREIGHTWAYS, INC., P.O. Box 5850, St. Louis, MO 63134. Representative: Douglas C. Wynn, P.O. Box 1295, Greenville, MS 38701. MC-144821 M1 and Subs 3, 5, 7, 8, 9 and 10: (A) Broaden to roundtrip authority in lead, (M1), and Subs 3, 5, and 8; (B) remove originating at or destined to restrictions in lead and Subs 5, 7, 8 and 9, (C) eliminate restrictions against commodities in bulk in tank vehicle, in packages, in lead and Subs 3, 9, and 10; (D) broaden commodity and/or territorial authority: (1) In Lead: Compton, CA to Los Angeles County; Grand Prairie, TX to Dallas and Tarrant Counties; Ferndale, MI to Macomb and Wayne Counties; Hazlewood, MO to St. Charles and St. Louis Counties; Bedford Heights, OH to Cuyahoga and Summit Counties; Mt. Laurel, NJ to Burlington County; Jackson, MS to Hinds, Madison and Rankin Counties; New Orleans, LA to Jefferson, Orleans, Plaquemines, St. Bernard, St. Charles, and St. Tammany Parishes, LA and Hancock County, MS; Atlanta, GA to Clayton, Cobb, DeKalb, Douglas, Fayette, Fulton, Gwinett, Henry, and Rockdale Counties; Madison WI to Dane County; Birmingham, AL to Jefferson, St. Clair and Shelby Counties; Dothan, AL to Dale, Geneva, Henry and Houston Counties; Florence, SC to Darlington and Florence Counties; and Rock Hill, SC to Chester and York Counties; (2) In Sub 3: (a) Petroleum and petroleum products, vehicle body sealer, sound deadening compounds, and filters to "petroleum, natural gas, and their products (except liquid petroleum gas), pulp, paper and related products, and metal products;" and (b) North Tonawanda, NY to Niagara County; North Warren, PA to Warren County; Kimberton, PA to Montgomery County; New Kensington, PA to Allegheny and Westmoreland Counties, Emlenton, PA to Butler, Clarion, and Venango Counties; Farmers Valley, PA, to McKean County, PA; Bakerstown, PA to Allegheny and Butler Counties; Congo, WV to Hancock County, WV and Beaver County, PA; St. Mary's WV to Pleasants County, WV and Washington County, OH; Kansas City, KS to Johnson, Leavenworth and Wyandotte Counties, KS and Cass, Clay, Jackson, and Platte Counties, MO; Vicksburg, MS to Warren County, MS and Madison Parish, LA; Garland, TX to Collin, Dallas and Rockwall Counties; and Portland, OR to Clackamas, Columbia, Multnomah and Washington County, OR, and Clark County, WA; (3) in Sub 5, (a) such materials and supplies as are used in the manufacture of paper cores and tubes to "pulp, paper and related products" and (b) Rockton, IL to Winnebago County; and Louisiana, MO to Pike County; (4) in Sub 8, confectionery and advertising materials, to "food and related products." (5) in Sub 10: (a) Petroleum and petroleum products in packages to "petroleum, natural gas and their products; (except liquid petroleum gas)" and (b) Whiting, IN to Lake County, IN and Cook County, IL; (E) in Sub 9F to correct wording in Certificate from between the facilities used by International Paper Company *at* points in the U.S. in and east of ND, SD, NE, KS, OK, and TX, to "between facilities used by International Paper Company and its subsidiaries in the U.S., on the one hand, and, on the other, points in the U.S. in and east of ND, SD, NE, KS, OK and TX."

MC 149177 (Sub-4)X, filed October 6, 1981. Applicant: FRANCIS POWELL ENTERPRISES, INC., 106 5th, Grove Hill, AL 36451. Representative: John R Frawley, Jr., Suite 200, 120 Summit Parkway, Birmingham, AL 35209. Sub-No. 2, broaden: (1) To "building and construction materials" from lumber, plywood, particleboard, pressure-treated posts and pressure-treated lumber; (2) to radial authority; and (3) to countywide authority: Jefferson and Shelby Counties, AL (facilities near Birmingham) Monroe County, AL (Monroeville), Clarke County, AL (Fulton), Mobile and Baldwin Counties, AL (Mobile), and Wayne County, MS (Waynesboro).

MC 149199 (Sub-10)X, filed October 2, 1981. Applicant: FRONTIER EXPRESS, INCORPORATED, 905 S.W. Second, Oklahoma City, OK 73109. Representative: G. Timothy Armstrong, 200 N. Choctaw, P.O. Box 1124, El Reno, OK 73036. Subs 2F, 3F and 4F: (A) Remove all exceptions in the general commodities description, except classes A and B explosives, all Subs, and (B) authorize service at all intermediate points (except on the alternate route) on its regular routes, Sub 2.

MC 152146 (Sub-3)X, filed October 5, 1981. Applicant: FAR WEST TRANSPORTERS, INC., 14901 Chandler Road, Omaha, NE 68132. Representative: Arlyn L. Westergren, Suite 201, 9202 W. Dodge Rd., Omaha, NE 68114. Permit No. MC-143120 Sub-2, broaden (1) lumber mill products and building materials (with exceptions) and accessories, including nails, to "lumber and wood products, building materials and accessories"; (2) to between points in the U.S. under continuing contract(s) with a named shipper.

MC 152318 (Sub-3)X, filed October 5, 1981. Applicant: ATLANTIC TRUCK LINES, INC., 168 Town Line Rd., Kings Park, NY 11754. Representative: Morton E. Kiel, Suite 1832, 2 World Trade Center, New York, NY 10048. Sub-1F: Broaden Queens and Kings Counties, NY, to New York, NY.

MC 152657 (Sub-2)X, filed October 6, 1981. Applicant: ERIE EXPRESS COMPANY, 690 Nickel Plate Drive, Cleveland, OH 44115. Representative: Lewis S. Witherspoon, 2455 North Star Road, Columbus, OH 43221. Lead certificate: (1) Remove all restrictions in the general commodities authority "except classes A and B explosives," and (2) remove restrictions (a) specifying transportation of commodities "in containers or in trailers," and (b) limiting transportation of shipments to that "having a prior or subsequent movement by rail," on service between points in Ohio.

[FR Doc. 81-30424 Filed 10-20-81; 8:45 am]
BILLING CODE 7035-01-M

Motor Carriers; Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by special rule of the Commission's rules of practice, see 49 CFR 1100.251. Special Rule 251 was published in the **Federal Register** of December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A copy of any application, including all supporting evidence, can be obtained from

applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated a public need for the proposed operations and that it is fit, willing, and able to perform the service proposed, and to conform 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-2-195

Decided: October 9, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 14582 (Sub-14F), filed September 25, 1981. Applicant: ELFRINK TRUCK LINES, INC., P.O. Box 92, Advance, MO 63730. Representative: Herman W. Huber, 101 East High St., Jefferson City, MO 65101, (314) 636-9131. Over regular routes, transporting *general commodities* (except classes A and B explosives), (1) between Memphis, TN, and Cape Girardeau, MO, over Interstate Hwy 55, serving points in Pemiscot, New Madrid, Scott, and Cape Girardeau Counties, MO, as off-route points; (2) between Caruthersville, MO, and Kennett, MO, over MO Hwy 84; (3) between New Madrid, MO, and the MO-AR State Line, over U.S. Hwy 62; (4) between Sikeston, MO and Dexter, MO, over U.S. Hwy 60, and (5) between Dexter, MO, and the MO-AR State Line, over MO Hwy 25, serving points in Dunklin County, MO, as off-route points. Applicant intends to tack or join the above-described routes with applicant's otherwise authorized authority, to perform a through service.

MC 85482 (Sub-5), filed September 23, 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 Edsal Manufacturing Company, Inc., and Bloomfield Industries, both of Chicago, IL, Enterprise Companies, of Wheeling, IL, Flex-O-Glass, Inc., of Cicero, IL, Phillips Products, of Streamwood, IL, and Intermatic, Inc., of Spring Grove, IL.

MC 86782 (Sub-6), filed October 1, 1981. Applicant: RICHARD L. EDGAR, d.b.a. SAMSON TRUCK LINE, P.O. Box 456, Mt. Home, ID 83647. Representative: Kenneth G. Bergquist, P.O. Box 1775, Boise, ID 83701, (208) 343-4989. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Arapahoe Chemicals, Inc., of Boulder, CO.

MC 106902 (Sub-6), filed September 28, 1981. Applicant: LYNN MOVING & STORAGE, INC., 497 Dillehay St., Danville, KY 40422. Representative: Mark C. Ellison, 300 Interstate North Parkway, Suite 329, Atlanta, GA 30339, 404-955-4020. Transporting *household goods*, between points in AK, AL, FL, GA, IL, IN, KY, LA, MD, MI, MO, MS, NC, NY, OH, PA, SC, TN, VA, WV, WI, and DC.

MC 134153 (Sub-4), filed September 29, 1981. Applicant: D & D TRANSPORTATION CO., INC., 1059 Empire Ave., Camden, NJ 08103. Representative: James Robert Evans, 145 W. Wisconsin Ave., Neenah, WI 54956, 414-722-2848. Transporting *metal products*, between 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, thence northward along the western boundaries of Itasca and Koochiching Counties, MN, to the International Boundary line between the U.S., and Canada.

MC 134262 (Sub-22F), filed October 1, 1981. Applicant: FARMERS FEED AND SUPPLY TRANSPORTATION, INC., P.O. Box 385, Boyden, IA 51234. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501, (402) 475-6761. Transporting *soil conditioners and fertilizer materials*, between points in the U.S., under continuing contract(s) with Wonderlife Corporation of America, of Des Moines, IA.

MC 144083 (Sub-18F), filed September 21, 1981. Applicant: RALPH WALKER, INC. P.O. Box 3222, Jackson, MS 39207. Representative: Fred W. Johnson, Jr., P.O. Box 1291, Jackson, MS 39205, (601) 355-3543. Transporting *furniture and fixtures*, between points in MS, on the one hand, and, on the other, points in the U.S.

MC 147553 (Sub-17), filed September 24, 1981. Applicant: DENNIS MOSS AND GARRY MOSS, d.b.a. MOTOR WEST, P.O. Box 1405, Caldwell, ID 83605. Representative: Timothy R. Stivers, P.O. Box 1576, Boise, ID 83701, 208-343-3071. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with The Amalgamated Sugar Company, of Ogden, UT.

MC 150963 (Sub-1), filed September 30, 1981. Applicant: MID-CONTINENT DELIVERY, INC., 10201 North Everton Ave., Kansas City, Mo 64153. Representative: Patricia F. Scott, 20 East Franklin, P.O. Box 258, Liberty, MO 64068, 816-781-6000. Transporting *general commodities* (except classes A and B explosives) (1) between Chicago, IL, on the one hand, and, on the other, points in MO, IA, NE, KS, and IL, (2) between Kansas City, MO, on the one hand, and, on the other, points in MO, IL, IA, NE, and KS, (3) between Wichita, KS, on the one hand, and, on the other, points in MO, IA, IL, NE, and KS, (4)

between Des Moines, IA, on the one hand, and, on the other, points in MO, IL, KS, IA, and NE, (5) between St. Louis, MO, on the one hand, and, on the other, points in MO, KS, IA, IL, and NE, and (6) between Omaha, NE, on the one hand, and, on the other, points in MO, KS, IA, IL, and NE.

MC 151482 (Sub-3), filed October 1, 1981. Applicant: ROCK VALLEY CONTRACT CARRIERS, INC., 3571 Merchandise Dr., Rockford, IL 61109. Representative: Henry M. Wick, Jr., 2310 Grant Bldg., Pittsburgh, PA 15219–2383, (412) 471–1800. Transporting (1) *printed matter*, under continuing contract(s) with Kable Printing Co., of Mt. Morris, IL, (2) *food and related products*, under continuing contract(s) with The Quaker Oats Company, of Chicago, IL, and (3) *metal products and machinery*, under continuing contract(s) with Mechanical Incorporated of Freeport, IL, between points in the U.S.

MC 151583 (Sub-2) filed October 1, 1981. Applicant: UTF CARRIERS, INC., Benson Road, Middlebury, CT 06749. Representative: Herbert S. Zischkau III, 7 Corporate Park Drive, White Plains, NY 10604, (914) 694–1414. Transporting *rubber and plastic products*, between points in the U.S., under continuing contract(s) with Delta Tire Corporation, of Houston, TX.

MC 151823 (Sub-1), filed October 1, 1981. Applicant: PETER C. POKORSKI, d.b.a. PETE'S TRUCKING, 4315 Silver Creek Rd., Manitowoc, WI 54220. Representative: Michael S. Varda, P.O. Box 2509, Madison, WI 53701, 608–255 8891. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of malt beverages, between points in the U.S., under continuing contract(s) with (a) Lewis Distributing Co., of Cleveland, WI, (b) Dougherty Sales, Inc., of Appleton, WI, and (c) Travis Distributing, Inc., of Shawano, WI.

MC 154042, filed September 28, 1981. Applicant: JAMES T. GARRETT TRUCKING, INC., 4300 Holt Ave. Sp 125, Montclair, CA 91763. Representative: Richard C. Celio, 2300 Camino Del Sol, Fullerton, CA 92633, 714–738–3889. Transporting *general commodities*, between points in the U.S., under continuing contract(s) with Pro-Vita, of Garden Grove, CA. 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 158562, filed October 1, 1981. Applicant: PMA, INC., Suite 321, 1 Fairway Plaza, Huntington Valley, PA 19006. Representative: Ronald N. Cobert, 1730 M St. NW, Suite 501, Washington, D.C. 20036, 202–296–2900. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Aluminum Shapes, Inc., Aluminum Smelters of N.J., Inc.,and Esther Williams Swimming Pool Co., Inc., all of Delair, NJ.

Volume No. OPY–2–196

Decided: October 13, 1981.

By the Commission, Review Board No. 1, members Parker, Chandler, and Fortier.

MC 5623 (Sub-59), filed September 18, 1981. Applicant: ARROW TRUCKING CO., P.O. Box 7280, Tulsa, OK 74105. Representative: J.G. Dail, Jr., P.O. Box LL, McLean, VA 22101, 703–893–3050. Transporting *Mercer Commodities, earthdrilling commodities, those commodities which because of their size or weight require the use of special handling or equipment, self-propelled articles lumber and wood products, chemicals and related products, metal products, machinery, and building materials*, between points in the U.S.

MC 20992 (Sub-66), filed September 21, 1981. Applicant: DOTSETH TRUCK LINE, INC., Knapp, WI 54749. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501, 402–475–6761. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of banking and financial equipment and supplies, between points in Eau Claire and Winnebago Counties, WI, on the one hand, and, on the other, points in the U.S.

MC 63562 (Sub-88F), filed October 5, 1981. Applicant: BN TRANSPORT, INC., P.O. Box 22694—Wellshire Station, Denver, CO 80222. Representative: Cecil L. Goettsch, 1100 Des Moines Bldg., Des Moines, IA 50307. Transporting *general commodities* (except classes A and B explosives) between points in the U.S., under continuing contract(s) with the Port of Seattle, of Seattle, WA.

MC 95622 (Sub-4), filed October 1, 1981. Applicant: AVERY TRANSPORTATION, INC., Box 444, Beach Lake, PA 19405. Representative: W.C. Mitchell, 370 Lexington Ave., New York, NY 10017, 212–532–5100. Transporting *passengers and their baggage*, in the same vehicle with passengers, in charter operations, beginning and ending at points in Bradford, Lackawanna, Luzerne, Monroe, Pike, Sullivan, Susquehanna, Wayne, and Wyoming Counties, PA, and extending to points in the U.S.

MC 98213 (Sub-2), filed October 5, 1981. Applicant: SEDDON'S EXPRESS, INC., 1 Water St., Fall River, MA 02721. Representative: Francis E. Barrett, Jr., 10 Industrial Park Road, Hingham, MA 02043, (617) 749–6500. Transporting *general commodities* (except classes A and B explosives), between points in MA, RI and NH. Condition: Issuance of this certificate is subject to prior or coincidental cancellation, at applicant's written request, of Certificate No. MC–98213.

MC 1140523 (Sub-9), filed October 2, 1981. Applicant: CATENCAMP TRANSFER & STORAGE, INC., 218 East Richmond St., Shawano, WI 54166. Representative: William P. Dineen, 710 North Plankinton Ave., Milwaukee, WI 53203, 414–273–7410. Transporting *such commodities* as are dealt in or used by (a) manufacturers and distributors of doors, under continuing contract(s) with Phenix Mfg. Co., Inc., and (b) manufacturers and distributors of plywood, under continuing contract(s) with R. K. Weber Enterprises, Inc., both of Shawano, WI, between points in the U.S.

MC 125973 (Sub-9), filed October 2, 1981. Applicant: CROWN WAREHOUSE & TRANSPORTATION COMPANY, INC., 710 East 9th Ave. P.O. Box M799 A, Gary, IN 46401. Representative: Leonard R. Kofkin, 39 South La Salle St., Chicago, IL 60603, 312–236–9375. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Lawson Products, Inc., of Des Plaines, IL.

MC 129712 (Sub-61), filed September 21, 1981. Applicant: GEORGE BENNETT MOTOR EXPRESS, INC., P.O. Box 569, McDonough, GA 30253. Representative: Frank D. Hall, Suite 202, 1750 Old Springhouse Lane, Atlanta, GA 30338, 404–451–0401. Transporting *such commodities* as are dealt in or used by manufacturers of material handling equipment, between points in the U.S., under continuing contract(s) with Continental Conveyor and Equipment Company, Inc., of Winfield, AL.

MC 142603 (Sub-55), filed September 21, 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 *paper and paper products*, between points in the U.S., under continuing contract(s) with the Carlyle Trading Company Inc., of Bensalem, PA.

MC 142352 (Sub-10), filed October 2, 1981. Applicant: HAUSMAN

TRUCKING CO., INC., 4839 Edgebrook Road, P.O. Box 56, Waterloo, IA 50701. Representative: Daniel O. Hands, 205 West Touhy Avenue, Suite 200–A, Park Ridge, IL 60068, (312) 698–2235. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under a continuing contract(s) with Wilson Foods Corporation of Oklahoma City, OK, and its subsidiaries.

MC 144433 (Sub-3), filed September 23, 1981. Applicant: DOUGLAS G. MARCHIONDA, d.b.a. DOUG MARCHIONDA TRUCKING, Champlin Ave., Penn Yan, NY 14527. Representative: Douglas G. Marchionda (same address as applicant), 315–536–8417. Transporting *alcoholic beverages*, between Madera, CA Canandaigua and Hammondsport, NY, Petersburg, VA and Patrick, SC, on the one hand, and, on the other, points in the U.S.

MC 144792 (Sub-3), filed October 2, 1981. Applicant: CONTRACT TRANSPORTER, INC., P.O. Box 190, Lexington, NC 27292. Representative: Joseph W. Eason, P.O. Box 2058, Raleigh, NC 27602, (919) 828–4481. Transporting *metal products* between points in the U.S., under continuing contract(s) with Reynolds Metals Company, of Richmond, VA.

MC 155423, filed September 18, 1981. Applicant: MALAMUTE NATIONAL LINES, INC., 1 East 42nd St., New York, NY 10017. Representative: Harold Sacks, 19 West 44th St., New York, NY 10036. Transporting *passengers and their baggage* in the same vehicle with passengers in round-trip charter operations beginning and ending in New York, NY Commerical Zone, Westchester and Suffolk Counties, NY, Atlantic and Ocean Counties, NJ and extending to points in the U.S. (except AK and HI).

MC 156462, filed September 21, 1981. Applicant: R. J. MEYER, 3403 Brookmeade Dr., Rolling Meadows, IL 60008. Representative: Anthony E. Young, 29 South LaSalle St., Suite 350, Chicago, IL 60603, 312–782–9880. Transporting *such commodities* as are dealt in or used by manufactures and distributors of books and periodicals, between points in the U.S., under continuing contract(s) with Bantam Books, Inc., of Des Plaines, IL.

MC 158433, filed September 24, 1981. Applicant: BURKE INTERNATIONAL TOURS, INC., 21 Audubon Dr., Asheville, NC 28804. Representative: J. G. Dail, Jr., P.O. Box LL, McLean, VA 22101, 703–893–3050. Transporting *passengers and their baggage* in the same vehicle with passengers, under continuing contract(s) with Institutional Financial Services, Inc., d.b.a. Nancy & Udean Christian Tours, of Asheville, NC.

Volume No. OPY–2–194

Decided: October 7, 1981.

By the Commission, Review, Board No. 1, Members Parker, Chandler, and Fortier.

MC 16513 (Sub-28), filed September 29, 1981. Applicant: REISCH TRUCKING & TRANSPORTATION CO., INC., 1301 Union Ave., Pennsauken, NJ 08110. Representative: Russell R. Sage, P.O. Box 11278, Alexandria, VA 22312, 703–750–1112. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with CIBA-GEIGY Corporation, of Ardsley, NY, and its subsidiary companies.

MC 47583 (Sub-150), filed September 29, 1981. Applicant: TOLLIE FREIGHTWAYS, INC., 1020 Sunshine Rd., Kansas City, KS 66115. Representative: D. S. Hults, P.O. Box 225, Lawrence, KS 66044, (913) 843–0110. Transporting *containers and container closures*, between the facilities of Kerr Glass Manufacturing Corporation, at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 56213 (Sub-18), filed September 28, 1981. Applicant: RICHARD L. KINARD, INC., 1100 West Locust Street, York, PA 17404. Representative: Jeremy Kahn, Suite 733 Investment Building, 1511 K Street, N.W., Washington, D.C. 20005, (202) 783–3525. Transporting *metal products*, (1) between points in York County, PA, on the one hand, and, on the other, points in IN, WI, and MN; (2) between points in White County, IN, on the one hand, and, on the other, points in PA, MI, MN, MD, IL and WI; and (3) between points in Cook County, IL, on the one hand, and on the other, points in MN, WI, ND, IA, PA, and OH.

MC 61942 (Sub-4), filed September 28, 1981. Applicant: JAMES J. McCABE, JR., d.b.a J. McCABE & SON, 38 Greenhalge Ave., Everett, MA 02149. Representative: Wesley S. Chused, 15 Court Square, Boston, MA 02108, 617–742–3530. Transporting *general commodities* (except classes A and B explosives), between points in (1) CT, ME, MA, NH, RI, and VT, and (2) CT, FL, ME, MA, NH, NC, RI, and VT, on the one hand, and, on the other, points in AL, DE, FL, GA, IL, IN, MD, NJ, NY, NC, OH, PA, SC, VA, and DC.

MC 107012 (Sub-745), filed September 29, 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 retail department stores, between points in San Bernardino County, CA, on the one hand, and, on the other, points in the U.S.

MC 114552 (Sub-262), filed September 24, 1981. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, SC 29108. Representative: William P. Jackson, Jr., P.O. Box 1240, Arlington, VA 22210, (703) 525–4050. Transporting (1) *machinery*, (2) *metal products*, (3) *lumber and wood products*, and (4) *rubber and plastic products*, between Charleston, SC, Akron and Cleveland, OH, Macon and Atlanta, GA, Louisville, KY, Milwaukee, WI, New York, NY, Richmond, VA, San Francisco and Los Angeles, CA, Chicago, IL, Dallas and Houston, TX, Detroit, MI, and Minneapolis, MN, points in Emanuel County, GA, Worcester County, MA, Erie County, NY, Los Angeles, San Diego, and Santa Clara Counties, CA, Fulton and Adams Counties, IN, Clark County, NV, Prince Georges County, MD, Lubbock County, TX, Dade County, FL, King County, WA, Kanawha and Jefferson Counties, WV, Monmouth County, NJ, and Albemarle County, VA, on the one hand, and, on the other, points in the U.S.

MC 124692 (Sub-374), filed September 25 1981. Applicant: SAMMONS TRUCKING, P.O. Box 4347, Missoula, MT 59806. Representative: James B. Hovland, 525 Lumber Exchange Bldg., Ten South 5th St., Minneapolis, MN 55402, 612–340–0808. Transporting *drilling, construction and contractor's equipment, materials, and supplies*, between points in the U.S.

MC 134403 (Sub-4), filed September 30, 1981. Applicant: GATEWAY TRUCKING, INC., 169 Station St., Aliquippa, PA 15001. Representative: William A. Gray, 2310 Grant Bldg., Pittsburgh, PA 15219, (412) 471–1800. Transporting *metal products*, between points in PA, WV, and OH, on the one hand, and, on the other, points in DE, IL, IN, KY, MD, MI, NJ, NY, OH, PA, WV, and WI.

MC 134612 (Sub-11), filed September 17, 1981. Applicant: FAST MOTOR SERVICE, INC., 9100 Plainfield Road, Brookfield, IL 60513. Representative: Albert A. Andrin, 180 North La Salle St., Chicago, IL 60601, (312) 332–5106. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Acme Fast Freight, Inc., of Los Angeles, CA.

MC 136123 (Sub-31), filed September 29, 1981. Applicant: MD TRANSPORT SYSTEMS, INC., P.O. Box 1058, Palmetto, FL 33561. Representative: David M. Kuehl (same as applicant), (813) 722–0506. Transporting *clothing and knitted piece* goods, between points in the U.S., under continuing contract(s) with Health-Tex Corporation of Cumberland, RI.

MC 142823 (Sub-2), filed September 16, 1981. Applicant: CROSBY TRUCKING SERVICE, INC., P.O. Box 125, New Hope Rd., Staunton, VA 24401. Representative: Brian S. Stern, North Springfield Professional Centre II, 5411–D Backlick Rd., Springfield, VA 22151, (703) 941–8200. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of lumber and wood products, pulp, paper, and related products, forest products, and plastic products, between points in the U.S. in and east of ND, SD, NE, KS, OK, and TX.

MC 143383 (Sub-9), filed September 30, 1981. Applicant: DALE E. NICHOLSON, P.O. Box 97, Potosi, MO 63664. Representative: Dale E. Nicholson (same address as applicant), (314) 546–3674. Transporting *dry comodities in bulk*, between points in the U.S.

MC 147712 (Sub-36), filed September 14, 1981. Applicant: MID-WESTERN TRANSPORT, INC, 14625 Carmenita Rd., Norwalk, CA 90650. Representative: Joseph Fazio (same as applicant), (213) 921–7474. Transporting *building materials*, between points in the U.S., under continuing contract(s) with Pozzi Windows, Inc., of Bend, OR.

MC 148143 (Sub-14), filed September 24, 1981. Applicant: MID-AMERICA FARM LINES, INC., M. P. O. Box 71, Springfield, MO 65801. Representative: John M. Ringenberg (same address as applicant), (417) 862–7460. Transporting *food and related products*, between points in the U.S.

MC 152082 (Sub-4), filed September 28, 1981. Applicant: R.C. SERVICE, INC., P.O. Box 823, Bensenville, IL 60106. Representative: Daniel C. Sullivan, 10 South LaSalle St., Suite 1600, Chicago, IL 60603, (312) 263–1600. Transporting *leather and leather products and textile products*, between points in the U.S., under continuing contract(s) with Wells Lamont Corporation, of Chicago, IL.

MC 158462, filed September 25, 1981. Applicant: REED'S CAB SERVICE, INC., 131 Main St., Salamanca, NY 14779. Representative: William J. Hirsch, 1125 Convention Tower, 43 Court St., Buffalo, NY 14202, 716–853–0200. Transporting *train crews*, between points in the U.S., under continuing contract(s) with Baltimore & Ohio Railroad, of Salamanca, NY.

Volume No. OP1–284

Decided: October 9, 1981.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

FF 570, filed September 30, 1981. Applicant: ACTION CONSOLIDATED EXPRESS, INC., P.O. Box 446, Hendersonville, TN 37075. Representative: John M. Nader, 1600 Citizens Plaza, Louisville, KY 40202, (502) 589–5400. As a *freight forwarder*, in connection with the transportation of *general commodities* (except classes A and B explosives), between points in the U.S.

MC 2110 (Sub-11), filed September 28, 1981. Applicant: BOWLUS TRUCKING CO., INC., 220 County Rd. 143, Fremont, OH 43420. Representative: Richard H. Brandon, 220 W. Bridge St., P.O. Box 97, Dublin, OH 43107, (614) 889–2531. Transporting (1) *food and related products* between the facilities used by Milford Canning Company, its divisions and subsidiaries in the U.S., on the one hand, and, on the other, points in the U.S., and (2) *general commodities* (except classes A and B explosives) between the facilities used by Kelsey-Hayes Company, in the U.S., on the one hand, and, on the other, points in the U.S.

Note.—The purpose of this application is to convert applicant's existing permits in MC–2110 Sub 9F and 10 to a certificate of public convenience and necessity.

MC 35831 (Sub-29), filed October 2, 1981. Applicant: E. A. HOLDER, INC., P.O. Box 69, Kennedale, TX 76060. Representative: Billy R. Reid, 1721 Carl Street, Fort Worth, TX 76103, (817) 332–4718. Transporting *lumber and wood products*, between points in AR, OK, LA and TX.

MC 52460 (Sub-340), filed September 29, 1981. Applicant: ELLEX TRANSPORTATION, INC., PO Box 9637, 1420 W. 35th St., Tulsa, OK 74107. Representative: Don E. Kruizinga (same address as applicant), (918) 446–4434. Transporting *plastic products*, between points in TX and points in Stanislaus County, CA, Crisp County, GA, Clay County, IN, Fayette and Union Counties, IA, Alamanca County, NC, Lauderdale County, TN, and Thurston County, WA.

MC 65781 (Sub-11), filed September 29, 1981. Applicant: BARRETT MOVING & STORAGE COMPANY, 7100 Washington Avenue South, Eden Prairie, MN 55344. Representative: Andrew R. Clark, 1600 TCF Tower, Minneapolis, MN 55402. Transporting *household goods*, between points in the U.S.

MC 96750 (Sub-7), filed September 29, 1981. Applicant: TRUCKING UNLIMITED, 9215 Sorensen Ave., Santa Fe Springs, CA 90670. Representative: Robert Fuller, 13215 E. Penn St., Suite 310, Whittier, CA 90602 (213) 945–3002. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with United States Gypsum Company, of Chicago, IL.

MC 113751 (Sub-52), filed September 29, 1981. Applicant: HAROLD F. DUSHEK, INC., 10th & Columbia Streets, Waupaca, WI 54981. Representative: James A. Speigel, Olde Towne Office Park, 6333 Odana Road, Madison, WI 53719 (608) 273–1003. Transporting *fertilizer and fertilizer ingredients*, between points in WI and Winona County, MN.

MC 113751 (Sub-53), filed October 1, 1981. Applicant: HAROLD F. DUSHEK, INC., 10th & Columbia Streets, Waupaca, WI 54981. Representative: James A. Speigel, Olde Towne Office Park, 6333 Odana Road, Madison, WI 53719 (608) 273–1003. Transporting *transportation equipment*, between points in Winnegabo County, WI, on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, CO, OK and TX.

MC 128761 (Sub-5), filed October 2, 1981. Applicant: RICHARD M. GODFREY, 8530 Kingscove Dr., Salt Lake City, UT 84121. Representative: Irene Warr, Suite 280, 311 S. State St., Salt Lake City, UT 84111. Transporting *pulp, paper and related products*, between points in the U.S., under continuing contract(s) with Western General Dairies, Inc., of Midvale, UT.

MC 133931 (Sub-5), filed September 29, 1981. Applicant: M. POLLON, INC., d.b.a. MARINE GUARD SERVICE, 1351 North Delaware Ave., Philadelphia, PA 19125. Representative: Barry D. Kleban, 1430 Land Title Bldg., Philadelphia, PA 19110 (215) 561–1030. Transporting *ship machinery parts and ship stores*, between points in AL, CT, DE, FL, GA, LA, MA, MD, ME, MS, NC, NJ, NY, PA, RI, SC, TX, and VA.

MC 135231 (Sub-65), filed October 2, 1981. Applicant: NORTH STAR TRANSPORT, INC., Route 1, Highway 1 and 59 West, Thief River Falls, MN 56701. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118 (612) 457–6889. Transporting *building materials and metal products*, between points in MN, on the one hand, and, on the other, points in the U.S.

MC 138861 (Sub-41), filed October 1, 1981. Applicant: C-LINE, INC., 303 Jefferson Blvd., Warwick, RI 02888.

Representative: Ronald N. Cobert, 1730 M St., N.W., Suite 501, Washington, DC 20036 (201) 296–2900. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with XEY Corporation of America, of Pawtucket, RI.

MC 138861 (Sub-42), filed October 2, 1981. Applicant: C-LINE, INC., 303 Jefferson Blvd., Warwick, RI 02888. Representative: Ronald N. Cobert, 1730 M St., N.W., Suite 501, Washington, DC 20036. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Engineered Yarns, Inc., of Coventry, RI.

MC 142920 (Sub-26), filed October 2, 1981. Applicant: OLIVER TRUCKING CORP., 620 South Belmont Ave., Indianapolis, IN 46217. Representative: Morton E. Kiel, Suite 1832, 2 World Trade Center, New York, NY 10048–0640 (212) 466–0220. Transporting *Such commodities* as are dealt in or used by manufacturers and distributors of sound, communications, educational and entertainment materials, between points in IN, IL, NJ, GA, CA, VA, TX, NY, TN, MO, on the one hand, and, on the other, points in the U.S.

MC 143210 (Sub-16), filed September 25, 1981. Applicant: W. C. HALL GENERAL HAULING, INC., P.O. Box 102, Callao, VA 22435. Representative: Paul D. Collins, 7761 Lakeforest Dr., Richmond, VA 23235 (804) 745–0446. Transporting *general commodities* (except classes A and B explosives), between points in VA, on the one hand, and, on the other, 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.

MC 144630 (Sub-60), filed September 29, 1981. Applicant: STOOPS EXPRESS, INC., 2239 Malibu Court, Anderson, IN 46015. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240 (317) 846–6655. Transporting *machinery*, between points in Cuyahoga County, OH, on the one hand, and, on the other, points in the U.S.

MC 144630 (Sub-61), filed September 29, 1981. Applicant: STOOPS EXPRESS, INC., P.O. Box 287, Anderson, IN 46015. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240 (317) 846–6655. Transporting *pulp, paper and related products*, between the facilities used by Clevepak Corporation at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 146590 (Sub-9), filed October 1, 1981. Applicant: JOSEPH R. PROSTKO, 1300 Island Avenue, McKees Rocks, PA 15136. Representative: Sally A. Davoren, 1500 Bank Tower, 307 Fourth Avenue, Pittsburgh, PA 15222 (412) 471–3300. Transporting *metal products*, between points in the U.S., under continuing contract(s) with Manuel International, Inc. and Disc, Inc., both of Princeton, NJ.

MC 146651 (Sub-3), filed October 2, 1981. Applicant: ARTHUR W. COULTER, d.b.a. A. W. COULTER TRUCKING, P.O. Box 504, Terra Bella, CA 93270. Representative: Earl N. Miles, 3704 Candlewood Dr., Bakersfield, CA 93306 (805) 872–1106. Transporting *pulp, paper and related products*, between points in San Bernardino, Riverside, and Ventura Counties, CA, on the one hand, and, on the other, points in AZ.

MC 148560 (Sub-5), filed September 28, 1981. Applicant: GOLD STAR, INC., 130 Davidson Ave., Somerset, NJ 08873. Representative: Michael R. Werner, 167 Fairfield Rd., P.O. Box 1409, Fairfield, NJ 07006 (201) 575–7700. Transporting *food and related products*, between points in the U.S., under continuing contract(s) with Glazer's Wholesale Drug Co., Inc., of Dallas, TX. 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 1, Room 6358.

MC 148860 (Sub-3), filed September 30, 1981. Applicant: D.M.T. TRUCKING, INC., Dundalk Marine Terminal, 2700 Broening Highway, Baltimore, MD 21222. Representative: Theodore Polydoroff, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101 (703) 893–4924. Transporting *transportation equipment*, between points in the U.S., under continuing contract(s) with Nissan Motor Corporation in U.S.A., of Carson, CA.

MC 150221 (Sub-11), filed October 1, 1981. Applicant: CENTRAL SOUTHERN, INC., P.O. Box 375, Drayton, SC 29333. Representative: George W. Clapp, P.O. Box 836, Taylors, SC 29687 (803) 244–9314. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with (1) National Felt Company, of Easthampton, MA, and (2) Schlegel Corporation, of Rochester, NY.

MC 151260 (Sub-2), filed September 14, 1981. Applicant: B & P TRUCK LINES, INC., 2906 South Market St., Chattanooga, TN 37410. Representative: Daniel O. Hands, 205 West Touhy, Ave., Suite 200–A Park Ridge, IL 60063 (312) 698–2235. Transporting (1) *metal products;* and (2) *such commodities* as are dealt in or used by discount department stores, between Birmingham, AL, on the one hand, and, on the other, points in the U.S. in and east of ND, SD, NE, KS, OK and TX.

Note.—The purpose of this republication is to reflect SD as a radial service point in lieu of SC.

MC 151941 (Sub-4), filed October 2, 1981. Applicant: DELMONT E. HARTT, INC., P.O. Box 26, Etna, ME 04435. Representative: John C. Lightbody, 30 Exchange Street Portland, ME 04101 (207) 773–5651. Transporting *general commodities* (except classes A and B explosives), between points in ME, on the one hand, and, on the other, points in the U.S.

MC 152730 (Sub-8), filed September 28, 1981. Applicant: DEPENDABLE TRANSIT, INC., P.O. Box 21, Hartford City, IN 47348. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240 (317) 846–6655. Transporting *pulp, paper and related products*, between the facilities used by Clevepak Corporation at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 153620 (Sub-1), filed September 29, 1981. Applicant: CUSTOM TRUCK SERVICE, INC., 5480 Ferguson St., Suite 300–A, Los Angeles, CA 90022. Representative: Milton W. Flack, 8383 Wilshire Blvd., Suite 900, Beverly Hills, CA 90211 (213) 655–3573. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Xerox Corporation, of Rochester, N.Y.

MC 154381 (Sub-1), filed September 28, 1981. Applicant: PRETLOW BROS. TRUCKING CO. INC., 121 E. Marshall St., Richmond, VA 23219. Representative: Reverado C. Pretlow (same address as applicant). Transporting (1) *bakery goods*, and (2) *paper products*, between points in the U.S., under continuing contract(s) with Interbake Foods, Inc., in (1), and Hexagon Honeycomb, Inc., in (2), both of Richmond, VA.

MC 157931, filed October 1, 1981. Applicant: MURRAY DISTRIBUTING COMPANY, 2001 E. Commercial, Springfield, MO 65803. Representative: Tom Murray (same address as applicant) (417) 831–0559. Transporting *general commodities* (except classes A

and B explosives), between points in the U.S., under continuing contract(s) with Hutchens Industries, Incorporated, of Springfield, MO.

MC 158231, (Republication), filed September 15, 1981, previously noticed in the **Federal Register** issue of October 6, 1982. Applicant: TOURS BY US, P.O. Box 953, Merrimack, NH 03054. Representative: Lee Hamer, 12 Cummings Road, Merrimack, NH 03054 (603) 424–4525. As a *broker*, at Merrimack, NH, in arranging for the transportation of *passengers and their baggage* in the same vehicle with passengers, in special and charter operations, beginning and ending at points in NH and extending to points in CT, RI, MA, VT, NH, and ME.

Note.—The purpose of this republication is to reflect VT as an extending point in lieu of UT.

MC 158490, filed September 28, 1981. Applicant: IOWA TOURS AND TRAVELERS CLUB, INC., 205 East Washington, Washington, IA 52353. Representative: William L. Fairbank, 2400 Financial Center, Des Moines, IA 50309 (515) 282–3525. As a *broker* at Washington and Keota, IA, in arranging for the transportation of *passengers and their baggage*, in the same vehicle with passengers, in special and charter operations, beginning and ending at points in Linn, Johnson, Keokuk, Muscatine, Louisa, Des Moines, Van Buren, Wapello, Mahaska, Washington, Jefferson and Henry Counties, IA, and extending to points in the U.S.

MC 158540, filed September 29, 1981. Applicant: NICHOL TRUCKING, 3391 Washburn Road, Vassar, MI 48768. Representative: William A. Boos, Jr., 110 W. Lenawee, Lansing, MI 48933 (517) 371–3180. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with J & K Industrial and Eagle Boring, Inc., both of Lapeer, MI, Caro Plastic Corporation, of Caro, MI, Clifford Manufacturing Company, of Marlett, MI, and CMC of Mt. Carmel, of Mt. Carmel, IL.

MC 15841, filed September 29, 1981. Applicant: DIVERSIFIED TRANSPORTATION, INC., 410 Star Bldg., 605 Ohio St., Terre Haute, IN 47808. Representative: William M. Olah (same address as applicant) (812) 232–9691. Transporting *metal products*, between those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX.

MC 158590, filed October 1, 1981. Applicant: CLARENCE E. COVERDALE, 233 Florida Ave., NW, Washington, D.C. 20001. Representative: Clarence E. Coverdale (same address as applicant) (202) 462–5520. Transporting *passengers and their baggage*, in the same vehicle with passengers, in charter and special operations, between points in MD, DE, PA, NJ, and DC.

MC 158591, filed October 2, 1981. Applicant: LEE BOWEN, 15370 Blackfield St., Mojave, CA 93501. Representative: Earl N. Miles, 3704 Candlewood Dr., Bakersfield, CA 93306 (805) 872–1106. Transporting *such commodities* as are dealt in or used by manufacturers of cooling towers and cooling systems, between points in the U.S., under continuing contract(s) with Ceramic Cooling Tower Company, of Fort Worth, TX.

Volume No. OPY–3–189

Decided: October 14, 1981.

By the Commission Review Board No. 2, members Carleton, Fisher, and Williams.

MC 675 (Sub-1), filed September 25, 1981. Applicant: A & M TRANSIT LINES, INC., 170 E. Prospect St., Alliance, OH 44601. Representative: Lewis S. Witherspoon, 2455 N. Star Rd., Columbus, OH 43221 (614) 486–0448. Transporting *passengers and their baggage*, in the same vehicle with passengers, in round-trip special and charter operations, beginning and ending at points in Beaver, Lawrence, and Mercer Counties, PA, and points in OH, and extending to points in the U.S., including AK, but excluding HI.

MC 70384 (Sub-4), filed October 8, 1981. Applicant: SHOUP BUSES, INC., P.O. Box 271, Middlebury, IN 46540. Representative: Robert B. Walker, 915 Pennsylvania Bldg., 425—13th St., N.W., Washington, DC 20004 (202) 737–1030. Transporting *passengers and their baggage*, in charter and special operations, beginning and ending at points in Lake, McHenry, Boone, Winnebago, De Kalb, Kane, Du Page, Cook, La Salle, Kendall, Will, Kankakee, and Grundy Counties, IL, and extending to points in the U.S.

MC 74755 (Sub-4), filed October 6, 1981. Applicant: SUELZER MOVING & STORAGE, INC., 4325 Meyer Rd., Fort Wayne, IN 46806. Representative: Richard A. Huser, 1301 Merchants Plaza, Indianapolis, IN 46204–3491 (317) 638–1301. Transporting (1) *office furniture*, and (2) *used household goods*, as defined by the Commission, between points in the U.S., under continuing contract(s) with N.A.P. Consumer Electronics Corp., of Knoxville, TN.

MC 95084 (Sub-177), filed October 6, 1981. Applicant: HOVE TRUCK LINE, Stanhope, IA 50246. Representative: Kenneth F. Dudley, P.O. Box 279, Ottumwa, IA 52501 (515) 682–8154. Transporting *general commodities* (except classes A and B explosives), between points in the U.S.

MC 105774 (Sub-16), filed October 7, 1981. Applicant: JOHNSON TRUCK LINE, INC., P.O. Box 403, Osborne, KS 67473. Representative: John E. Jandera, 641 Harrison St., P.O. Box 1979, Topeka, KS 66601 (913) 234–0565. Transporting *machinery*, between Albany, GA, and points in AZ, AR, CA, CO, ID, IA, KS, LA, MN, MO, MT, NE, NV, NM, ND, OK, OR, SD, TX, UT, WA, and WY.

MC 113974 (Sub-81), filed October 6, 1981. Applicant: PITTSBURGH & NEW ENGLAND TRUCKING CO., a Corporation, 211 Washington Ave., Dravosburg, PA 15034. Representative: James D. Porterfield (same address as applicant) (412) 461–5100. Transporting *pulp, paper and related products*, between points in Washington County, PA, on the one hand, and, on the other, points in IL, IN, KY, MI, MN, MO, NJ, NY, OH, VA, WV and WI.

MC 123255 (Sub-234), filed October 7, 1981. Applicant: B & L MOTOR FREIGHT, INC., 1984 Coffman Rd., Newark, OH 43055. Representative: Phillip D. Patterson (same address as applicant) (614) 522–8111. Transporting *building materials*, between Aurora, IL and Alliance, OH, on the one hand, and, on the other, those points in the U.S. in and east of MT, WY, CO and NM.

MC 124964 (Sub-74), filed October 1, 1981. Applicant: BOOTH TRANSPORT, INC., P.O. Box 265, Tavares, FL 32778. Representative: E. Stephen Heisley, 805 McLachlen Bank Bldg., 666 Eleventh St., N.W., Washington, DC 20001 (202) 628–9243. Transporting *general commodities* (except classes A and B explosives), between the facilities of Ralston Purina Company, at points in the U.S., on the one hand, and, on the other, points in the U.S.

MC 127905 (Sub-6), filed October 7, 1981. Applicant: LYNN H. SCOTT, INC., 8532 Blossvale Rd., Blossvale, NY 13308. Representative: John D. Shannon, 326 Stone St., Oneida, NY 13421 (315) 363–1740. Transporting *metal products*, between points in Oneida, Onondaga, Oswego, and Cayuga Counties, NY, on the one hand, and, on the other, points in the U.S.

MC 138714 (Sub-13), filed October 6, 1981. Applicant: VIRGINIA TRANSPORTATION, INC., Box 26449, 1814 High Point Ave., Richmond, VA 23261. Representative: Eric Meierhoefer, Suite 1000, 1029 Vermont Ave., N.W., Washington, DC 20005 (202) 347–9332. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under

continuing contract(s) with Eastern Sleep Products, Inc., of Richmond, VA.

MC 140025 (Sub-10), filed October 8, 1981. Applicant: L & T, INC., 2650 W. Beaver St., Jacksonville, FL 32205. Representative: Sol H. Proctor, 1101 Blackstone Bldg., Jacksonville, FL 32202 (904) 632–2300. Transporting *general commodities* (except classes A and B explosives), between points in the U.S., under continuing contract(s) with Winn Dixie, Inc. of Jacksonville, FL.

MC 143445 (Sub-8), filed October 7, 1981. Applicant: ALLTRANS ROADFAST, INC., 128 Pennsylvania St., Kearny, NJ 07032. Representative: Steven L. Weiman, Suite 145, 4 Professional Dr., Gaithersburg, MD 20879 (301) 840–8565. Transporting *such commodities* as are dealt in or used by manufacturers and distributor of sound, communications, educational, and entertainment products, between points in the U.S.

MC 141255 (Sub-20), filed October 6, 1981. Applicant: TANDY TRANSPORTATION, INC., 2560 East Long Ave., Fort Worth, TX 76111. Representative: Roy Beans (same address as applicant) (817) 834–0182. Transporting (1) *furnaces*, (2) *air conditioners*, (3) *combination furnace and air conditioner heating and cooling systems*, and (4) *solar energy heating and cooling systems*, between points in the U.S., under continuing contract(s) with Lennox Industries, Inc., of Dallas, TX.

MC 144225 (Sub-3), filed October 7, 1981. Applicant: JADEEL TRUCKING, INC., 8333 W. McNab Rd., Tamarac, FL 33321. Representative: Raymond P. Keigher, 401 E. Jefferson St., Suite 102, Rockville, MD 20850 (305) 722–4700. Transporting *lumber and wood products*, between points in the U.S., under continuing contract(s) with Lynmar Lumber Industries, Inc. of Tamarac, FL, Competitive Building Materials, Inc. of Ardmore, PA and Pinkham Lumber Division of Great Northern-NeKoosa Corporation of Nashville, Plantation, ME.

MC 144715 (Sub-20), filed October 6, 1981. Applicant: ANDERSON & WEBB TRUCKING CO., INC., P.O. Box 1523, 770 W. Lebanon, Mt. Airy, NC 270301523. Representative: Eric Meierhoefer, Suite 1000, 1029 Vermont Ave., N.W., Washington, DC 20005 (202) 347–9332. Transporting *such commodities* as are dealt in by office, school, and art supply stores, between points in Boone County, KY, Iredell County, NC, and New York, NY, 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 149195 (Sub-17), filed October 6, 1981. Applicant: ARCADIAN MOTOR CARRIERS, P.O. Box 456, Kingsburg, CA 93631. Representative: James F. Hauenstein (Same address as applicant) (209) 897–4122. Transporting (1) *plumbing fixtures and supplies*, between points in CA, TX, IL, GA, and NJ, on the one hand, and, on the other, points in the U.S., (2) *food and related products*, between points in KS, on the one hand, and, on the other, points in the U.S., (3) *fire clay and fire brick*, between points in CA, NC, and PA, on the one hand, and, on the other, points in the U.S., and (4) *furniture* and *furniture parts*, between points in the U.S.

MC 152675 (Sub-2), filed October 5, 1981. Applicant: TOM WINGERT, d.b.a. WINGERT ENTERPRISES, Rt. 2, Box 151, Golden City, MO 64748. Representative: William B. Barker, 641 Harrison St., Topeka, KS 66601 (913) 234–0565. Transporting *machinery*, between points in that part of MO on, south, and west of U.S. Hwy 63 and Interstate Hwy 70, on the one hand, and, on the other, points in the U.S.

MC 155714, filed October 6, 1981. Applicant: THEODORE AND DANY EKRE, d.b.a. EKRE TRUCKING, Shevlin, MN 56676. Representative: William J. Gambucci, 525 Lumber Exchange Bldg., Ten So. Fifth St., Minneapolis, MN 55402 (612) 340–0808. Transporting *general commodities* (except classes A and B explosives), between points in Cass and Grand Forks Counties, ND, on the one hand, and, on the other, Minneapolis-St. Paul, MN and those points in MN on and north of Interstate Hwy 94.

MC 155824, filed October 7, 1981. Applicant: GARY S. & GREG H. GARABEDIAN, d.b.a. H & M TRANSFER CO., 15304 Saranac, Whittier, CA 90604. Representative: Gary G. Garabedian (same address as applicant) (213) 947–1505. Transporting *metal products*, between points in the U.S., under continuing contract(s) with Inryco, Inc. of Los Angeles, CA.

MC 155874, filed October 8, 1981. Applicant: MUSCILLO TRANSPORT LIMITED, 4078 Hwy 7W, Woodbridge, Ontario, Cánada L4L 1A6. Representative: William J. Hirsch, 1125 Convention Tower, 43 Court St., Buffalo, NY 14202 (716) 853–0200. Transporting (1) *metal products* and (2) *waste or scrap materials not identified by Industry Producing*, between points in the U.S., under continuing contract(s) with Lake Ontario Steel Company Limited of Toronto, Canada.

MC 157065, filed October 5, 1981. Applicant: PAUL K. BLYE, JR., d.b.a. A & P TRUCKING COMPANY, INC., 5619 W. Sunnyside Ave., Glendale, AZ 85304. Representative: Paul K. Blye, Jr. (same address as applicant) (602) 979–1693. Transporting *lumber and wood products, building materials, insulation and roofing products*, between points in the U.S., under continuing contract(s) with Southwest Distributing of Mesa, AZ, Baker Thomas Company and Cooley Wholesale Lumber both of Phoenix, AZ.

MC 158565, filed October 2, 1981. Applicant: MERCURY DISPATCH, INC., 401 No. 7th St., Minneapolis, MN 55405. Representative: Michael Kallas (same address as applicant) (612) 338–1312. Transporting *general commodities* (except classes A and B explosives), between Minneapolis, MN, on the one hand, and, on the other, points in MN, restricted to traffic having a prior or subsequent movement by rail.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 81-30426 Filed 10-20-81; 8:45 am]

BILLING CODE 7035-01-M

Motor Carrier Temporary Authority Application

Important Notice

The following are notices of filing of applications for temporary authority under Section 10928 of the Interstate Commerce Act and in accordance with the provisions of 49 CFR 1131.3. These rules provide that an original and two (2) copies of protests to an application may be filed with the Regional Office named in the **Federal Register** publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the **Federal Register**. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the ICC Regional Office to which protests are to be transmitted.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property

Notice No. F–160

The following applications were filed in region 4. Send protests to: Interstate Commerce Commission, Complaint and Authority Branch, P.O. Box 2980, Chicago, IL 60604.

MC 8989, filed October 5, 1981. Applicant: HOWARD SOBER, INC., 4410 Executive Blvd., W., Suite 8B, Fort Wayne, IN 46808. Representative: Gary Geiger (same address as applicant). *Buses* and *parts* Thereof: From (1) Portsmouth, VA, Commercial Zone to Cleveland, NC, and (2) from Cleveland, NC, to Seattle, WA, Chicago, IL, Denver, CO, Memphis, TN, Nashville, TN, Pittsburgh, PA, St. Paul, MN, Minneapolis, MN, San Jose, CA, Washington, DC, White Plains, NY, Indianapolis, IN. Supporting shipper: M. A. N. Truck & Bus Corp., P.O. Box 319, Cleveland, NC 27013. An underlying ETA seeks 120 days authority.

MC 74755 (Sub-4–2TA), filed October 5, 1981. Applicant: SUELZER MOVING & STORAGE, INC., 4325 Meyer Road, Ft. Wayne, IN 46806. Representative: Richard A. Huser, SCOPELITIS & GARVIN, 1301 Merchants Plaza, Indianapolis, IN 46204. *Contract*, irregular, *employees' used household goods and personal effects*, between points in the U.S. restricted to service performed under continuing contract(s) with International Harvester Company. Supporting shipper: International Harvester Company, 401 N. Michigan, Chicago, IL 60611.

MC 133552 (Sub-4–2), filed October 6, 1981. Applicant: DOEHLER TRANSFER INCORPORATED, Old Rt. 66, Box 96, Dwight, IL 60420. Representative: Michael W. O'Hara, 300 Reisch Bldg., Springfield, IL 62701. Contract, irregular: *Frozen pizzas*, between Bensenville, IL on the one hand, and on the other, points in AL, CO, FL, GA, IA, IN, KS, KY, MO, MN, MI, NC, OH, TN, TX, and WI. Restricted to traffic moving under contracts with Chi Chi Foods Limited. An underlying E/T/A seeks 120 days authority. Supporting shipper: Chi Chi Foods Limited, 735 Thomas Dr., Bensenville, IL 60106.

MC 135530 (Sub-4–2TA), filed October 7, 1981. Applicant: LAKE CENTER INDUSTRIES TRANSPORTATION, INC., 5676 Industrial Park Road, Winona, MN 55987. Representative: John G. Grote (same address as applicant). *Contract* irregular: *Paper products, tobacco, candies, sanitary maintenance products* between Winona, MN on the one hand, and on the other, points in the U.S. Restricted to traffic moving under a continuing contract with Valley Wholesalers, Inc., 330 East Third Street, Winona, MN 55987. Supporting shipper: Valley Wholesalers, Inc., 330 East Third St., Winona, MN. 55987.

MC 135552 (Sub-4–3TA), filed October 6, 1981. Applicant: SCENIC TRAILS, INC., 700 North Third Street, La Crosse, WI 54601. Representative: Stanley C. Olsen, Jr., 5200 Willson Road, Suite 307, Edina, MN 55424. *Common carrier:* regular routes, transporting passengers and their baggage and express and newspapers in the same vehicle with passengers, between Eau Claire, WI, and Minneapolis-St. Paul, MN, serving all intermediate points: From Eau Claire, WI, over Interstate Hwy 94 to junction WI State Hwy 65, then southbound over WI State Hwy 65 to junction WI State Hwy 35, then over WI State Hwy 35 to River Falls, then northbound from River Falls over WI State Hwy 35 to junction Interstate Hwy 94, then westbound over Interstate Hwy 94 to Minneapolis-St. Paul, and return over the same route. There are 85 statements in support attached to this application which may be examined at the Chicago, IL I.C.C. regional office. An underlying ETA seeks 120 days authority.

MC 139667 (Sub-4–7TA), filed October 5, 1981. Applicant: C. SCHMIDT TRUCKING CO., INC., 101 W. Sanger, Salem, IL 62881. Representative: Brenda Schmidt, 906 Meadow Lane, Salem, IL 62881. *Contract* irregular: *Iron and steel articles*, between points in the U.S. (Except AK and HI) under continuing contract(s) with Valley Industries, Inc. An underlying ETA seeks 120 days authority. Supporting shipper: Valley Industries, Inc., 960 S. Cherry, Centralia, IL 62801.

MC 142305 (Sub-4–6TA), filed October 7, 1981. Applicant: WISCONSIN EXPRESS LINES, INC., Route 2, Green Bay, WI 54301. Representative: Daniel R. Dineen, 710 North Plankinton Ave., Milwaukee, WI 53203. *Such commodities as are used in the manufacture, distribution, or sale of motor vehicles* from points in CT, DE, IA, IL, IN, KY, MA, MD, MI, MN, MO, NJ, NY, OH, PA, TN, VA, and WV, to the facilities of Oshkosh Truck Corporation at or near Oshkosh, WI. Supporting shipper: Oshkosh Truck Corporation, P.O. Box 2566 Oshkosh, WI 54903.

MC 145701 (Sub-4–5TA), filed October 6, 1981. Applicant: D. C. TRANSPORT, INC., 916 South Riverside Ave., St. Clair, MI 48079. Representative: John W. Bryant, 900 Guardian Building, Detroit, MI 48226. *Malt Liquors* between the facilities of St. Clair Distributors, Inc., at or near Port Huron, MI on the one hand, and, on the other, points in Shelby County, TN. An underlying ETA seeks 120 days authority. Supporting shipper: St. Clair Distributors, Inc., 2211 16th Street, Port Huron, MI 48060.

MC 146213, (Sub-4–3TA), filed October 8, 1981. Applicant: JAMES P. DOYLE d.b.a. J. DOYLE TRUCKING, P.O. Box 76, Wisconsin Dells, WI 53965. Representative: Stanley C. Olsen, Jr., 5200 Willson Road, Suite 307, Edina, MN 55424. *Such commodities as are dealt in by food gift mail order firms and canned foods*, between points in Dane and Greene Counties, WI, and Waupun, WI, on the one hand, and, on the other, points in MA, CT, NY, NJ, PA, MD, OH, NC, FL, GA, AR, MO, NE, TX, CO, AZ, CA, and OR. Supporting shippers: Swiss Colony, Inc., 1112 Seventh Ave., Monroe, WI 53566; American Farms Corp., P.O. Box 311, Waupun, WI 53963.

MC 146728 (Sub-4–10TA), filed October 10, 1981. Applicant: GOLDEN BROS, INC., 234 East McClure St., Kewanee, IL 61443. Representative: Abraham A. Diamond, 29 South La Salle St., Chicago, IL 60603. *Contract* irregular: *Iron and Steel Articles*, between the facilities of All Metals Services and Warehousing, Inc., at or near Marietta, GA, on the one hand, and, on the other, points in the States of AL, AR, FL, MS, NC, SC, and TN, under continuing contract with All Metals Services and Warehousing, Inc. Supporting Shipper: All Metals Services and Warehousing, Inc., 880 Industrial Park Drive, N.E., Marietta, GA 30062.

MC 148966 (Sub-4–8TA), filed October 5, 1981. Applicant: DROTZMANN, INC., P.O. Box 667, Yankton, SD 57078. Representative: James M. Hodge, 1000 United Central Bank Bldg., Des Moines, IA 50309. *Meat, meat products, meat by-products, and articles distributed by meat packinghouses (except hides and commodities in bulk)*, from the facilities of Dubuque Packing Co. at Denison, Dubuque, Vinton and LeMars, IA; Mankato, KS; Omaha, NE; and Geneseo and Rochelle, IL to all points in the U.S. An underlying ETA seeks 30 days authority. Supporting shipper(s): Dubuque Packing Co., P.O. Box 610, Denison, IA 51442.

MC 150267 (Sub-4–3TA); filed October 8, 1981. Applicant: McARDLE TRANSPORTATION, INC., Route 1, Hazel Green, WI 53811. Representative: Richard A. Westley, Attorney, 4506

Regent Street, Suite 100, P.O. Box 5086, Madison, WI 53705–0086. *Frozen potatoes and potato products* from the facilities of Chef-Reddy Foods Corporation at or near Park Rapids, MN to all points in the U.S. An underlying ETA seeks 120 days authority. Supporting shipper: Chef-Reddy Foods Corporation, P.O. Box 552, Park Rapids, MN 56470.

MC 150281 (Sub-4–11TA), filed October 7, 1981. Applicant: BANGOR PUNTA TRANSPORTATION, INC., West Michigan Street, Topeka, IN 46571. Representative: Chandler L. van Orman, Wheeler & Wheeler, 1729 H Street, NW., Washington, DC 20006. *Contract* irregular: *Fiberglass, resins and resin compounds not in bulk)* between points in the U.S. Restricted to traffic moving under continuing contract(s) with Henry & Frick, Inc. Supporting shipper: Henry & Frick, Inc., Walnut Street, Dedham, MA 02026.

MC 154739 (Sub-4–2TA), filed October 5, 1981. Applicant: JEBCO LEASING, INC., 515 Elcamino Road, Greenwood, IN 46142. Representative: Norman R. Garvin, Scopelitis & Garvin, 1301 Merchants Plaza, East Tower, Indianapolis, IN 46204. *Contract;* irregular: *Stoves and ranges,* (1) from the suppliers of Jenn-Air Corp at Marion, Mansfield, and Urbana, OH to the facilities of Jenn-Air Corp at Indianapolis, IN; and (2) from the facilities of Jenn-Air Corp at Indianapolis, IN to the suppliers of Jenn-Air Corp at Marion, OH under continuing contract(s) with Jenn-Air Corporation, 3035 N Shadeland Ave Indianapolis, IN 46226. Applicant has filed a corresponding ETA which seeks up to 120 days operating authority. Supporting shipper: Jenn-Air Corp., 3035 N. Shadeland Ave, Indianapolis IN 46226.

MC 156932 (Sub-4–1TA), filed October 6, 1981. Applicant: PALLET PRODUCTS, INC., P.O. Box 70, Des Plaines, IL 60016. Representative: Elaine M. Conway, 10 S. LaSalle St., Chicago, IL 60603. *Contract: irregular: Fabricated metal products,* from Chicago, IL to points in WI under continuing contract(s) with Rheem Manufacturing Co. of Chicago, IL.: Supporting shipper: Rheem Manufacturing Co., 7600 S. Kedzie, Chicago, IL 60652.

MC 157457 (Sub-4–2TA), filed October 8, 1981. Applicant: CONGOLEUM CARTAGE CORPORATION, 2323 17th Street, Elkhart, IN 46514. Representative: H. Barney Firestone, Sullivan & Associates, Ltd., 10 S. LaSalle Street #1600, Chicago, IL 60603. *Furniture and fixtures,* between the facilities of Foster Bros. Manufacturing Co., Inc. in St. Louis, MO; Fort Smith, AR and High Point, NC on the one hand, and, on the other, points in TX, MO, KS, IN, MS, CA, PA, VA, TN, FL, WI, IL, KY, NE, NY, MA and OH. Supporting shipper: Foster Bros Manufacturing Co., Inc., 2025 S. Van Deventer, St. Louis, MO 63110.

MC 158654 (Sub-4–1TA), filed October 6, 1981. Applicant: DUPLAINVILLE TRANSPORT, INC., W224 N3322 Duplainville Road, Pewaukee, WI 53072. Representative: Joseph Winter, 29 South LaSalle St., Chicago, IL 60603. *Printed matter, paper and related products, and such commodities as are dealt in or used by wholesale and retail grocery and food business houses,* between points in Waukesha County, WI and Stanislaus County, CA, on the one hand, and, on the other, points in the U.S. Supporting shippers: There are five supporting shippers.

MC 158655 (Sub-4–1TA), filed October 6, 1981. Applicant: GRAND EXPRESS, INC., 4750 Clyde Park, S.W., Grand Rapids, MI 49509. Representative: Daniel C. Sullivan, Sullivan & Associates, Ltd., 10 LaSalle St., Suite 1600, Chicago, IL 60603. *Such commodities as are utilized or distributed by manufacturers and distributors of appliances, building materials and mobile homes,* between points in Ottawa Co., MI, on the one hand, and, on the other, points in the U.S. Supporting shipper: Atcoflex, Inc., 14261 172nd Ave., P.O. box 118, Grand Haven, MI 49419.

MC 158665 (Sub-4–1), filed October 7, 1981. Applicant: W.S.B. LEASING COMPANY, 520 East Church St., Libertyville, IL 60048. Representative: Harold O. Orlofske, 145 W. Wisconsin Ave., P.O. Box 368, Neenah, WI 54956. Transporting 1. *Food and related products and equipment, materials, and supplies used in the manufacture and distribution thereof* between the Chicago, IL commercial zone on the one hand, and, on the other, points in MI restricted to shipments originating at or destined to the facilities utilized by Foulds, Inc. 2. *Food and related products* between the Chicago, IL commercial zone on the one hand, and, on the other, points in MI restricted to shipments originating at or destined to the facilities utilized by Keebler Co. Supporting shippers: Keebler Co., 1 Hollow Tree Lane, Elmhurst, IL 60126 and Foulds, Inc., 520 E. Church St., Libertyville, IL 60048.

The following applications were filed in region 5. Send protests to: Consumer Assistance Center, Interstate Commerce Commission, Post Office Box 17150, Fort Worth, TX 76102.

MC 26825 (Sub-5–18TA), filed October 5, 1981. Applicant: ANDREWS VAN LINES, INC., P.O. Box 1609, Norfolk, NE 68701. Representative: Jack L. Shultz, P.O. Box 82028, Lincoln, NE 68501. *Such commodities as are dealt in by hardware stores, lumberyards, and home improvement centers,* between the facilities of Chicago Lumber Co. in the U.S., on the one hand, and, on the other, pts in the U.S. Supporting shipper: Chicago Lumber Co., 1324 Pierce Street, Omaha, NE 68108.

MC 95084 (Sub-5–13TA), filed October 5, 1981. Applicant: HOVE TRUCK LINE, Stanhope, IA. Representative: Kenneth F. Dudley, P.O. Box 279, Ottumwa, IA. *(1) Machinery, materials, equipment and supplies,* between Marshall County, KS, on the one hand, and, on the other, pts in the U.S., and *(2) general commodities,* between pts in NE, on the one hand, and, on the other, pts in the U.S. Supporting shippers: Landoll Corporation, 1700 May Street, Marysville, KS and Lindsay Mfg. Co, P.O. Box 156, Lindsay, NE.

MC 104523 (Sub-5–2TA), filed October 5, 1981. Applicant: HUSTON TRUCK LINES, INC., P.O.B. 427, Seward, NE 68423. Representative: Charles J. Kimball, 1600 Sherman St., #665, Denver, CO 80203. Contract, irregular; *commodities dealt in by manufacturers of fiberglass, plastic, metal and glass products,* between the facilities of Philips Industries, Inc., at or near Dayton, Cleveland and Matla, OH; Cucamonga, Anaheim, Irwindale and Montebello, CA; Selingsgrove, PA, Ocala and Orland, FL; Chester, Taylors and Greenville, SC; Clarksville, Brownsville, Lancaster and Dallas, TX; Elkhart, Bristol, Indianapolis, Albion and Lebonon, IN; El Reno, OK; Stayton, OR; Seattle, WA; Livonia and Three Rivers, MI; Marshfield, WI; Monticello and Cordele, GA; Florence and Erlanger, KY; Brownsville, and Crossville, TN; Flagstaff, AZ; and Boise, ID, on the one hand, and, on the other, pts in the U.S. (except AK and HI), under continuing contract with Philips Industries, Inc.

MC 112822 (Sub-5–11TA), filed October 5, 1981. Applicant: BRAY LINE INCORPORATED, 1401 N. Little Street, Cushing, OK 74023. Representative: Dwight E. Pilant (same address as applicant). *Paints, lead, insulation products, batteries, metal and fertilizer compounds, (except in bulk),* between the facilities of Eagle-Picher Industries, Inc., located at Fairbury, NE; Mineola, TX; Cedartown, GA; St. Louis and Joplin, MO and points in the U.S. Supporting shipper: Eagle-Picher

Industries, Inc., P.O. Box 550, Joplin, MO 64801.

MC 113362 (Sub-5–20TA), filed October 5, 1981. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, IA. Representative: Milton D. Adams, P.O. Box 429, Austin, MN. *Fatty acids (except in bulk)*, between Memphis, TN and pts in the U.S. in and east of ND, SD, NE, KS, OK and TX. Supporting shipper: Witco Chemical Corporation, P.O. Box 1974, Olathe, KS.

MC 121589 (Sub-5–5TA), filed October 5, 1981. Applicant: N & W TRANSFER, INC., P.O. Box 188, Nehawka, NE 68413. Representative: James F. Crosby & Associates, 7363 Pacific Street, Suite #210B, Omaha, NE 68114. *Equipment, materials, parts and supplies dealt in or used in the construction, operation and maintenance of railroads*, between pts. in OH, MI, IN, IL, WI, IA, NE, MO, KS, CO, UT and WY. Restricted to shipments originating or terminating at the facilities of Union Pacific Railroad and/or its consolidators. Supporting shipper: Union Pacific Railroad, 1416 Dodge Street, Omaha, NE 68179.

MC 124511 (Sub-5–7TA), filed October 5, 1981. Applicant: OLIVER MOTOR SERVICE, INC., East Highway 54, Mexico, MO 65265. Representative: LEONARD R. KOFKIN, 39 South La Salle Street, Chicago, IL 60603. *Lumber and Wood Products*, from Columbia, MO to Columbus, OH. Supporting shipper: Fabricated Components, Inc., P.O. Box 1502, Columbia, MO 65205.

MC 144609 (Sub-5–2TA), filed October 6, 1981. Applicant: DOMINGUEZ BROS. TRUCKING CO., 1500 South Zarzamora Street, San Antonio, TX 78207. Representative: Kenneth R. Hoffman, P.O. Box 2165, Austin, TX 78768. *Malt beverages and related products* between points in Bexar County, TX on the one hand, and, on the other, points in CA, north of Interstate Highway 80, and points in OR and WA. Supporting shipper: General Brewing Co., San Antonio, TX.

MC 147354 (Sub-5–1TA), filed October 5, 1981. Applicant: FAUBION TRUCK LINES, INC., P.O. Box 5795, Alexandria, LA 71301. Representative: Donald Sharp, P.O. Box 6118, Alexandria, LA 71301. *Contract;* Irregular. *Beer* from Dallas/Fort Worth, TX to Alexandria, LA. Supporting shipper: Venture Marketing Corporation, 1402 Main Street, Alexandria, LA 71301.

MC 147354 (Sub-5–2TA), filed October 5, 1981. Applicant: FAUBION TRUCK LINES, INC., P.O. Box 5795, Alexandria, LA 71301. Representative: Donald Sharp, P.O. Box 6118, Alexandria, LA 71301. *Contract;* Irregular. *Food & Kindred Products* from Belledeau and St. Francisville, LA to points in NM, CO, AZ and CA. Supporting shipper: Joan of Arc Company, 2231 West Altorfer Drive, Peoria, IL 61615.

MC 147354 (Sub-5–3TA), filed October 5, 1981. Applicant: FAUBION TRUCK LINES, INC., P.O. Box 5795, Alexandria, LA 71301. Representative: Donald Sharp, P.O. Box 6118, Alexandria, LA 71301. Contract; *Irregular. Canned goods* from Cade, LA to points in CO, NM, AZ and CA. Supporting shipper: Bruce Foods, Cade, LA 70519.

MC 147354 (Sub-5–4TA), filed October 5, 1981. Applicant: FAUBION TRUCK LINES, INC., P.O. BOX 5795, Alexandria, LA 71301. Representative: Donald Sharp, P.O. Box 6118, Alexandria, LA 71301. Contract; Irregular. *Beer* from Golden, CO to Alexandria, LA. Supporting shipper: Coors of Central Alexandria, Inc., P.O. Box 8023, Alexandria, LA 71301.

MC 147354 (Sub-5–5TA), filed October 5, 1981. Applicant: FAUBION TRUCK LINES, INC., P.O. Box 5795, Alexandria, LA 71301. Representative: Donald Sharp, P.O. Box 6118, Alexandria, LA 71301. Contract; Irregular. *Lightweight lubricating oil* (except in bulk) from Shreveport, LA to points in AZ, CA, CO and NM. Supporting shipper: Westland Oil Company, 2740 Valleyview Drive, Shreveport, LA 71108.

MC 148195 (Sub-5–1TA), filed October 5, 1981. Applicant: LEON FUCHS, Templeton, IA. Representative: Richard D. Howe, Myers, Knox & Hart, 600 Hubbell Building, Des Moines, IA. *Iron and steel articles*, from Chicago, Sterling, and Hennepin, IL; St. Louis and Kansas City, MO; Kansas City, KS; and Norfolk, NE, to points in Denver, Colorado Springs, and Greeley, CO. Supporting shipper: Engbar Pipe & Steel Co., 4755 Washington Street, Denver, CO.

MC 155062 (Sub-5–2TA), filed October 5, 1981. Applicant: AVERY PRUITT AND SON, INC., Route 1, Box 1A, Jasper, AR 72641. Representative: Jay C. Miner, P.O. Box 313, Harrison, AR 72601. *Commodities as are dealt in by farm supply houses (ex bulk)* from points in TX, OK, LA, MO and KS to points in Newton and Boone Counties, AR. Supporting shippers: Jasper Farm Supply, P.O. Box 1443, Jasper, AR 72641 and Rose Feed and Farm Supply Store, P.O. Box 220, Yellville, AR 72687.

MC 158608 (Sub-5–1TA), filed October 5, 1981. Applicant: DARRYL L. OTT, d.b.a. SKI, ETC., 1407 Kentucky, Lawrence, Kansas 66044. Representative: D. S. Hults, P.O. Box 225, Lawrence, Kansas 66044. *Passengers and their baggage, in special and charter operations, in sleeper-berth equipped busses*, between points in Johnson, Saline, Ellis, Riley, Shawnee, Douglas and Sedgwick Counties, Kansas, on the one hand, and, on the other, points in Grand, Summit and Routt Counties, Colorado. Supporting shippers: Nine.

MC 158610 (Sub-5–1TA), filed October 5, 1981. Applicant: R.J.&G. TRUCK LINES, INC., 4839 S. 36th W. Ave., Tulsa, OK 74107. Representative: A. Doyle Cloud, Jr., 2008 Clark Tower, 5100 Poplar Avenue, Memphis, TN 38137. *Iron, steel, iron and steel articles, fabricated metal products, and machinery, equipment, materials and supplies utilized in the use, manufacture, sale and distribution thereof*, between OK, on the one hand, and, on the other, points in WY, KS, TX, CA and MT.

MC 158635 (Sub-5–1TA), filed October 6, 1981. Applicant: NORTHLAND TRANSPORTATION, INC., P.O. Box 65, Magnet, NE 68749. Representative: Donald L. Stern, Suite 610, 7171 Mercy Road, Omaha, NE 68106. *Petroleum and petroleum products, in bulk*, (1) from Yankton, SD to pts in Knox, Cedar, Dixon, Pierce, Wayne, Antelope, Holt, Boyd, Wheeler, Madison, Garfield, Rock, Brown, Cherry and Keya Paha Counties, NE; (2) from Whiting, IA to Thurston, Wayne, Dakota, Dixon, Pierce, Cedar, Knox, Antelope, Rock, Holt and Brown Counties, NE; (3) from Woodbury County, IA to pts in NE and SD; (4) from Plattsmouth, Greenwood and Omaha, NE to pts in Atchison, Nodaway and Holt Counties, MO, and Pottawattamie, Mills, Cass, Fremont, Montgomery, Page, Taylor, Adams, Union and Ringgold Counties, IA; (5) from Council Bluffs, IA to pts in Sarpy, Cass, Otoe, and Lancaster Counties, NE; and (6) from Norfolk, NE to Gregory, Douglas, Charles Mix, Bon Homme, Yankton, Hutchinson, Turner, and Clay Counties, SD; *Alcohol, in bulk*, from pts in Atchison County, KS to pts in Otoe, Lancaster, Cass, and Sarpy Counties, NE; and *Fertilizers, in bulk*, from Woodbury County, IA to pts in NE and SD. Supporting shippers: 26.

The following applications were filed in region 5. Send protests to: Consumer Assistance Center, Interstate Commerce Commission, Post Office Box 17150, Fort Worth, TX 76102.

MC 121517 (Sub-5–18TA), filed October 9, 1981. Applicant: ELLSWORTH MOTOR FREIGHT LINES, INC., 2120 N. 161st E. Ave., Tulsa, OK 74112. Representative: Jerry C. Slaughter (same address as above).

Fly ash from Oklahoma City, OK to points in TX on and North of Interstate 40. Supporting shipper: Walter N. Handy Company, 1949 East Sunshine, Suite 2–220, Springfield, MO, 65804.

MC 121517 (Sub-5–19TA), filed October 9, 1981. Applicant: ELLSWORTH MOTOR FREIGHT LINES, INC., 2120 N. 161st E. Ave., Tulsa, Oklahoma 74112. Representative: Jerry C. Slaughter (same as above). *Sand* from points in AR; Wichita, KS; and Pacific and Crystal City, MO to Tulsa, OK. Supporting shipper: Metal Dynamics Corporation, 1145 N. Irquois, Tulsa, OK 74106.

MC 124673 (Sub-5–14TA), filed October 8, 1981. Applicant: FEED TRANSPORTS, INC., P.O. Box 2167, Amarillo, TX 79105. Representative: Thomas F. Sedberry, P.O. Box 2165, Austin, TX 78768. *Commodities in bulk* from Potter and Oldham Counties, TX to points in KS. Supporting shipper: A–1 Ready Mix Concrete, Inc. KS, Liberal.

MC 125951 (Sub-5–5TA), filed October 8, 1981. Applicant: SILVEY REFRIGERATED CARRIERS, INC., 3035 South 72nd Street, Suite 200, Omaha, NE 68124. Representative: Robert M. Cimino (same as applicant). *Paper, paper products and materials and supplies used in the manufacture thereof,* between pts in NC, ND, SD, NE, KS, TX, MN, IA, MO, IL, WI, MI, PA, NY, VA, LA and ME. Restricted to traffic originating at or destined to the above destination states. Supporting shipper: Leslie Paper Company, Des Moines, IA 50306.

MC 133194 (Sub-5–8TA), filed October 8, 1981. Applicant: WOODLINE MOTOR FREIGHT, INC., P.O. Box 1047, Airport Road, Russellville, AR 72801. Representative: Scotty D. Douthit, Sr. Same as Applicant. *Mats: Matting; Pads or Padding, NOI, other than paint spray arresting; or Air Filtering Media; glass fibre or glass wool, not woven, with or without binder; other than mineral wool (rock, slag or glass wool) insultating batts, batting or blankets; in packages, Made from chopped stranded, or continuous stranded fibres,* from the facilities of Southwest Fiberglass Industries at Graham, TX to Dallas/Fort Worth, TX. Supporting shipper: Muffler Core Manufacturing Company, P.O. Box 626, Hwy 62–65 North, Harrison, Arkansas 72601. Applicant intends to tack with present existing authority.

MC 141379 (Sub-5–1TA), filed October 7, 1981. Applicant: CALVIN C. HARTSFIELD, an individual, d.b.a. SOUTHSIDE AUTO, Highway 25 South, Malden, MO 63863. Representative: Joseph E. Rebman, 314 N. Broadway, Suite 1300, St. Louis, MO 63102. *Wrecked, damaged and used automobiles in truckaway service* between points in Adams County, IL and points in FL. Supporting shipper: Fierge Auto Parts Co., Inc., Quincy, IL.

MC 142831 (Sub-5–1TA), filed October 9, 1981. Applicant: HAMRIC TRANSPORTATION, INC., 3318 E. Jefferson, Grand Prairie, TX 75051. Representative: Edwin M. Snyder, P.O. Box 45538, Dallas, TX 75245. *Building materials* between points in TX on the one hand, and, on the other, points in CA, OR, WA, ID, AZ, NM, MT, WY, CO, SD, UT, TX, OK, LA, MS, AR, AL, GA, FL, TN and MO. Supporting shipper(s): The McGinnis Lumber Company, P.O. Box 2049, Meridian, MS 39309; Dick Landers Lumber Company, Inc., 4255 LBJ Freeway, Suite 203, Dallas, TX 75234; Metro Lumber Wholesale, Inc., 3717 Miller Park, Garland, TX 75042.

MC 145724 (Sub-5–1TA), filed October 9, 1981. Applicant: HASTINGS TRANSPORTATION, INC., East of Highway 6, Hastings, NE 68901. Representative: Thomas H. Dahlk, 1000 Woodmen Tower, Omaha, NE 68102. Contract, irregular: (1) *Lumber and wood products and building materials* between pts in the U.S., under continuing contracts with Continental Timber, Inc., Valley Center, KS, and Valley Truss & Supply, Inc., of Valley Center, KS. (2) *Rubber and plastic products and chemicals and related products* between pts in the U.S. under continuing contracts with Bruckman Rubber Co., of Hastings, NE, and Lenco, Inc., of Waverly, NE.

MC 145797 (Sub-5–5TA), TA filed October 9, 1981. Applicant: NANCY TRANSPORTATION, INC., 429 Stablestone Drive, Chesterfield, MO 63017. Representative: R. Thomas Grasso, 111 Hilltown Village Center, Chesterfield, MO 63017. *General commodities (except hazardous or toxic wastes and class A and B explosives)* between Marion, AL; Los Angeles, CA; St. Louis, MO; Berkely Heights, NJ; Ramsey, NJ; and Midlothian, TX. Supporting shipper: Norcliff Thayer, Inc., 319 South 4th Street, St. Louis, MO 63102.

MC 146078 (Sub-5–31TA), filed October 7, 1981. Applicant: CAL-ARK, INC., 854 Moline, Malvern, AR 72104–0610. Representative: Willard Kellebrew, 854 Moline, Malvern, AR 72104–0610. *Containers, steel pails and tin cans, calcium carbonate and ground clay in bags,* between points in TX, on the one hand, and, on the other hand, all points and places in AR, AL, CA, LA, NE, NJ, OK, and OH. Supporting shipper: R. B. Patterson Company Incorporated, 1231 Security Drive, Dallas, TX 75247.

MC 146448 (Sub-5–21TA), filed October 8, 1981 Applicant: C & L TRUCKING, INC., P.O. Box 409, Judsonia, AR 72081. Representative: Timothy C. Miller, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101. *Plastics and related products and chemicals and related products* between the facilities of Arco Chemical Co. in PA points on and west of U.S. Highway 219 and in TX, on the one hand, and, on the other, points in AZ, CA, CO, ID, NV, NM, OK, OR, TX, UT and WA. Supporting shipper: Arco Chemical Co., 1500 Market St., Philadelphia, PA 19101.

MC 147196 (Sub-5–28TA), filed October 8, 1981. Applicant: ECONOMY TRANSPORT, P.O. Box 50262, New Orleans, LA 70150. Representative: Martin White, P.O. Box 5387, Richardson, TX 75080. Contract. Irregular. *Cleaning compounds liquid, chemicals noi* between points in TX and NE under a continuing contract with Anko Prods. of Lancaster, TX. Supporting shipper: Anko Products, Lancaster, TX.

MC 147196 (Sub-5–29TA), filed October 8, 1981. Applicant: ECONOMY TRANSPORT, P.O. Box 50262, New Orleans, LA 70150. Representatives: Martin White, P.O. Box 5387 Richardson, TX 70580. Contract. Irregular. *Paper Products, Paper, and Computer Forms* between points in TX and points in the U.S. Supporting shipper: Bowater Computer Forms, 3000 East Plano Parkway, Plano, TX 75074.

MC 150812 (Sub-5–9TA), filed October 8, 1981. Applicant: FROST TRANSPORTATION, INC., P.O. Box 3400, Shreveport, LA 71103. Representative: Joseph A. Keating, Jr., 121 S. Main St., Taylor, PA 18517. Contract. Irregular. *Such commodities as are dealt with or used by a manufacturer of electrical products (except those because of size or weight, require the use of special equipment, commodities in bulk, aerospace craft and aerospace parts)* between points in the US (except AK & HI), under a continuing contract(s) with General Electric Company, P.O. Box 2188, Fair Grove, Church Rd., Hickory, NC 28601.

MC 151819 (Sub-5–20TA), filed October 9, 1981. Applicant: CARGO MASTER, INC., 917 S. Harwood, Dallas, TX 75201. Representative: Jackson Salasky (same as above). *Malt beverages, malt supplies and equipment used in the sale and distribution of malt beverages and empty beverage containers for recycling* from Memphis, TN to points in WI. Supporting shipper: Hudson distributing, 1810 Webster, Hudson, WI 54016.

MC 153457 (Sub-5–7TA), filed October 7, 1981. Applicant: GOLD STAR CARRIERS, INC., Rte. 2, Box 528, Springtown, TX 76082. Representative: Billy R. Reid, 1721 Carl Street, Fort Worth, TX 76103. *Vinyl siding, clapboard, plastics, and related accessories, materials, equipment and supplies* used in the manufacture, installation and distribution of such commodities, between points in the U.S. Supporting shipper: Master Shield, Inc., 1202 N. Bowie Drive, Weatherford, TX 76086.

MC 154271 (Sub-5–2TA), filed October 7, 1981. Applicant: BLUE BONNET TRANSIT, INC., 1300 N. Greenville Avenue, Richardson, TX 75080. Representative: William Sheridan, P.O. Drawer 5049, Irving, TX 75062. Contract. Irregular. *General Commodities (except classes A and B explosives or hazardous materials)* between Plano, TX and Newport, AR on the one hand, and, on the other, points in the U.S. Under continuous contract(s) with Capital Wire and Cable Corporation of Plano, TX. Supporting shipper: Capital Wire & Cable Corporation, P.O. Box 7, Plano, TX 75074.

MC 156726 (Sub-5–1TA), filed October 8, 1981. Applicant: SANDHILLS STEAMSHIP & NAVIGATION CO., d.b.a. Western Stage Lines, P.O. Box 808, North Platte, NE 69101. Representative: Richard A. Peterson, P.O. Box 81849, Lincoln, NE 68501. *Passengers and their baggage, in special or charter services,* between Lincoln County, NE, on the one hand, and, on the other, pts in the U.S. Supporting shipper: 1AAA Travel of Cornhusker Auto Club Omaha, NE. 2) Travel Chain of Nebraska Broken Bow, NE. 3) North Platte Travel Service North Platte, NE.

MC 157061 (Sub-5–3TA), filed October 7, 1981. Applicant: ATLAS CARRIERS, INC., 800 S. Main St., Searcy, AR 72143. Representative: R. Connor Wiggins, Jr., 100 N. Main Bldg., Suite 909 Memphis, TN 38103. *Wallboard joint tape and masking paper* from facilities of Sutco, Inc. at or near Hot Springs, AR, to points in the US. Supporting shipper: Sutco, Inc., Route 2, Box 811, Spring and Hawthorne Rds., Hot Springs, AR 71901.

MC 158354 (Sub-5–1TA), filed October 7, 1981. Applicant: C. B. AUTOMOTIVE TRUCK LINES, Charles H. Buckley, d.b.a. Highway 30, Cedar Hill, MO 63016. Representative: Charles H. Buckley (same address as applicant). *Automobile parts, accessories and materials, equipment and supplies used in their manufacture, sale or distribution,* between St. Louis, MO and points in its commercial zone, on the one hand, and, on the other, Chicago, IL and points in its commercial zone. Supporting shippers: Lowe Automotive Whse., 5465 Gravois, St. Louis, MO 63116; Affton Automotive Whse., 9801 Gravois Rd., St. Louis, MO; Singer Auto Parts, Inc., #1 Singer Lane, Arnold, MO 63010; Raybestos Manhattan, Vandalia, IL 62471; and Site Automotive Co., 3010 Locust St., St. Louis, MO 63103.

MC 158477 (Sub-5–1TA), filed October 9, 1981. Applicant: M & S TRUCKING, P.O. Box 1058, Olla, LA 71465. Representative: James D. Morrison (same as above). Contract. Irregular. *Treated and untreated poles, posts, piling and other forest products,* between the LA parishes of LaSalle and Winn on the one hand, and, on the other, all points in the states of AZ, AR, NM, OK, and TX under continuing contract(s) with Crown Zellerbach Corporation, Bogalusa, LA.

MC 158611 (Sub-5–1TA), filed October 9, 1981. Applicant: J & M TRANSPORTATION, INC., 6415 Ames Avenue, Omaha, NE 68104. Representative: Marshall D. Becker, Suite 610, 7171 Mercy Road, Omaha, NE 68106. Contract. Irregular. *Food and related products* (1) from Dixon and Chicago, IL to Omaha, NE and (2) from Omaha, NE to pts in IL, IA, KS, MO, OK, AR, TX, MN, WI, CO, AZ, MA, NY, and NJ under continuing contract with Deli International of Omaha, Inc. Supporting shipper: Deli International of Omaha, Inc., 11003 I Street, Omaha, NE 68137.

MC 158661 (Sub-5–1TA), filed October 7, 1981. Applicant: 4–J Distributing Company, 13812 Heartside Place, Farmers Branch, TX 75234. Representative: William Sheridan, P.O. Drawer 5049, Irving, TX 75062. Contract. Irregular. *Bakery Goods and or Materials, Equipment and Supplies used in the manufacture, sale and distribution of bakery goods* between Dallas, TX on the one hand, and, on the other, points in AR, CA, CO, KS, LA, MO, NM. Restricted to shipments originating at or destined to the facilities of Oroweat Foods Company. Supporting shipper: Oroweat Foods Company, 10701 Harry Hines, Dallas, TX.

MC 158673 (Sub-5–1TA), filed October 8, 1981. Applicant: AREA DELIVERY SERVICE, INC., 200 North Lincoln, Amarillo, TX 79107. Representative: Lawrence A. Winkle, P.O. Box 45538, Dallas, TX 75245. Contract. Irregular. *General commodities* (except Classes A & B explosives) from Arlington and Amarillo, TX to points in Cimarron, TX and Beaver Counties, OK, under a continuing contract(s) with Amway Corporation. Supporting shipper: Amway Corporation, 2001 Timberlake, Arlington, TX 76010.

MC 158676 (Sub-5–1TA), filed October 8, 1981. Applicant: WHITEY's HOT SHOT SERVICE, INC., P.O. Box 10265, Corpus Christi, TX 78410. Representative: Thomas F. Sedberry, P.O. Box 2165, Austin, TX 78768. (1) *Machinery, equipment materials and supplies used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum and their products and by-products, and machinery, equipment, materials and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipelines, including the stringing and picking up thereof and (2) earth drilling machinery and equipment and machinery, equipment, materials, supplies and pipe incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing maintenance and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells,* between points in TX, on the one hand, and on the other, points in AR, LA, MS, OK, and NM. Supporting shippers: 16.

MC 158682 (Sub-5–1TA), filed October 8, 1981. Applicant: H.I.S. COMPANY, P.O. Box 1868, Council Bluffs, IA 51501. Representative: James M. Hodge, 1000 United Central Bank Bldg., Des Moines, IA 50309. Contract. Irregular. *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in Descriptions of Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk),* from Omaha, NE to pts in AL, AR, FL, GA, KY, LA, MO, MS, NC, SC, and TN. Supporting shipper(s): Prime Meat Processors, Inc., Omaha, NE 68134 and Coast Packing Co. of Omaha, Inc., Omaha, NE 68137.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 81-30422 Filed 10-20-81; 8:45 am]
BILLING CODE 7035-01-M

[Ex Parte No. 346 (Sub-7)]

Railroad Exemption; Export Coal

AGENCY: Interstate Commerce Commission.

ACTION: Establishment of comment period for notice of proposed exemption.

SUMMARY: In the Commission's notice of proposed exemption served September 3, 1981, and published in the **Federal Register** on September 4, 1981 (46 FR 44529), the Commission sought comments on the merits of exempting all export coal traffic through all U.S. ports from some or all of our regulations. Any person intending to actively participate in this proceeding was requested to notify the Interstate Commerce Commission on or before September 14, 1981. The service list of parties is available from Room 2227 at Commission Headquarters. This notice sets the due dates for comments and replies in the proceeding.

The Coal Exporters Association of the United States, Inc. and the National Coal Association petitioned the Commission to amend the list of questions in the notice of proposed exemption by adding certain issues and reframing others. We do not believe it is necessary to amend the questions because our notice of proposed exemption was sufficiently broad to enable parties to address the issues raised by petitioners. Any party which wished to comment on these matters may contact petitioners to obtain a copy of their questions.

DATES: Comments are due 60 days from publication of this notice in the **Federal Register** and replies are due 45 days thereafter.

By the Commission, Reese H. Taylor, Jr., Chairman.

James H. Bayne,

Acting Secretary.

[FR Doc. 81-30423 Filed 10-20-81; 8:45 am]

BILLING CODE 7035-01-M

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-95]

Certain Surface Grinding Machines and Literature for the Promotion Thereof; Commission Request for Comments Regarding Proposed Termination of Respondents Based on Consent Order Agreements

Correction

In FR Doc. 81-28424 appearing on page 47895 in the issue of Wednesday, September 30, 1981, the first sentence under **"DATES"** should read: "Comments will be considered if received on or before October 30, 1981."

BILLING CODE 1505-01-M

[Investigation No. 337-TA-101]

Certain Hot Corn Poppers and Components Thereof; Notice to all Parties

Notice is hereby given that a conference will be held in this case at 2 p.m. on October 16, 1981, in the Dodge Center, Room 201, 1010 Wisconsin Avenue, N.W., Washington, D.C.

Issued: October 13, 1981.

Janet D. Saxon,

Administrative Law Judge.

[FR Doc. 81-30500 Filed 10-20-81; 8:45 am]

BILLING CODE 7020-02-M

[Investigation No. 751-TA-5]

Salmon Gill Fish Netting of Manmade Fibers From Japan; Institution of Section 751(b) Review Investigation

AGENCY: International Trade Commission.

ACTION: Institution of Section 751(b) review investigation concerning affirmative determination in investigation No. AA1921-85, Fish Nets and Netting of Manmade Fibers from Japan.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has initiated an investigation pursuant to section 751(b) of the Tariff Act of 1930, 19 U.S.C. § 1675(b) (Supp. III 1979), to review its determination in investigation No. AA1921-85. The purpose of the investigation is to determine whether an industry in the United States would be materially injured, or would be threatened with material injury, or the establishment of an industry in the United States would be materially retarded, if the antidumping order regarding fish netting of manmade fibers from Japan were to be modified or revoked with respect to salmon gill fish netting of manmade fibers provided for in item 355.45 of the Tariff Schedules of the United States.

SUPPLEMENTARY INFORMATION: On April 18, 1972, the Commission determined that an industry in the United States was injured within the meaning of the Antidumping Act, 1921, by reason of imports of fish netting of manmade fibers from Japan determined by the Secretary of Treasury to be sold or likely to be sold at less than fair value (hereinafter LVFV).

On June 1, 1972, the Department of the Treasury issued a finding of dumping, T.D. 72-158, and published notice thereof in the **Federal Register**, 37 FR 11560.

The U.S. Department of Commerce published a notice of the preliminary results of an administrative review of the antidumping finding in this matter in the **Federal Register** of May 5, 1981 (45 FR 25118).

On July 28, 1981, the Commission received a request to review its affirmative determinatiuon in investigation No. AA1921-85. The request was filed under section 751(b) of the Tariff Act of 1930 by counsel representing nine Seattle, Washington/Portland, Oregon area importers of salmon gill fish netting from Japan.

The Commission requested comments from the public regarding the proposed institution of a review investigation in a notice published in the **Federal Register** on August 19, 1981 (46 FR 42219). Comments supporting the request for an investigation were received from counsel representing the Fishing Nets Twine Division of the Japan Textile Products Exporters' Association and from counsel representing Trans-Pacific Trading, Inc., of Seattle, Washington. Comments in opposition to the request were filed on behalf of members of the American Netting Manufacturers Organization (ANMO). On the basis of the request for review and all comments filed concerning the request, the Commission on October 14, 1981, voted to institute investigation No. 751-TA-5.

The Commission determined that the request showed the following changed circumstance sufficient to warrant review: since 1972 the volume of production of salmon gill fish netting in the United States has changed top such a degree that at the present time there is no significant manufacturing of salmon gill fish netting in the United States compared to that imported into the United States from Japan.

The investigation will be conducted in accordance with § 207.45(b) of the Commission's Rules of Practice and Procedure (46 FR 18023) (March 23, 1981). The purpose of this investigation is to determine whether an industry in the United States would be materially injured, or would be threatened with material injury, or the established of an industry in the United States would be materially retarded if the present antidumping order were to be modified or revoked to exclude salmon gill fish netting of manmade fibers. Modification or revocation of the dumping finding as to salmon gill fish netting would not affect the Commission's affirmative determination as to other forms of fish netting of manmade fibers from Japan.

Dates.—Pursuant to § 207.45(b) of the Commission's Rules of Practice and Procedure, the 120 day period for

completion of this investigation begins on the date of publication of this notice in the Federal Register.

Written submissions.—Any person may submit to the Commisison on or before December 23, 1981, written statements if information pertinent to the subject matter of the investigation. A signed original and nineteen true copies of such statements must be submitted in accordance with § 201.8 of the Commission's Rules of Practice and Procedure 129 CFR 201.8 (1980).

Any business information which a submitter desires the Commission to treat as confidence shall be submitted separately and each sheet must be clearly marked at the top "Confidential business data." Confidential submissions must conform with the requirements of § 201.6 of the Rules of Practice and Procedure (19 CFR 201.6). All written submissions, except confidential business data, will be available for public inspection. A staff report containing preliminary findings of fact will be available to all interested parties on November 25, 1981.

Public hearing.—The Commission will hold a public hearing in connection with this investigation on December 17, 1981, in the Hearing Room of the U.S. International Trade Commission Building, 701 E Street, NW., Washington, D.C. 20436, beginning at 10:00 a.m. e.s.t. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission not later than the close of business (5:15 p.m., e.s.t.), December 7, 1981. All persons desiring to appear at the hearing amd make oral presentations should attend a prehearing conference to be held at 10:00 a.m., e.s.t., on December 9, 1981, in Room 117 of the U.S. International Trade Commission Building and must file prehearing statements on or before December 11, 1981. For further information concerning the conduct of the investigation, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure Part 207, Subpart (19 CFR 207), and Part 201, Subparts A through E (19 CFR 201).

The Commission has waived commission rule 201.12(d), "submission of prepared statements," in connection with this investigation. This rule states that "Copies of witnesses" prepared statements should be filed with the Office of the Secretary of the Commission not later than 3 business days prior to the hearing and submission of such statements shall comply with § 201.6 and § 201.8 of this subpart". It is nevertheless the Commission's request that parties submit copies of witnesses' prepared testimony as early as practicable before the hearing in order to permit Commission review.

FOR FURTHER INFORMATION CONTACT: Daniel Lehy, investigator, Office of Investigations, U.S. International Trade Commission, (202) 532–1369 or Jane Albrecht, attorney, Office of the General Counsel, U.S. International Trade Commission, (202) 523–1627.

By Order of the Commission.

Issued: October 16, 1981.

Kenneth R. Mason,

Secretary.

[FR Doc. 81–30499 Filed 10–20–81; 8:45 am]

BILLING CODE 7020–02–M

[Investigation No. 337–TA–98]

Certain Screw Jacks and Components Thereof Including Cold Worked Pinion Gears; Request for Comments Regarding Proposed Termination of Investigation Based on a Settlement Agreement

AGENCY: International Trade Commission.

ACTION: A request for public comment on the proposed termination of this investigation based on a settlement agreement.

DATES: Comments will be considered if received on or before November 20, 1981. Comments should conform with § 201.8 of the Commission's Rules of Practice and Procedure (19 CFR 201.8), and should be addressed to Kenneth R. Mason, Secretary, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436.

SUPPLEMENTARY INFORMATION: Complainant Auto Specialties Manufacturing Co., respondents Seeburn Metal Products Ltd. and General Motors Corporation, and the Commission investigative attorney moved in a joint motion for termination of this investigation on the basis of a settlement agreement. On September 29, 1981, the presiding officer recommended that the joint motion be granted.

Notice of the institution of the investigation was published in the Federal Register of February 11, 1981 (46 FR 11924).

Settlement Agreement

The settlement agreement provides as follows:

This agreement effective as of the 25th day of September, 1981, by and between Auto Specialties Manufacturing Company, a Michigan corporation having its principal place of business at 643 Graves Street, St. Joseph, Michigan 49085 (hereinafter referred to as AUSCO) and Seeburn Metal Products Limited, a corporation incorporated under the laws of the Province of Ontario, Canada, having its principal place of business at Box 460, Beaverton, Ontario, Canada (hereinafter referred to as Seeburn).

Witnesseth

WHEREAS, on December 20, 1978, AUSCO initiated an action in the Trial Division of the Federal Court of Canada naming Seeburn as defendant and alleging infringement by Seeburn of claims 2–6 of Canadian Letters Patent No. 1,027,391 (hereinafter the Canadian litigation);

WHEREAS, AUSCO filed a complaint with the United States International Trade Commission (hereinafter the Commission) on January 8, 1981 against Seeburn alleging infringement by Seeburn of claims 1–6 of United States Letters Patent No. 3,862,577, and that, thereafter, on February 11, 1981, the Commission instituted Investigation No. 337–TA–98 based on that complaint and naming General Motors Corporation (hereinafter General Motors) as a correspondent with Seeburn;

WHEREAS, on May 19, 1981, the Commission issued a notice of amendment of the aforesaid notice of investigation to include an allegation of infringement by Seeburn of claims 1, 2, and 5 of United States Letters Patent No. 3,977,267;

WHEREAS, Seeburn has denied the allegations of infringement in the Canadian litigation and in Investigation No. 337–TA–98 relative to Canadian Letters Patent No. 1,027,391 and United States Letters Patents Nos. 3,862,577 and 3,977,267;

WHEREAS, Seeburn has been licensed under AUSCO's United States Patent No. 3,862,743 and Canadian Patent No. 983,006 as a result of a license agreement dated June 24, 1975 and a controversy has arisen relative to the question of whether or not that license agreement terminated as of July 31, 1981; and

WHEREAS, AUSCO and Seeburn have now compromised and settled all issues embodied in the aforesaid Canadian litigation, the aforesaid Commission Investigation No. 337–TA–98 and the aforesaid license agreement dated June 24, 1975, under the terms of which settlement (a) Seeburn has agreed to pay to AUSCO, and AUSCO has agreed to accept from Seeburn, as a royalty, the sum of for a paid up license under and during the life of certain United States and Canadian patents, including those identified above, which royalty is in full, final and complete settlement of all claims arising

out of the matters and things alleged in the aforesaid Canadian litigation, the aforesaid Commission Investigation No. 337–TA–98 and the aforesaid June 24, 1975 license agreement, and (b) AUSCO has agreed to dismiss the aforesaid Canadian litigation, has agreed to enter with Seeburn and General Motors into a joint motion to terminate the aforesaid Commission Investigation No. 337–TA–98, and further has agreed that the Seeburn crew jacks currently being made for and shipped to General Motors, identified as GM Part Nos. 14018602 and 14018604, are not covered by any other existing AUSCO United States or Canadian patent or pending application.

NOW, THEREFORE, in consideration of the mutual promises, covenants and undertakings, herein set forth, AUSCO and Seeburn intending to be legally bound hereby agree as follows:

1. AUSCO and Seeburn shall enter into, by executing when they execute this settlement agreement, the attached Paid-Up License Agreement granting Seeburn a fully paid-up license under certain patents of AUSCO, including United States Patents Nos. 3,862,557, 3,862,743 and 3,977,267 as well as Canadian patents Nos. 983,006, and 1,027,391.

2. Seeburn agrees to pay to AUSCO, as a royalty, the , within thirty (30) days after execution of this agreement.

3. AUSCO will promptly proceed to file whatever papers are necessary to dismiss and/or terminate the aforesaid Canadian litigation.

4. AUSCO will enter with Seeburn and General Motors into a joint motion to terminate the aforesaid Commission Investigation No. 337–TA–98.

5. AUSCO agrees that the structure embodied in the screw jacks currently made for General Motors by Seeburn and now identified as GM Part Nos. 14018602 and 14018604 are not covered by any other existing AUSCO United States or Canadian patent or pending application not identified in the attached Paid-Up License Agreement and, further, that AUSCO will not bring suit against Seeburn on any such other existing United States or Canadian patent or any United States or Canadian patent that issues as a result of any now pending AUSCO United States or Canadian patent application.

6. Each party hereto does hereby release and forever discharge the other party hereto and its successors and assigns of and from any and all claims, demands, suits, actions and causes of action, either in law or in equity which said party now has or may hereafter have, against the other party, arising out of or in any manner connected with, either directly or indirectly, any of the matters and things alleged in the aforesaid Canadian litigation and in the aforesaid Commission Investigation No. 337–TA–98.

7. Each of the undersigned covenants and represents that the compromise settlement agreement which is being consummated by the execution of this settlement agreement and of the attached Paid-Up License Agreement by AUSCO and Seeburn, by the royalty payment to AUSCO by Seeburn, referred to in paragraph No. 2, above, and by the acceptance thereof by AUSCO is the compromise of disputed claims, and that the aforesaid royalty payment and receipt thereof, as well as the execution of this settlement agreement and of the attached Paid-Up License Agreement shall not be construed as an admission of liability on the part of Seeburn who expressly denies any and all liability to AUSCO on or under the issues and matters pleaded in the aforesaid complaints and amended complaint and set forth in the notice of investigation in the aforesaid Commission Investigation No. 337–TA–98.

Paid-up License Agreement

This agreement effective as of the 25th day of September, 1981, by and between Auto Specialties Manufacturing Company, a Michigan corporation having a principal place of business at St. Joseph, Michigan (hereinafter called AUSCO) and Seeburn Metal Products Limited, a Canadian corporation having a principal place of business at Beaverton, Ontario, Canada (hereinafter called SEEBURN):

Witnesseth

WHEREAS, AUSCO is the owner of the following United States and Canadian Letters Patent pertaining to screw jacks and parts therefor:

U.S. Patent No. 3,862,577—Screw Jack Pinion Gear and Method of Making Same;

U.S. Patent No. 3,862,743—Vertical Stress Side Load Member Screw Jack;

U.S. Patent No. 3,895,422—Screw Jack Pinion Gear and Method of Making Same;

U.S. Patent No. 3,977,267—Powdered Metal Gear For Screw Jack;

Canadian Patent No. 983,006—Vertical Stress Side Load Member Screw Jack;

Canadian Patent No. 1,021,762—Powdered Metal Gear For Screw Jack;

Canadian Patent No. 1,027,391—Screw Jack Pinion Gear and Method of Making Same;

WHEREAS, SEEBURN desires a non-exclusive license under each of the aforesaid patents and AUSCO is willing to grant such a license;

NOW, THEREFORE, in consideration of one Dollar ($1.00) and other good and valuable consideration, receipt of which is hereby acknowledged by AUSCO, AUSCO hereby grants to SEEBURN and SEEBURN hereby accepts a non-exclusive, paid-up, irrevocable license under each of the aforesaid United States and Canadian Letters Patent to make, use and sell the methods and structures incorporating the inventions defined in any or all of the claims of said patents throughout the United States and Canada and their territories and possessions.

It is understood that the license granted herein does not include any right or licenses under any other patent now owned or hereafter acquired by AUSCO; provided that, with respect to the structures embodied in SEEBURN's current production of screw jacks now identified as GM Model No. 14018602 and Model No. 14018604, AUSCO agrees that it will not sue SEEBURN or its customers for alleged infringement of any of AUSCO's present United States or Canadian patents not specifically licensed herein or such patents issuing from any presently pending application for patent.

WRITTEN COMMENTS REQUESTED: In order to discharge its statutory obligation to consider the public interest, the Commission seeks written comments from interested persons regarding the effects of terminating this investigation on the basis of the settlement agreement on (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) the production of like or directly competitive articles in the United States, and (4) U.S. consumers. All written comments must be filed with the Secretary to the Commission no later than November 20, 1981. In addition, pursuant to 19 CFR 210.14(a)(2), the Commission has requested comments from the Department of Health and Human Services, the Department of Justice, the Federal Trade Commission, and the U.S. Customs Service.

ADDITIONAL INFORMATION: The original and 19 copies of all written submissions must be filed with the Secretary to the Commission, 701 E Street NW., Washington, D.C. 20436, telephone 202–523–0161. Any person desiring to submit a document (or portion thereof) to the Commission in confidence must request *in camera* treatment. Such requests should be directed to the Secretary to

the Commission and must include a full statement of the reasons why the Commission should grant such treatment. The Commission will either accept the submission in confidence or return it. All nonconfidential written submissions will be available for public inspection at the Secretary's office.

FOR FURTHER INFORMATION CONTACT: Jeffrey S. Neeley, Esq., Office of the General Counsel, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436; telephone 202–523–0359.

By order of the Commission.

Issued: October 15, 1981.

Kenneth R. Mason,

Secretary.

[FR Doc. 81-30501 Filed 10-20-81; 8:45 am]

BILLING CODE 7020-01-M

NUCLEAR REGULATORY COMMISSION

Colorado; Staff Assessment of Proposed Amended Agreement

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of proposed amended agreement with State of Colorado.

SUMMARY: Notice is hereby given that the U.S. Nuclear Regulatory Commission is publishing for public comment a proposed amendment to the existing Section 274B. Agreement between NRC and the State of Colorado which became effective February 1, 1968. The request dated September 29, 1981, from the Governor of the State of Colorado, if approved, would permit the State of Colorado to regulate byproduct material as defined in Section 11e.(2) of the Atomic Energy Act, as amended, (uranium mill tailings) after November 8, 1981 in conformance with the requirements of Section 274o. of the Atomic Energy Act of 1954, as amended.

A staff assessment of the State's proposed radiation control program to implement the amended agreement is set forth below as supplementary information to this notice. A copy of the complete program description submitted by Colorado including a narrative prepared by the State describing the State's proposed program for control over byproduct materials as defined in Section 11e.(2) of the Act, appropriate State legislation, and regulations is available for public inspection in the Commission's public document room at 1717 H Street, NW, Washington, DC.

DATES: Comments must be received on or before November 13, 1981.

ADDRESSES: All interested persons desiring to submit comments and suggestions for the consideration of the Commission in connection with the proposed amended agreement should send them to the U.S. Nuclear Regulatory Commission, Office of State Programs, Washington, DC 20555,

FOR FURTHER INFORMATION CONTACT: John R. McGrath, Office of State Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone: (301) 492–9889.

SUPPLEMENTARY INFORMATION: Assessment of Proposed Colorado Program to Regulate Byproduct Material as Defined in Section 11e.(2) of the Act. Reference: Criteria 29–36 of "Guidance of States and NRC in Discontinuance of NRC Regulatory Authority Thereof by States Through Agreement," 44 FR 42818.

I. Introduction

The Uranium Mill Tailings Radiation Control Act of 1978 amended the requirements for Section 274 of the Atomic Energy Act, "Cooperation With States" and imposed certain requirements that must be met by Agreement States in order to regulate uranium mill tailings after November 8, 1981. Governor Richard D. Lamm of the State of Colorado has requested NRC to amend its agreement with NRC to permit continued State regulation of uranium mill tailings after this date. His request was supported by a description of the State's program for control of uranium mill tailings. NRC Staff has completed an assessment of the State's proposal as follows:

II. Assessment of Proposed State of Colorado Radiation Control Program for Uranium Mill Tailings

1. Statutes

State statutes or duly promulgated regulations should be enacted, if not already in place, to make clear State authority to carry out the requirements of Pub. L. 95–604, Uranium Mill Tailings Radiation Control Act (UMTRCA).

In the enactment of any supporting legislation, the State should take into account the reservations of authority to the United States in UMTRCA as stated in 10 CFR 150.15a.

It is preferable that State statutes contain the provisions of Section 6 of the Model Act,[1] but the provisions may be accomplished by adoption of either procedures by regulation or technical criteria. In any case, authority for their implementation should be adequately supported by statute, regulation or case law as determined by the State Attorney General.

In the licensing and regulation of ores processed primarily for their source material content and for the disposal of byproduct material, procedures shall be established which provide a written analysis of the impact on the environment of the licensing activity. This analysis shall be available to the public before commencement of hearings and shall include:

a. An assessment of the radiological and nonradiological public health impacts;

b. An assessment of any impact on any body of water or groundwater;

c. Consideration of alternatives to the licensed activities; and

d. Consideration of long-term impacts of licenses activities.

A detailed evaluation of the pertinent Colorado Statues, Title 25, Article 11, and Title 24, Article 11, Colorado Revised Statutes 1973, as amended, has been performed by NRC Staff. The State's statutes provide sufficient authority for Colorado agencies to comply with the requirements of UMTRCA. Many of the requirements discussed above and pertaining to performance of environmental assessments are addressed in Colorado regulations rather than legislation. The requirement that an adequate surety will be provided by the licensee to assure the completion of all requirements established by the State for decontamination, decommissioning, and reclamation of sites is contained in Section 3.9.4 of the State regulations. Requirements concerning preparation of environment reports by licensees and the preparation of environmental impact analyses by the State are contained in Sections 3.8.8 and 3.9.10.

2. Regulations

State regulations should be reviewed for regulatory requirements, and where necessary incorporate regulatory language which is equivalent to the extent practicable, or more stringent than regulations and standards adopted and enforced by the Commission, as

[1] The reference is to the model Uranium Mill Radiation Control Act, a copy of which has been placed in the Commission's Public Document Room. Section 6 of the Model Act requires that, among other things, statutory authority must be enacted to make clear State authority to carry out the requirements of the Uranium Mill Tailings Radiation Control Act (UMTRCA) of 1978, as amended. UMTRCA specifies that when States license an activity involving mill tailings, that has a significant impact on the human environment, they must prepare a written independent analysis of the impact of such license on the environment, including any activities conducted pursuant thereto.

required by Section 274o. (See 10 CFR 40 and 10 CFR 150.31(b)).

On August 19, 1981, (effective date: October 1, 1981) the State of Colorado Rules and Regulations pertaining to radiation control were amended to conform to the requirements of the Uranium Mill Tailings Radiation Control Act of 1978.

The regulations have been reviewed by the staff and deemed to be equivalent to the extent practicable to the requirements of 10 CFR 40, Appendix A. Satisfactorily addressed in the Colorado regulations are: bonding requirements, siting requirements, criteria for tailings management, dam stability analyses, surety arrangements, requirements for ownership, and criteria for ongoing active maintenance for uranium mill tailings impoundments.

3. Organizational Relationships Within the States

Organizational relationships should be established which will provide for an effective regulatory program for uranium mills and mill tailings.

When personnel in agencies other than the lead agency are included in the professional staff's effort, their availability on a routine and continuing basis must be demonstrated. Arrangements for availability for such resources have been proposed by Colorado through interagency memoranda of understanding (MOU) with the Departments of Natural Resources, Highways, Local Affairs, and the Colorado Historical Society. Contained in the agreements are duties of each agency or division, i.e., the legislative or regulatory requirements for which they are responsible, and the period required for their performance. An organization chart outlining the organizational relationships between the Radiation Control Section and other State agencies is also included. The proposal acknowledges that the MOUs are for the work required by States statutes. Although not stated in the proposal, commitments for assistance by various State agencies assures that consideration for necessary budgeting is implicit in the commitments.

4. Personnel

Personnel needed in the processing of the license applications can be identified or grouped according to the following skills: Technical, Administrative, and Support.

In order to meet the requirements of UMTRCA, current indications are that 2-2.75 total professional person-years' effort is necessary to process and evaluate a new conventional mill license, in-situ license, or major license renewal. A complete review of in-plant safety, production of the environmental assessment, and consultant use are primary considerations in the total professional effort for each licensing case. With respect to clerical support, one secretary is required to process two conventional milling applications, including the pre-licensing and post-licensing phases. Legal support is also an essential element of the mill program, and the effort is set at a minimum of ½ staff-year. In addition, consideration must be given to such post-licensing activities as issuance of minor amendments, mill inspections, and environmental monitoring. Professional staff effort is estimated at 0.5–1.0 person-years for each year of post-licensing activities.

Currently, there are three conventional uranium milling operations and one heap leach operation licensed in the State of Colorado. The State is currently reviewing applications for two conventional mills and one in-situ leach operation. The State estimates that a total of 1.5 staff years of effort will be needed to conclude these actions in FY 81–82. A total of 5 staff years of technical and administrative effort is available. This includes 3.05 from the Radiation Control Section, 0.55 administrative, 0.4 from the Solid and Hazardous Waste Control Division, and 1.0 from other State agencies. 0.5 staff year of legal support per case (if uncontested) is also available. We conclude the total professional staff-years effort within the Radiation Control Section (RCS) directly responsible for regulation of uranium mills and mill tailings to be within our guidelines. Individuals in the Radiation Control Section involved in the regulation of mills include the following:

Albert J. Hazle, Director, Radiation and Hazardous Waste Control Division.

Education: Colorado State University, 1951–56, B.S. in Science; Colorado State University, 1958–60, graduate work in physiology.

Radiation Related Work Experience: 1961–65, Jefferson County Health Department; 1965–present, Colorado Department of Health.

Related Activities: Member of several task forces for the Conference of Radiation Control Program Directors.

Warren Jacobi, Supervisory Health Physicist.

Education: Wagner College, 1964–68, B.S. in Biology; Colorado State University, 1968–69, graduate work in Radiation Biology.

Radiation Related Work Experience: 1969 Colorado Department of Health; 1969–72 U.S. Army, Lectures in Radiation Protection; 1972–present Colorado Department of Health.

Related Activities: Member of several task forces for the Conference of Radiation Control Program Directors. Member of the Interorganizational Advisory Committee on Radiological Emergency Response Planning and Preparedness.

Robert Terry, Health Physicist.

Education: Colorado College, 1971–72, Syracuse University; 1972–75, B.S. in Biology, State University of New York at Binghamton; 1975–76, Graduate work in biochemistry.

Radiation Related Work Experience: 1976–present, Colorado Department of Health.

Dennis Brown, Health Physicist.

Education: Lawrence Institute of Technology, 1970–71; University of Michigan, 1971–73; Eastern Michigan University, 1974–76, B.S. in Biology.

Radiation Related Work Experience: 1981–present, Colorado Department of Health.

Richard Gamewell, Senior Health Physicist.

Education: Rutgers University, 1942–48, B.S. in Chemistry; University of Colorado, 1948–49, graduate work in Chemistry; University of Colorado School of Medicine, 1958–62, M.S. in Biophysics.

Radiation Related Work Experience: 1960–1962 Biophysics Department, University of Colorado School of Medicine; 1971–present, Colorado Department of Health.

Charles Mattson, Senior Health Physicist.

Education: Colorado School of Mines, 1961–1963; Colorado State College, 1963–1965, A.B. in Chemistry; Colorado State University, 1965–1967, M.S. in Chemistry; Colorado School of Mines, 1969, graduate work in Chemistry.

Radiation Related Work Experience: 1970–present, Colorado Department of Health.

Kenneth Weaver, Health Physicist.

Education: University of Colorado, 1963–1968, B.A. in Zoology, Chemistry; Washington State University, 1968–1969, graduate work in Zoology; Colorado State University, 1971–1978, M.S. in Radiation, Biology.

Radiation Related Work Experience: 1973–1976, Colorado State University; 1977–1978, Colorado State University; 1978–present, Colorado Department of Health.

During evaluations of license applications the State must have access to specialty resources such as hydrologists, geologists, and geotechnical engineers. Under the terms of the draft Memorandum of Understanding, the Colorado Geological Survey, a division of the Department of Natural Resources, is to provide technical advice and assistance regarding geologic hazards, mineral resource development, and visual esthetic impacts of source material milling operations. The Division of Water Resources of the State Department of Natural Resources reviews plans and specifications for design of dams, including tailings dams at source material milling operations. The Mined Land Reclamation Division and the State Water Conservation Board also review hydrologic aspects of such operations. It is also recommended that radioactive materials regulatory personnel have some training in these areas in addition to specialized training

in uranium mill health physics and preparation of environmental assessments. Messrs. Weaver, Gamewell and Mattson have attended the NRC "Uranium Mill Training Course for State Regulatory Personnel." In addition, Mr. Weaver has attended the Colorado State University (CSU) course in Subsurface Contaminant Migration from Mill and Mill Waste Impoundments, Mr. Gamewell has attended the CSU course Groundwater Hydrology, and Mr. Mattson has attended an NRC sponsored course on bioassay at uranium mills.

5. Functions To Be Covered

The State should develop procedures for licensing, inspection, and preparation of environmental assessments.

Each uranium mill license application will be evaluated against State statutes, regulations, and NRC Regulatory Guides. A list of NRC Regulatory Guides and other reference material sent to applicants and utilized by the State in evaluating licensing actions has been furnished. The State has also developed their own Source Material Mill Licensing Guide. The Guide addresses the preparation of the radioactive materials license application, the environmental report, and financial surety arrangements. The Guide also discusses such requirements as the prohibition on pre-licensing construction. State personnel will perform in-plant safety reviews. The individual in charge of licensing is also responsible for assuring that the in-plant safety review meets State requirements. As discussed earlier other State agencies are involved in the review of the environmental report.

Upon completion of the review and resolution of concerns, a draft preliminary executive licensing review summary is prepared which includes a project description, an environmental assessment and discussion of the issues, a draft license proposal, and draft surety agreements.

Financial surety requirements for specific classes of radioactive material licenses for both reclamation and long term care were included in the 1978 edition of the Colorado regulations. Model surety agreements drafted by the Department of Law are included in the State's proposal. Reclamation sureties include mill site, pipeline corridors and tailings impoundment stabilization, which nominally amounts to a $10–25 million cost coverage guarantee. Mechanisms of surety provisions include all precedures including real equity but not including self insurance, unless certain very definitive tests are met.

Long-term funds for monitoring and maintenance are based on annual cost and the corpus necessary to generate the annual interest to meet that cost. Normally the corpus has involved several million dollars. Costs include visual inspections, surveys, sampling and analysis, fence, sign and road maintenance, plant and burrowing animal control, maintenance of drain and diversion systems and contingencies for recontouring.

Along with the preliminary executive licensing review summary, notice is also given of a hearing and a public comment period.

If several agencies will need to issue permits, hearings may be held jointly. The conduct of all procedures is in accord with the Colorado Administrative Procedures Act (APA or 24–4–101 *et seq.*, C.R.S. 1973, as amended) or as otherwise indicated by specific program statute.

Upon completion of the hearing and the comment period on the radioactive mill license application, a final executive licensing review summary is prepared and published. This includes a review of the comments and their disposition, findings of fact and conclusions of law, and the issuance of a license, if that is the final action called for.

Colorado's statute and regulations are written in a positive sense to the effect that it is the State's responsibility to issue licenses if public health, safety and the environment are adequately protected.

Inspections of all byproduct material licensees are conducted by Colorado in accordance with general procedures outlined in the State Radiation Control Section's Compliance manual. The procedures which are common to all routine inspections have been supplemented by instructions specific to inspections at mills. The general procedures have been judged acceptable during the periodic NRC review meetings with Colorado. The functions of State inspectors are to prepare for inspections, conduct on-site inspections, prepare a writen report of the inspection, prepare enforcement letters, and review corrective actions. Compliance inspections are essential to ensure that conditions of licensure are being honored. Regular mill inspections are conducted annually. Occasional inspections targeted to specific aspects of an operation occur more frequently. Inspections are unannounced.

When major violations are found, follow-up inspections are made as required to determine subsequent compliance. Compliance determinations are also made in conjuction with review of reports required to be submitted to the Department at regular intervals. Enforcement action is in accord with the Colorado Administrative Procedure Act, 25–4–101 *et seq.*, C.R.S. 1973, as amended. The Department's escalated enforcement policy is included in the proposal. This policy addresses the goals of the enforcement program, violation severity categories, the issuance of Notices of Violation, Orders adn other enforcement options available to the State.

Alongside traditional occupational health physics concerns, Colorado has directed multi-agency attention to solving environmental health problems e.g., those associated with tailings-built impoundments at existing facilities, remediation of off-site surface soil and ground water contamination, and reduction of dusting from ore stockpile and handling areas.

States should require the submittal of semi-annual reports specifying the quantity of each of the principal radionuclides released to unrestricted areas in liquid and in gaseous effluents during the six month period. This data should be reported in a manner that will permit the regulatory agency to confirm the potential annual radiation doses to the public. The State of Colorado places a standard condition on all uranium mill licenses requiring the submittal of effluent and environmental monitoring data. A sample format for reporting this data is provided.

6. Instrumentation

The State should have available both field and laboratory instrumentation sufficient to ensure the licensee's control of materials and to validate the licensee's measurements.

a. Sampling of air particulates—The State has area air samplers to detect natural uranium, Ra-226, Th-230, and Pb-210.

b. Sampling of radioactive gases—Scintillation detectors with compatible scintillation cells are utilized for detection of Radon-222.

c. Site surveillance—The State has a number of portable survey meters designed to be used with interchangeable detector probes, i.e., proportional, Geiger-Muller, and scintillation probes for detection of alpha, beta, and gamma radiations, respectively. Three micro-R meters for counting of low-level gamma dose rates are also available. There are general purpose survey meters providing versatility for use in field and laboratory. Alpha scintillation probes are currently being used with these survey meters.

d. Equipment calibration—Procedures have been developed and staff has been trained in calibration of radiation detection equipment. Survey instrumentation is calibrated in-house.

7. Conclusion

Based on the foregoing, the NRC staff concludes that the State of Colorado has met the NRC criteria for an amended agreement.

III. Amendment to Agreement Between the U.S. Nuclear Regulatory Commission and the State of Colorado for Discontinuance of Certain Commission Regulatory Authority and Responsibility Within the State Pursuant to Section 274 of the Atomic Energy Act of 1954, as Amended

Whereas, the United States Atomic Energy Commission [1] (hereinafter referred to as the Commission) entered into an Agreement (hereinafter referred to as the Agreement of January 16, 1968) with the State of Colorado under Section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act), which Agreement became effective on February 1, 1968 and provided for discontinuance of the regulatory authority of the Commission within the State under Chapters 6, 7, and 8, and Section 161 of the Act with repect to byproduct materials as defined in Section 11e.(1) of the Act, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Wheras, it is necessary to enter into this amendment in order to implement new requirements of Section 274 of the Act which become fully effective on November 8, 1981; and

Whereas, the Commission found on ———, 1981 that the program of the State for the regulation of materials covered by this amendment is in accordance with the requirements of Section 274o. of the Act and in all other respects compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, this amendment is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting on behalf of the State, as follows:

Section 1. Article I of the Agreement of February 1, 1968 is amended by adding "as defined in Section 11e.(1) of the Act:" after the words "byproduct materials" in paragraph H., by redesignating paragraphs B. and C. as paragraphs C. and D., and by inserting the following new paragraph immediately after paragraph A.:

"B. Byproduct materials as defined in Section 11e.(2) of the Act:"

Section 2. Article II of the Agreement of Febuary 1, 1968 is amended by inserting "a." before the words "This Agreement," by redesignating paragraphs A. through D. as subparagraphs 1. through 4., and by adding the following at the end thereof:

"B. Notwithstanding this Agreement, the commission retains the following authorities pertaining to byproduct materials as defined in Section 11e.(2) of the Act:

"1. Prior to the termination of a State license for such byproduct material, or for any activity that results in the production of such material. The Commission shall have made a determination that all applicable standards and requirements pertaining to such material have been met.

"2. The Commission reserves the authority to establish minimum standards governing reclamation, long term surveillance or maintenance, and ownership of such byproduct material. Such reserved authority includes:

"a. The authority to establish terms and conditions as the Commission determines necessary to assure that, prior to termination of any license for such byproduct material, or for any activity that results in the production of such material, the licensee shall comply with decontamination, decommissioning, and reclamations standards prescribed by the Commission; and with ownership requirements for such materials and its disposal site;

"b. The authority to require that prior to termination of any license for such byproduct material or for any activity that results in the production of such material, title to such byproduct material and its disposal site be transferred to the United States or the State of the option of the State (provided such option is exercised prior to termination of the license);

"c. The authority to permit use of surface or subsurface estates, or both, of the land transferred to the United States or the State pursuant to subparagraph B.2.b. of this Article, but any such use of land transferred to the State may be made only with the concurrence of the State;

"d. The authority to require the Secretary of the Department of Energy, other Federal agency, or State, whichever has custody of such byproduct material and its disposal site, to undertake such monitoring maintenance, and emergency measures as are necessary to protect the public health and safety, and other actions as the Commission deems necessary; and

"e. The authority to enter into arrangements as may be appropriate to assure Federal long term surveillance or maintenance of such byproduct material and its disposal site on land held in trust by the United States for any Indian tribe or land owned by an Indian tribe and subject to a restriction against alienation imposed by the United States."

Section 3. Article III of the Agreement of February 1, 1968 is amended by inserting "otherwise licensable by the State under Article I of this Agreement" after the words "special nuclear material."

Section 4. Article VII of the Agreement of February 1, 1968 is amended by inserting "all or part of" after the words "terminate or suspend," by inserting "(1)" after the words "finds that," and by adding at the end before the period the following:

", or (2) the State has not compiled with one or more of the requirements of Section 274 of the Act. The Commission shall periodically review this Agreement and actions taken by the State under this Agreement to ensure compliance with the provisions of Section 274 of the Act."

Section 5. Article VIII of the Agreement of February 1, 1968 is amended by redesignating it Article IX and by inserting a new Article VIII as follows:

"In the licensing and regulation of byproduct material as defined in Section 11e.(2) of the Act, or of any activity which results in production of such material, the State shall comply with the provisions of Section 274o. of the Act. If, in such licensing and regulation, the State requires financial surety arrangements for the reclamation of long term surveillance or maintenance of such material,

"A. The total amount of funds the State collects for such purposes shall be transferred to the United States if custody of such material and its disposal site is transferred to the United States upon termination of the State license for such material or any activity which results in the production of such material. Such funds include, but are not limited to, sums collected for long term surveillance or maintenance. Such funds do not, however, include monies held as surety where no default has occurred and the reclamation or other bonded activity has been performed; and

[1] Under the provisions of the Energy Reorganization Act of 1974, the regulatory functions formerly carried out by the Atomic Energy Commission are now carried out by the Nuclear Regulatory Commission as of January 19, 1975.

"B. Such State surety or other financial requirements must be sufficient to ensure compliance with those standards established by the Commission pertaining to bonds, sureties, and financial arrangements to ensure adequate reclamation and long term management of such byproduct material and its disposal site."

This amendment shall become effective on November 8, 1981 and shall remain in effect unless and until such time as it is terminated pursuant to Article VII.

Done at Denver, State of Colorado, in triplicate, this day of 1981.

For the State of Colorado.

Richard D. Lamm,

Governor of Colorado.

Done at Washington, DC, in triplicate, this day of 1981

For the U.S. Nuclear Regulatory Commission.

Nunzio J. Palladino,

Chairman.

Dated at Bethesda, Maryland, this 7th day of October, 1981.

For the Nuclear Regulatory Commission.

G. Wayne Kerr,

Director, Office of State Programs.

[FR Doc. 81-29747 Filed 10-13-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-389]

Florida Power & Light Co. and Orlando Utilities Commission of the City of Orlando, Fla.; Availability of Safety Evaluation Report (St. Lucie Plant, Unit 2)

Notice is hereby given that the Office of Nuclear Reactor Regulation has published its Safety Evaluation Report relating to the proposed operation of the St. Lucie Plant, Unit 2, to be located in St. Lucie County, Florida. Notice of receipt of the application by the Florida Power and Light Company to operate the St. Lucie Plant, Unit 2 was published in the **Federal Register** on March 9, 1981 (46 FR 15831).

The report is being referred to the Advisory Committee on Reactor Safeguards and is being made available at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Indian River Community College Library, 3900 Virginia Avenue, Ft. Pierce, Florida for inspection and copying. The report (Document No. NUREG-0843) can also be purchased, at current rates, from the National Technical Information Service, Department of Commerce, 5285 Port Royal Road, Springfield, Virginia 22161, and by GPO deposit account holders by calling (301) 492-9530 or by writing to the U.S. Nuclear Regulatory Commission, Division of Technical Information and Document Control, Washington, D.C. 20555, Attn: Publications Sales Manager.

Dated at Bethesda, Maryland, this 9th day of October, 1981.

For the Nuclear Regulatory Commission.

Frank J. Miraglia,

Chief, Licensing Branch No. 3, Division of Licensing.

[FR Doc. 81-30496 Filed 10-20-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-416A]

Mississippi Power & Light Co. and the South Mississippi Electric Power Association; Finding of No Significant Antitrust Changes and Time for Filing of Requests for Reevaluation

The Director of Nuclear Reactor Regulation has made an initial finding in accordance with Section 105c(2) of the Atomic Energy Act of 1954, as amended, that no significant (antitrust) changes in the licensees' activities or proposed activities have occurred subsequent to the previous construction permit review of Grand Gulf Unit 1 by the Attorney General and the Commission. The finding is as follows:

Section 105c(2) of the Atomic Energy Act of 1954, as amended, provides for an antitrust review of an application for an operating license if the Commission determines that significant changes in the licensee's activities or proposed activities have occurred subsequent to the previous construction permit review. The Commission has delegated the authority to make the "significant change" to the Director, Office of Nuclear Reactor Regulation. Based upon an examination of the events that have transpired since issuance of the Grand Gulf Unit 1 construction permit, the staffs of the Utility Finance Branch, Office of Nuclear Reactor Regulation and the Antitrust Section of the Office of the Executive Legal Director, hereafter referred to as "staff," have jointly concluded, after consultation with the Department of Justice, that the changes that have occurred since the antitrust construction permit review are not of the nature to require a second antitrust review at the operating license stage of the application.

In reaching this conclusion, the staff considered the structure of the electric utility industry in western Mississippi, the events relevant to the Grand Gulf construction permit review and the events that have occurred subsequent to the construction permit review—including on-going settlement negotiations.

The conclusion of the staff's analysis is as follows:

MP&L's exercise of its market power in western Mississippi necessitated instituting license conditions at the CP stage of the Grand Gulf antitrust review. MP&L was continuing to foreclose competitive options to smaller power entities in the area at the time a notice of violation was issued by the NRC in May of 1980. In the notice of violation, the staff concluded that MP&L was not in compliance with its license conditions pertaining to transmission services, wholesale power services, and ownership participation in the Grand Gulf nuclear plant. However, all present indications are that MP&L has reversed its apparent policies that occasioned the notice of violation in May of 1980, has essentially reached a settlement agreement with the complaining parties, and is pursuing acceptance of rate schedules and agreements before FERC that would bring it into full compliance with its license conditions. In the unlikely event that the settlement negotiations or the rate schedule implementations are unsuccessful, these matters can be resolved before the NRC in the present compliance proceeding which will remain in effect until the matters are satisfactorily resolved.

No additional remedies will result from a formal operating license antitrust review. Furthermore, a significant change finding is not now warranted under the Commission's criteria as set out in the *Summer* decision. For the above reasons, staff does not recommend making an affirmative significant change finding regarding the application for an operating license for Grand Gulf Unit No. 1.

Based on the staff's analysis, it is my initial determination that an operating license antitrust review of Grand Gulf Nuclear Unit 1 is not required.

Signed on October 9, 1981 by Harold R. Denton, Director, Office of Nuclear Reactor Regulation.

Any person whose interest may be affected pursuant to this initial determination may file with full particulars a request for reevaluation with the Director of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555 by (30 days).

For the Nuclear Regulatory Commission.

Argil Toalston,

Acting Chief, Antitrust and Economic Analysis Branch, Division of Engineering, Office of Nuclear Reactor Regulation.

[FR Doc. 81-30497 Filed 10-20-81; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-500 and 50-501]

Toledo Edison Co., et al. (Davis-Besse Nuclear Power Station, Units 2 and 3); Withdrawal of Application for Construction Permits and Revocation of Limited Work Authorizations

By letter, dated January 24, 1980, counsel for Toledo Edison Company, *et al.* (Applicant) requested termination of the proceedings related to the application for construction permits for Davis-Besse Nuclear Power Station,

Units 2 and 3, because Toledo Edison Company, *et al.*, had cancelled plans to construct those units. The proposed facilities were to be located at Locust Point on the southwestern shore of Lake Erie in Carroll Township, Ottawa County, Ohio, 21 miles southeast of Toledo, Ohio.[1] A "Notice of Hearing On Application for Construction Permits" was published in the **Federal Register** on September 5, 1974 (39 FR 32176).

On November 17, 1980, Toledo Edison Company, *et al.*, by letter to the Director, Office of Nuclear Reactor Regulation, withdrew the construction permit application, with a request that any action on the part of the NRC to make the withdrawal effective be taken promptly. On November 26, 1980, Toledo Edison Company, *et al.*, by letter to the Office of Nuclear Reactor Regulation submitted a description of the status of work undertaken at the site pursuant to two limited work authorizations (LWAs) and plants to redress portions of the site affected by Davis-Besse Units 2 and 3 construction activities. Subsequently, Toledo Edison Company, *et al.* filed a motion requesting that the hearings on the construction permit applications before the Atomic Safety and Licensing Board be terminated.

On August 28, 1981, the Licensing Board issued an order in which it granted Applicants' request (1) to withdraw their application for the construction permits for Units 2 and 3 of the Davis-Besse Nuclear Power Station; and (2) to terminate the licensing proceeding. The Licensing Board also vacated two partial initial decisions which had paved the way for issuance of the two LWAs and authorized the Director, Office of Nuclear Reactor Regulation to revoke the LWAs. In addition, the Licensing Board required that the Applicants take the actions proposed to redress the site, which the Board prescribed as conditions pursuant to 10 CFR 2.107(a) of the withdrawal of the applications for construction permits.

By letter dated October 15, 1981 to the Toledo Edison Company, the two LWAs issued to the Applicants were revoked.

In accordance with the Applicants' request and the Licensing Board's Order and pursuant to 10 CFR 2.107(c), notice is hereby given that the application for construction permits for Davis-Besse Nuclear Power Station, Units 2 and 3 have been withdrawn, that the proceeding in this matter is terminated and that the two LWAs issued to the Toledo Edison Company, *et al.*, are revoked.

Correspondence concerning this application will continue to be maintained at the Commission's Public Document Room, 1717 H Street, N. W., Washington, D.C. and for six months at the Government Documents Collection, William Carlson Library, University of Toledo, Toledo, Ohio.

Dated at Bethesda, Maryland, this 15th day of October 1981.

For the Nuclear Regulatory Commission.

B. J. Youngblood,

Chief, Licensing Branch No. 1, Division of Licensing.

[FR Doc. 81-30408 Filed 10-20-81; 8:45 am]

BILLING CODE 7590-01-M

[1] Also located on the site is the Davis-Besse Nuclear Power Station, Unit 1, for which the Toledo Edison Company, *et al.* has an operating license.

POSTAL RATE COMMISSION

[Docket No. MC78-3]

Electronic Mail Classification Proposal, 1978 (Remand)

October 15, 1981.

Notice is hereby given that pursuant to the "Presiding Officer's Notice Scheduling Prehearing Conference", dated October 15, 1981, a third prehearing conference in this remanded proceeding is scheduled to be held on Friday, October 23, 1981, at 10:00 a.m., Hearing Room, Postal Rate Commission, 2000 L Street, NW., Suite 500, Washington, D.C. 20268.

David F. Harris,

Secretary.

[FR Doc. 81-30401 Filed 10-20-81; 8:45 am]

BILLING CODE 7715-01-M

POSTAL SERVICE

Certain Permanent Postal Rates and Fees

AGENCY: Postal Service.

ACTION: Notice of Permanent Postal Rates and Fees.

SUMMARY: This is to give notice that the Governors of the Postal Service, by unanimous vote, have modified the Postal Rate Commission's September 17, 1981 Recommended Decision, captioned "Postal Rate and Fee Changes, 1980, Docket No. R80-1." The rates ordered into effect are those shown in Appendix One, Schedules A through G, appearing below. In addition, separate rate schedules for the classes of mail and kinds of mailers identified in 39 U.S.C. 3626 are adopted, as set forth in Appendix Two, Schedules 1 through 6. The rates becoming effective are those set forth in the "Year 10" column under the heading "Phased Rates."

EFFECTIVE DATE: 12:01 AM, November 1, 1981.

FOR FURTHER INFORMATION CONTACT: Francies G. Beck, (202) 245-4600.

SUPPLEMENTARY INFORMATION: This proceeding began on April 21, 1980, when the Postal Service requested the Postal Rate Commission to submit to the Governors of the Postal Service a recommended decision on changes in rates of postage and fees for postal services and changes in the mail classification schedule. Following ten months of hearings the Commission issued its recommended decision on February 19, 1981. On March 10, 1981, the Governors allowed the recommended decision, with certain exceptions, to take effect under protest and return it to the Commission for reconsideration. Notice of the Governors' decision was published in the **Federal Register** on March 12, 1981, 46 FR 16404.

On June 4, 1981, the Commission forwarded a recommended decision upon reconsideration to the Governors, repeating its rate recommendations. On June 29, 1981, the Governors rejected this recommendation, explained why the recommended rates were inadequate, and the Postal Service resubmitted the case to the Commission. On September 17, 1981, the Commission, in issuing its recommended decision upon further reconsideration, declined to change its recommended rates. The Governors then modified the September 17 recommended decision as set forth below.

The Governors' decisions, the record of the Commission's hearings, and the Commission's recommended decisions may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. The Governors' decisions and the Commission's recommended decisions are available for inspection in the Library at Headquarters, United States Postal Service, 475 L'Enfant Plaza West, SW., Washington, D.C. 20260. (39 U.S.C. 101(d), 401, 403, 404, 407, 3621, 3625, 3626)

Fred Eggleston,

Assistant General Counsel Legislative Division.

Appendix One

Schedule A-1.—First-Class and Business Reply

Mail Type (1)	Postage Rate Unit (2)	Rates: Regular (cents) (3)	Rates: Presorted (cents)[1] (4)
First-class:			
Letters—			
	1st ounce	20	17/16
	Each add'l. ounce[2]	17	17/16
Cards—	Piece	13	12/11
Business Reply:[3]			
	With advance deposit account.	5	5
	Without advance deposit account.	18	18
Nonstandard Surcharge[4]		9	9

[1] Presorted first-class mail must be presented in a single mailing of 500 or more pieces properly prepared and presorted. The higher presort rate applies only to each piece of a group of ten or more pieces destined for the same five-digit ZIP Code or each piece of a group of fifty or more pieces destined for the same three-digit ZIP Code. The lower presort rate applies only to mail presorted to carrier route, with a minimum of 10 pieces per route. A mailing fee of $40 must be paid once each calendar year at each office of mailing by any person who mails presorted first-class mail.

[2] Rate applies through 12 ounces. Heavier pieces are subject to priority mail rates.

[3] Rates are applied on a per-piece basis in addition to regular postage. A fee of $40 must be paid once each calendar year for each business-reply permit. An accounting charge must be paid once each calendar year for each business-reply advance deposit account.

[4] Applies to the first ounce only.

Schedule A-2.—Priority Mail Rates

Postage rate unit (pounds)	Rate[1] (dollars): Zones Local 1, 2 & 3	4	5	6	7	8
1	2.24	2.24	2.24	2.34	2.45	2.58
1.5	2.30	2.42	2.56	2.72	2.87	3.07
2	2.54	2.70	2.88	3.09	3.30	3.57
2.5	2.78	2.98	3.21	3.47	3.73	4.06
3	3.01	3.25	3.53	3.85	4.16	4.56
3.5	3.25	3.53	3.85	4.22	4.59	5.05
4	3.49	3.81	4.18	4.60	5.02	5.55
4.5	3.73	4.09	4.50	4.97	5.45	6.05
5	3.97	4.37	4.89	5.35	5.88	6.54
Per piece	1.586	1.586	1.586	1.586	1.586	1.586
Per pound	.476	.556	.648	.753	.859	.991

[1] Exception: Parcels weighing less than 15 pounds, measuring over 84 inches but not exceeding 100 inches in length and girth combined, are chargeable with a minimum rate equal to that for a 15-pound parcel for the zone to which addressed.

Schedule B-1.—Second-Class Mail: In-County

	Full rate (cents)
Per Pound	4.5
Per Piece	3.0
Presorted to carrier route (per piece)	2.5

[1] Charges for second-class nonprofit mail are computed by adding the per-piece charge to the sum of the non-advertising portion charge and the advertising portion charge, as applicable.

[2] Not applicable to publications containing 10 percent or less advertising content.

Schedule B-2.—Second-Class Mail: Publications of Authorized Nonprofit Organizations, Outside County

	Postage rate unit (pound)	Full Rate (cents)[1]
Per pound:		
Nonadvertising portion Advertising portion[2].		8.8
Zone:		
1 and 2		11.7
3		12.4
4		13.6
5		15.5
6		17.4
7		19.8
8		21.8
Per piece:		
Category A: Outgoing/incoming distribution required.		7.1
Category B: Incoming distribution only required.		5.5
Category C: Presorted to carrier route or finer.		4.5

Schedule B-3.—Second-Class Mail: Classroom Publications, Outside County

	Postage Rate Unit	Full Rate[1] (cents)
Per pound:		
Non-advertising portion	Pound	4.9
Advertising portion		
Zone:		
1 and 2	do	6.5
3	do	7.2
4	do	8.5
5	do	10.4
6	do	12.5
7	do	14.9
8	do	17.0
Per piece	Piece	3.0

[1] Charges for classroom publications are computed by adding the per-piece charge to the sum of the non-advertising portion charge and the advertising portion charge, as applicable.

Schedule B-4.—Second-Class Mail: Regular Rate Publications, Outside County

	Postage rate unit	Full rates[1] (cents)
Per pound:		
Nonadvertising portion	Pound	12.8
Advertising portion:		
Zone: 1 and 2	do	[2] 17.1
3	do	18.4
4	do	20.8
5	do	24.6
6	do	29.1
7	do	33.4
8	do	38.3
Per piece: Regular[3]		
A—Prepared[5]	Piece	7.0
B—Presorted to 3-digit city/5-digit	do	5.4
C—Carrier route presort	do	4.4
Per piece: Under 5,000 copies[4]		
A—Prepared[5]	do	6.0
B—Presorted to 3-digit city/5-digit	do	4.4
C—Carrier Route Presort	do	3.9

[1] Charges for second-class regular rate mail are computed by adding the appropriate per-piece charge to the sum of the non-advertising portion and the advertising portion charge, as applicable.

[2] Per-pound advertising portion full rate for science-of-agriculture publications mailed to Zones 1 and 2 is 11.7 cents per pound.

[3] Publications mailing 5,000 or more copies per issue outside county of publication and Alternative II (controlled circulation publications).

[4] Publications mailing fewer than 5,000 copies per issue outside county of publication.

[5] Presorted to SCF, States, Mixed States.

Schedule B-5.—Second-Class Mail: Transient

	Postage rate unit	Full rate (cents)
Weight up to and including:		
1 ounce	Piece	19
2 ounces	Piece	35
3 ounces	Piece	45
Each additional ounce:		
Up to and including 8 ounces.	Ounce	10
Over 8 ounces	Ounce	
Each additional 2 ounces:		
Over 8 ounces	2 ounces	10

Schedule B-6.—Second-Class Mail: Commingled Non-Subscriber and[1] Non-Requester

	Postage rate unit	Full rates[2] (cents)
Per pound:		
Non-advertising portion:	Pound	12.8
Advertising portion:		
Zone:		
1 & 2	Pound	17.1
3	Pound	18.4
4	Pound	20.8
5	Pound	24.6
6	Pound	29.1
7	Pound	33.4
8	Pound	38.3
Per piece:		
A—Prepared[3]	Piece	7.0
B—Presorted to 3-digit city/5-digit.	Piece	5.4
C—Carrier route presort	Piece	4.4

[1] Includes sample copies in excess of the 10 percent allowance and complimentary copies.

[2] Charges for second-class Alternative I and Alternative II commingled copies are computed by adding the appropriate per-piece charge to the sum of the non-advertising portion and the advertising portion charge, as applicable.

[3] Presorted to SCF, States, Mixed States.

SCHEDULE C.—CONTROLLED CIRCULATION MAIL

	Full rates (cents)
Per pound	[1]
Per piece	[1]

[1] See Schedules B-4, B-5, and B-6.

SCHEDULE D-1.—THIRD-CLASS MAIL SINGLE PIECE

	Full rates (cents)
Single Piece:	
One ounce	20
Two ounces	37
Three ounces	54
Four ounces	71
Next 2 ounces	85
Each additional 2 ounces	10
Nonstandard Surcharge	[1] 9
Keys and Identification Devices:	
First 2 ounces	55
Each additional 2 ounces	30

[1] Applies to first ounce only.

SCHEDULE D-2.—THIRD-CLASS MAIL REGULAR BULK

	Full rates (cents)
Bulk rate structure: [1]	
Per-Pound, required presortation	45
Per-Pound, presorted to 5-digits	[2] 45
Per-pound, presorted to carrier route	[2] 45
Minimum-per-piece, required pre-sortation	10.9
Minimum-per-piece, presorted to 5-digits	9.3
Minimum-per-piece, presorted to carrier-route	7.9

[1] A fee of $40.00 must be paid once each calendar year for each bulk mailing permit.
[2] Less 1.6¢/piece.
[3] Less 3¢/piece.

SCHEDULE D-3.—THIRD-CLASS NONPROFIT-BULK MAIL

	Full rates (cents)
Nonprofit Bulk Rate Structure: [1]	
Per-pound, required presortation	27
Per-pound, presorted to 5-digits	[2] 27
Per-pound, presorted to carrier route	[2] 27
Minimum-per-piece, required presortation	5.9
Minimum-per-piece, presorted to 5-digits	5.0
Minimum-per-piece, presorted to carrier route	4.0

[1] A fee of $40.00 must be paid once each calendar year for each bulk mailing permit.
[2] Less .9¢/piece.
[3] Less 1.9¢/piece.

SCHEDULE E-1.—FOURTH-CLASS MAIL: SPECIAL AND LIBRARY RATES

	Full rates (cents)
Special:	
First pound:	
Not presorted	63
Presorted to 5-digits [1] [2]	46
Presorted to BMC [1] [3]	58
Each additional pound through 7 pounds	23
Each additional pound over 7 pounds	14
Library:	
First Pound	41
Each additional pound through 7 pounds	14
Each additional pound over 7 pounds	7.5

[1] A fee of $40.00 must be paid once each calendar year for each permit.
[2] For mailings of 500 or more pieces properly prepared and presorted to five-digit destination ZIP Codes.
[3] For mailings of 500 or more pieces properly prepared and presorted to Bulk Mail Centers.

SCHEDULE E-2.—FOURTH-CLASS MAIL: SINGLE-PIECE BOUND PRINTED MATTER [1]

[In dollars]

Rates for pieces weighing up to (pounds)	Zones							
	Local	1 and 2	3	4	5	6	7	8
1.5	.69	.92	.94	.97	1.02	1.08	1.16	1.19
2	.69	.93	.95	.99	1.06	1.14	1.25	1.28
2.5	.69	.93	.96	1.01	1.10	1.20	1.33	1.38
3	.69	.94	.97	1.03	1.14	1.25	1.41	1.47
3.5	.69	.94	.98	1.05	1.17	1.31	1.50	1.56
4	.69	.95	.99	1.07	1.21	1.37	1.58	1.66
4.5	.69	.95	1.00	1.09	1.25	1.42	1.67	1.75
5	.70	.96	1.02	1.12	1.29	1.48	1.75	1.85
6	.70	.96	1.04	1.16	1.36	1.59	1.92	2.03
7	.70	.97	1.06	1.20	1.44	1.71	2.09	2.22
8	.70	.98	1.08	1.24	1.51	1.82	2.25	2.41
9	.70	.99	1.10	1.28	1.59	1.94	2.42	2.59
10	.70	1.00	1.12	1.32	1.66	2.05	2.59	2.78
Per piece (dollars)	.69	.91	.91	.91	.91	.91	.91	.91
Per pound (cents)	.1	.9	2.1	4.1	7.5	11.4	16.8	18.7

[1] Includes both catalogs and similar bound printed matter (§ 400.41 of the Classification Schedule effective July 6, 1976).

SCHEDULE E-3.—FOURTH-CLASS MAIL: BULK BOUND PRINTED MATTER [1]

Zones	Cents	
	Per piece	Per pound
Local	35	.1
1 and 2	46	.9
3	46	2.1
4	46	4.1

SCHEDULE E-3.—FOURTH-CLASS MAIL: BULK BOUND PRINTED MATTER [1]—Continued

Zones	Cents	
	Per piece	Per pound
5	46	7.5
6	46	11.4
7	46	16.8
8	46	18.7

[1] Includes both catalogs and similar bound printed matter.

SCHEDULE E-4.—FOURTH CLASS (PARCEL POST) ZONE RATES

[In dollars]

Pounds	Local	1 and 2	3	4	5	6	7	8
2	1.52	1.55	1.61	1.70	1.83	1.99	2.15	2.48
3	1.58	1.63	1.73	1.86	2.06	2.30	2.55	3.05
4	1.65	1.71	1.84	2.02	2.29	2.61	2.94	3.60
5	1.71	1.79	1.96	2.18	2.52	2.92	3.32	4.07
6	1.76	1.87	2.07	2.33	2.74	3.14	3.64	4.54
7	1.84	1.95	2.18	2.49	2.89	3.38	3.95	5.02
8	1.91	2.03	2.30	2.64	3.06	3.63	4.27	5.55
9	1.97	2.11	2.41	2.75	3.25	3.93	4.63	6.08
10	2.04	2.19	2.52	2.87	3.46	4.22	5.00	6.62
11	2.10	2.28	2.60	3.00	3.68	4.51	5.38	7.15
12	2.17	2.36	2.66	3.10	3.89	4.80	5.75	7.69
13	2.21	2.41	2.72	3.19	4.02	4.96	5.95	7.97
14	2.26	2.46	2.78	3.28	4.13	5.12	6.14	8.24
15	2.31	2.51	2.83	3.36	4.25	5.26	6.32	8.48
16	2.35	2.56	2.89	3.44	4.35	5.40	6.49	8.72
17	2.40	2.59	2.94	3.51	4.45	5.53	6.65	8.94
18	2.44	2.64	2.99	3.59	4.55	5.65	6.80	9.15
19	2.48	2.68	3.04	3.66	4.64	5.77	6.94	9.35
20	2.52	2.72	3.10	3.73	4.73	5.89	7.09	9.55
21	2.56	2.76	3.14	3.79	4.82	6.00	7.22	9.73
22	2.60	2.81	3.20	3.86	4.90	6.10	7.35	9.91
23	2.64	2.84	3.26	3.92	4.99	6.21	7.48	10.08
24	2.68	2.93	3.36	4.02	5.07	6.31	7.60	10.24
25	2.72	3.00	3.47	4.15	5.14	6.40	7.75	10.40
26	2.76	3.04	3.56	4.27	5.27	6.58	8.02	10.56
27	2.79	3.06	3.65	4.40	5.44	6.79	8.28	10.71
28	2.83	3.13	3.70	4.47	5.59	7.00	8.53	10.85
29	2.87	3.17	3.75	4.53	5.76	7.17	8.64	10.99
30	2.90	3.21	3.80	4.59	5.84	7.27	8.75	11.13
31	2.97	3.25	3.85	4.65	5.91	7.36	8.86	11.29
32	3.01	3.30	3.90	4.71	5.98	7.44	8.96	11.41
33	3.05	3.34	3.95	4.76	6.05	7.53	9.06	11.53
34	3.08	3.38	4.00	4.82	6.12	7.61	9.16	11.76
35	3.12	3.42	4.04	4.88	6.19	7.69	9.26	12.07
36	3.16	3.44	4.08	4.93	6.25	7.78	9.36	11.88
37	3.20	3.50	4.14	4.98	6.32	7.86	9.45	12.20
38	3.23	3.54	4.18	5.04	6.39	7.93	9.54	12.51
39	3.27	3.58	4.23	5.09	6.45	8.01	9.63	12.82
40	3.31	3.62	4.27	5.14	6.51	8.09	9.72	13.06
41	3.34	3.66	4.32	5.19	6.58	8.16	9.81	13.20
42	3.38	3.70	4.36	5.24	6.64	8.24	9.90	13.31
43	3.42	3.74	4.40	5.29	6.70	8.31	9.98	13.42

SCHEDULE E-4.—FOURTH CLASS (PARCEL POST) ZONE RATES—Continued

[In dollars]

Pounds	Local	1 and 2	3	4	5	6	7	8
44	3.46	3.78	4.45	5.34	6.76	8.38	10.14	13.53
45	3.49	3.81	4.49	5.39	6.82	8.45	10.36	13.64
46	3.53	3.85	4.53	5.44	6.88	8.52	10.58	13.74
47	3.56	3.89	4.58	5.49	6.94	8.66	10.80	13.85
48	3.60	3.93	4.62	5.54	6.99	8.83	11.02	13.95
49	3.64	3.97	4.66	5.59	7.05	9.01	11.24	14.05
50	3.67	4.01	4.71	5.64	7.13	9.18	11.46	14.15
51	3.71	4.04	4.75	5.69	7.27	9.36	11.68	14.25
52	3.74	4.08	4.79	5.79	7.40	9.52	11.90	14.35
53	3.78	4.12	4.83	5.90	7.54	9.71	12.12	14.44
54	3.82	4.16	4.87	6.00	7.67	9.88	12.34	14.54
55	3.85	4.19	4.94	6.11	7.81	10.06	12.56	14.76
56	3.89	4.23	5.02	6.21	7.94	10.23	12.78	15.02
57	3.92	4.27	5.11	6.32	8.08	10.41	13.00	15.28
58	3.96	4.32	5.19	6.42	8.21	10.58	13.22	15.54
59	3.99	4.39	5.28	6.53	8.35	10.76	13.44	15.80
60	4.03	4.46	5.36	6.63	8.48	10.93	13.66	16.06
61	4.06	4.53	5.45	6.74	8.62	11.11	13.88	16.32
62	4.10	4.60	5.53	6.84	8.75	11.28	14.10	16.58
63	4.13	4.67	5.62	6.95	8.89	11.46	14.32	16.84
64	4.17	4.74	5.70	7.05	9.02	11.63	14.54	17.10
65	4.20	4.81	5.79	7.16	9.16	11.81	14.76	17.36
66	4.24	4.88	5.87	7.26	9.29	11.98	14.98	17.62
67	4.27	4.95	5.96	7.37	9.43	12.16	15.20	17.88
68	4.31	5.02	6.04	7.47	9.56	12.33	15.42	18.14
69	4.34	5.09	6.13	7.58	9.70	12.51	15.64	18.40
70	4.38	5.16	6.21	7.68	9.83	12.68	15.86	18.66

For intra-BMC parcels, deduct 14¢.
For nonmachinable inter-BMC parcels, add 50¢ (except Zone 8 35 lbs. add 31¢).

SCHEDULE F-1.—EXPRESS MAIL SAME DAY AIRPORT SERVICE

[In dollars]

Pounds	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9
1	6.15	6.15	6.15	6.15	6.15	6.15	6.15	6.15
2	6.15	6.15	6.15	6.15	6.15	6.15	6.15	6.15
3	6.55	6.70	6.90	7.15	7.50	7.80	8.25	8.60
4	7.00	7.20	7.45	7.85	8.30	8.70	9.30	9.75
5	7.50	7.75	8.05	8.55	9.10	9.50	10.35	10.95
6	7.95	8.25	8.65	9.20	9.35	10.50	11.40	12.10
7	8.45	8.80	9.25	9.90	10.65	11.40	12.45	13.90
8	8.90	9.30	9.85	10.60	11.45	12.30	13.50	14.45
9	9.40	9.85	10.45	11.30	12.25	13.20	14.55	16.60
10	9.85	10.35	11.00	11.95	13.05	14.10	15.60	16.80
11	10.35	10.90	11.60	12.65	13.85	15.00	16.65	17.95
12	10.80	11.40	12.20	13.35	14.55	15.90	17.70	19.10
13	11.30	11.95	12.80	14.00	15.45	16.80	18.75	20.30
14	11.75	12.45	13.40	14.70	16.20	17.70	19.80	21.45
15	12.25	13.00	14.00	15.40	17.00	18.60	20.85	22.60
16	12.70	13.50	14.55	16.10	17.80	19.50	21.90	23.80
17	13.20	14.05	15.15	16.75	18.60	20.40	22.95	24.95
18	13.65	14.55	15.75	17.45	19.40	21.30	24.00	26.10
19	14.15	15.10	16.35	18.15	20.20	22.20	25.05	27.30
20	14.60	15.60	16.95	18.30	21.00	23.10	26.15	28.45
21	15.10	16.15	17.55	19.50	21.80	24.00	27.20	29.60
22	15.55	16.65	18.10	20.20	22.60	24.90	23.25	30.80
23	16.05	17.20	18.70	20.90	23.35	25.80	29.30	31.95
24	16.50	17.70	19.30	21.55	24.15	26.70	30.35	33.10
25	17.00	18.25	19.90	22.25	24.95	27.60	31.40	34.30
26	17.45	18.75	20.50	22.95	25.75	28.50	32.45	35.45
27	17.95	19.30	21.10	23.05	26.55	29.40	33.50	36.65
28	18.40	19.80	21.65	24.30	27.35	30.30	34.45	37.80
29	18.90	20.35	22.25	25.00	28.15	31.20	35.60	38.95
30	19.35	20.85	22.85	25.70	28.95	32.10	36.65	40.15
31	19.85	21.40	23.45	26.35	29.75	33.00	37.70	41.30
32	20.30	21.90	24.05	27.05	30.50	33.95	38.75	42.45
33	20.80	22.45	24.65	27.75	31.30	34.85	39.80	43.65
34	21.25	22.95	25.20	28.45	32.10	35.75	40.85	44.80
35	21.75	23.50	25.80	29.10	32.90	36.65	41.90	45.95
36	22.20	24.00	26.40	29.80	33.70	37.55	42.95	47.15
37	22.70	24.55	27.00	30.50	34.50	38.45	44.00	48.80
38	23.15	25.05	27.60	31.15	35.30	39.35	45.05	49.45
39	23.65	25.60	28.20	31.85	36.10	40.25	46.10	50.55
40	24.10	26.15	28.75	32.55	36.90	41.15	47.15	51.80
41	24.60	26.65	29.35	33.25	37.65	42.05	48.20	52.95
42	25.05	27.20	29.95	33.90	38.45	42.95	49.25	54.15
43	25.55	27.70	30.55	34.60	39.25	43.35	50.30	55.30
44	26.00	28.25	31.15	35.30	40.05	44.75	51.35	56.45
45	26.50	28.75	31.75	36.00	40.85	45.65	52.40	57.65
46	26.95	29.30	32.30	36.55	41.65	46.55	53.45	58.80
47	27.45	29.80	32.90	37.35	42.45	47.45	54.50	60.00
48	27.90	30.35	33.50	38.05	43.25	48.35	55.55	61.15
49	28.40	30.85	34.10	38.70	44.05	49.25	56.60	62.80
50	28.85	31.40	34.70	39.40	44.80	50.15	57.65	63.50
51	29.35	31.90	35.30	40.10	45.60	51.05	58.70	64.85
52	29.85	32.45	35.90	40.80	46.40	51.95	59.75	65.80

SCHEDULE F-1.—EXPRESS MAIL SAME DAY AIRPORT SERVICE—Continued

[In dollars]

Pounds	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9
53	30.30	32.95	36.45	41.45	47.20	52.85	60.80	67.00
54	30.80	33.50	37.05	42.15	48.00	53.75	61.85	68.15
55	31.25	34.00	37.65	42.85	48.80	54.65	62.90	69.30
56	31.75	34.55	38.25	43.50	49.60	55.55	63.95	70.50
57	32.20	35.05	38.85	44.20	50.40	56.45	65.00	71.65
58	32.70	35.60	39.45	44.90	51.20	57.35	66.05	72.80
59	33.15	36.10	40.00	45.60	51.95	58.25	67.10	74.00
60	33.85	36.85	40.60	46.25	52.75	59.15	68.15	75.15
61	34.10	37.15	41.20	46.95	53.55	60.05	69.20	76.30
62	34.60	37.70	41.80	47.65	54.35	60.95	70.25	77.50
63	35.05	38.20	42.40	48.30	55.15	61.85	71.35	78.65
64	35.55	38.75	43.00	49.00	55.95	62.75	72.40	79.80
65	36.00	39.25	43.55	49.70	56.75	63.65	73.45	81.00
66	36.50	39.80	44.15	50.40	57.55	64.55	74.50	82.15
67	36.95	40.30	44.75	51.05	58.35	65.45	75.55	83.35
68	37.45	40.85	45.35	51.75	59.10	66.35	76.60	84.50
69	37.90	41.35	45.95	52.45	59.90	67.25	77.65	85.65
70	38.40	41.90	46.55	53.15	60.70	68.15	78.70	86.85

SCHEDULE F-2.—EXPRESS MAIL CUSTOM DESIGNED SERVICE

[In dollars]

Pounds	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9
1	9.35	9.35	9.35	9.35	9.35	9.35	9.35	9.35
2	9.35	9.35	9.35	9.35	9.35	9.35	9.35	9.35
3	9.40	9.90	10.10	10.35	10.70	11.00	11.45	11.80
4	9.65	10.45	10.70	11.10	11.55	11.95	12.55	13.00
5	10.00	11.00	11.35	11.80	12.35	12.90	13.65	14.20
6	10.35	11.55	11.95	12.55	13.20	13.35	14.75	15.45
7	10.70	12.15	12.60	13.25	14.05	14.75	15.85	16.65
8	11.10	12.70	13.25	14.00	14.85	15.70	16.95	17.85
9	11.45	13.25	13.85	14.70	15.70	16.65	18.00	19.05
10	11.80	13.85	14.50	15.45	16.55	17.50	19.10	20.25
11	12.15	14.40	15.15	16.15	17.40	18.55	20.20	21.45
12	12.55	14.95	15.75	16.90	18.20	19.45	21.30	22.65
13	12.90	15.55	16.40	17.60	19.05	20.40	22.40	23.90
14	13.25	16.10	17.05	18.35	19.90	21.35	23.50	25.10
15	13.55	16.65	17.65	19.05	20.75	22.30	24.60	25.30
16	14.00	17.25	18.30	19.30	21.55	23.25	25.65	27.50
17	14.35	17.90	18.90	20.55	22.40	24.15	26.75	28.70
18	14.70	18.35	19.55	21.25	23.25	25.10	27.55	29.90
19	15.10	18.85	20.20	22.00	24.05	25.05	28.35	31.15
20	15.45	19.50	20.80	22.70	24.90	27.00	30.05	32.35
21	15.80	20.05	21.45	23.45	25.75	27.95	31.15	33.55
22	16.15	20.55	22.10	24.15	26.60	28.90	32.25	34.75
23	16.55	21.20	22.70	24.90	27.40	29.80	33.35	35.95
24	16.90	21.75	23.35	25.60	28.25	30.75	34.40	37.15
25	17.25	22.30	24.00	26.35	29.10	31.70	35.50	33.35
26	17.60	22.90	24.60	27.05	29.95	32.65	36.60	39.60
27	18.00	23.45	25.25	27.80	30.75	33.60	37.70	40.80
28	18.35	24.00	25.85	28.50	31.60	34.50	39.00	42.00
29	18.70	24.60	26.50	29.25	32.45	35.45	39.90	43.20
30	19.05	25.15	27.15	29.95	33.30	36.40	41.00	44.40
31	19.45	25.70	27.75	30.70	34.10	37.35	42.05	45.60
32	19.80	26.30	28.40	31.40	34.95	38.30	43.15	46.80
33	20.15	26.85	29.05	32.15	35.80	39.25	44.25	48.05
34	20.55	27.40	29.65	32.85	36.60	40.15	45.35	49.25
35	20.90	28.00	30.30	33.60	37.45	41.10	46.45	50.45
36	21.25	28.55	30.95	34.30	38.30	42.05	47.55	51.65
37	21.60	29.10	31.55	35.05	39.15	43.00	48.65	52.85
38	22.00	29.70	32.20	35.75	39.95	43.95	49.70	54.05
39	22.35	30.25	32.80	36.50	40.85	44.85	50.80	55.30
40	22.70	30.80	33.45	37.25	41.65	45.80	51.90	56.50
41	23.05	31.35	34.10	37.95	42.50	46.75	53.00	57.70
42	23.45	31.95	34.70	38.70	43.30	47.70	54.10	58.90
43	23.80	32.50	35.35	39.40	44.15	48.65	55.20	60.10
44	24.15	33.05	36.00	40.15	45.00	49.60	56.30	61.30
45	24.50	33.65	36.60	40.85	45.80	50.50	57.40	62.50
46	24.90	34.20	37.25	41.60	46.65	51.45	58.45	63.75
47	25.25	34.75	37.90	42.30	47.50	52.40	59.55	64.95
48	25.60	35.35	38.50	43.05	48.35	53.35	60.65	66.15
49	25.95	35.90	39.15	43.75	49.15	54.30	61.75	67.35
50	26.35	36.45	39.75	44.50	50.00	55.20	62.85	68.55
51	26.70	37.05	40.40	45.20	50.85	56.15	63.95	69.75
52	27.05	37.60	41.05	45.95	51.70	57.10	65.05	71.00
53	27.40	38.15	41.65	46.65	52.50	58.05	66.10	72.20
54	27.80	38.75	42.30	47.40	53.35	59.00	67.20	73.40
55	28.15	39.30	42.95	48.10	54.20	59.95	68.30	74.60
56	28.50	39.85	43.55	48.85	55.00	60.85	69.40	75.80
57	28.90	40.40	44.20	49.55	55.85	61.80	70.50	77.00
58	29.25	41.00	44.85	50.30	56.70	62.75	71.60	78.20
59	29.60	41.55	45.45	51.00	57.55	63.70	72.70	79.45
60	29.95	42.10	46.10	51.75	58.35	64.65	73.80	80.65
61	30.35	42.70	46.75	52.50	59.20	65.55	74.85	81.85
62	30.70	43.25	47.35	53.20	60.05	66.50	75.95	83.05
63	31.05	43.80	48.00	53.95	60.90	67.45	77.05	84.25
64	31.40	44.40	48.60	54.65	61.70	68.40	78.15	85.45

SCHEDULE F-2.—EXPRESS MAIL CUSTOM DESIGNED SERVICE—Continued

[In dollars]

Pounds	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9
65	31.80	44.95	49.25	55.40	62.55	69.35	79.25	86.70
66	32.15	45.50	49.90	56.10	63.40	70.25	80.35	87.90
67	32.50	46.10	50.50	56.85	64.25	71.20	81.45	89.10
68	32.85	46.55	51.15	57.55	65.05	72.15	82.50	90.30
69	33.25	47.20	51.80	58.30	65.90	73.10	83.60	91.50
70	33.60	47.80	52.40	59.00	66.75	74.05	84.70	92.70

[1] Add: $5.60 for each pickup or delivery stop.

SCHEDULE F-3.—EXPRESS MAIL NEXT DAY SERVICE POST OFFICE-TO-ADDRESSEE

Pounds	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9
1	9.35	9.35	9.35	9.35	9.35	9.35	9.35	9.35
2	9.35	9.35	9.35	9.35	9.35	9.35	9.35	9.35
3	9.55	10.15	10.35	10.65	11.00	11.30	11.75	12.10
4	9.90	10.75	11.00	11.40	11.80	12.25	12.85	13.30
5	10.30	11.30	11.65	12.10	12.65	13.20	13.95	14.50
6	10.65	11.85	12.25	12.85	13.50	14.10	15.05	15.70
7	11.00	12.45	12.80	13.55	14.35	15.05	16.10	16.90
8	11.40	13.00	13.55	14.30	15.15	16.00	17.20	18.15
9	11.75	13.55	14.15	15.00	16.00	16.95	18.30	18.35
10	12.10	14.15	14.80	15.75	16.85	17.90	18.40	20.55
11	12.45	14.70	15.40	16.45	17.65	18.90	20.50	21.75
12	12.85	15.25	16.05	17.20	18.50	19.75	21.60	22.95
13	13.20	15.95	16.70	17.90	19.35	20.70	22.70	24.15
14	13.55	16.40	17.30	18.65	20.20	21.65	23.80	25.40
15	13.90	16.95	17.95	19.35	21.00	22.60	24.85	25.60
16	14.30	17.50	18.60	20.10	21.85	23.50	25.95	27.80
17	14.65	18.10	19.20	20.80	22.70	24.45	27.05	29.00
18	15.00	18.65	19.85	21.55	23.55	25.40	28.15	30.20
19	15.35	19.20	20.50	22.25	24.35	26.35	29.25	31.40
20	15.75	19.80	21.10	23.00	25.20	27.30	30.35	32.60
21	16.10	20.35	21.75	23.70	26.05	28.25	31.45	33.85
22	16.45	20.90	22.35	24.45	25.85	29.15	32.50	35.05
23	16.80	21.50	23.00	25.15	27.70	30.10	33.60	36.25
24	17.20	22.05	23.65	25.90	28.55	31.05	34.70	37.45
25	17.55	22.60	24.25	26.65	29.40	32.00	35.80	38.65
26	17.90	23.20	24.90	27.35	30.20	32.95	36.90	39.85
27	18.25	23.75	25.55	28.10	31.05	33.85	38.00	41.10
28	18.65	24.30	26.15	29.80	31.90	34.80	39.10	42.30
29	19.00	24.90	26.80	29.55	32.75	35.75	40.20	43.50
30	19.35	25.45	27.45	30.25	33.55	36.70	41.25	44.70
31	19.75	26.00	29.05	31.00	34.40	37.65	42.35	45.90
32	20.10	26.55	28.70	31.70	35.25	38.60	43.45	47.10
33	20.45	27.15	29.30	32.45	36.10	39.50	44.55	48.30
34	20.30	27.70	29.95	33.15	36.90	40.45	45.65	49.55
35	21.20	28.25	30.60	33.90	37.75	41.40	46.75	50.75
36	21.55	28.85	31.20	34.60	33.60	42.35	47.85	51.95
37	21.90	29.40	31.85	35.35	39.40	43.30	48.90	53.15
38	22.25	29.95	32.50	36.05	40.25	44.20	50.00	54.35
39	22.65	30.55	33.10	36.80	41.10	45.15	51.10	55.55
40	23.00	31.10	33.75	37.50	41.95	46.10	52.20	56.80
41	23.35	31.65	34.40	38.25	42.75	47.05	53.30	58.00
42	23.70	32.25	35.00	38.95	43.60	48.00	54.40	59.20
43	24.10	32.80	35.65	39.70	44.45	48.95	55.50	60.40
44	24.45	33.35	36.25	40.40	45.30	49.85	55.60	61.60
45	24.80	33.95	39.90	41.15	46.10	50.80	57.65	62.80
46	25.15	34.50	37.55	41.90	46.85	51.75	58.75	64.00
47	25.55	35.05	38.15	42.60	47.80	52.70	59.85	65.25
48	25.90	35.60	38.00	43.35	48.60	53.65	60.95	66.45
49	26.25	36.20	39.45	44.05	49.45	54.55	62.05	67.65
50	26.65	36.75	40.05	44.80	50.30	55.50	63.15	68.85
51	27.00	37.30	40.70	45.50	51.15	56.45	64.25	70.05
52	27.35	37.90	41.35	46.25	51.95	57.40	65.30	71.25
53	27.70	38.45	41.95	48.95	52.80	58.35	66.40	72.45
54	28.10	39.00	42.60	47.70	53.65	59.30	67.50	73.70
55	28.45	39.60	43.25	48.40	54.50	60.20	68.60	74.90
56	28.80	40.15	43.85	49.15	55.30	61.15	69.70	76.10
57	29.15	40.70	44.50	49.85	56.15	62.10	70.80	77.30
58	29.55	41.30	45.10	50.60	57.00	63.05	71.90	78.50
59	29.90	41.85	45.75	51.30	57.80	64.00	72.95	79.70
60	30.25	42.40	46.40	52.05	58.65	64.90	74.05	80.95
61	30.60	43.00	47.00	52.75	59.50	65.85	75.15	82.15
62	31.00	43.55	47.65	53.50	60.35	66.80	76.25	83.35
63	31.35	44.10	48.30	54.20	61.15	67.75	77.35	84.55
64	31.70	44.70	48.90	54.95	62.00	68.70	78.45	85.75
65	32.05	45.25	49.55	55.65	62.85	69.60	79.55	86.95
66	32.45	45.80	50.20	56.40	63.70	70.55	80.65	88.15
67	32.80	46.35	50.80	57.10	64.50	71.50	81.70	89.40
68	33.15	45.95	51.45	57.85	65.35	72.45	82.80	90.60
69	33.50	47.50	52.05	58.60	65.20	73.40	83.90	91.80
70	33.90	48.05	52.70	59.30	67.05	74.35	85.00	93.00

Add: $5.60 for each pickup stop.

SCHEDULE F-4.—EXPRESS MAIL NEXT DAY SERVICE POST OFFICE-TO-POST OFFICE

(In dollars)

Pounds	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9
1	5.85	5.85	5.85	5.85	5.85	5.85	5.85	5.85
2	5.85	5.85	5.85	5.85	5.85	5.85	5.85	5.85
3	6.05	6.65	6.85	7.15	7.45	7.80	8.25	8.60
4	6.40	7.20	7.50	7.35	8.30	8.70	9.35	9.80
5	6.75	7.00	8.10	8.60	9.15	9.65	10.45	11.00
6	7.15	8.35	6.75	9.30	10.00	10.60	11.50	12.20
7	7.50	8.90	9.40	10.05	10.30	11.55	12.60	13.40
8	7.65	9.50	10.00	10.75	11.65	12.50	13.70	14.60
9	8.25	10.05	10.65	11.50	12.50	13.45	14.60	15.85
10	8.60	10.60	11.30	12.20	13.30	14.35	15.90	17.05
11	8.95	11.20	11.90	12.95	14.15	15.30	17.00	18.25
12	9.30	11.75	12.55	13.65	15.00	16.25	18.10	19.45
13	9.70	12.30	13.15	14.40	15.85	17.20	19.15	20.65
14	10.05	12.90	13.80	15.15	16.65	18.15	20.25	21.85
15	10.40	13.45	14.45	15.85	17.50	19.05	21.35	23.05
16	10.75	14.00	15.05	16.60	18.35	20.00	22.45	24.30
17	11.15	14.50	15.70	17.30	19.20	20.35	23.55	25.50
18	11.50	15.15	16.35	18.05	20.00	21.90	24.65	26.70
19	11.85	15.70	16.95	18.75	20.85	22.85	25.75	27.90
20	12.20	16.25	17.60	19.50	21.70	23.80	26.80	29.10
21	12.60	16.85	18.25	20.20	22.55	24.70	27.90	30.30
22	12.95	17.40	18.85	20.95	23.35	25.65	29.00	31.55
23	13.30	17.95	19.50	21.65	24.20	26.60	30.10	32.75
24	13.65	18.55	20.10	22.40	25.05	27.55	31.20	33.95
25	14.05	19.10	20.75	23.10	25.85	28.50	32.30	35.15
26	14.40	19.65	21.40	23.85	26.70	29.40	33.40	35.35
27	14.75	20.25	22.00	24.55	27.55	30.35	34.50	37.55
28	15.15	20.80	22.55	25.30	28.40	31.30	35.55	38.75
29	15.50	21.35	23.30	26.00	29.20	32.25	36.55	40.00
30	15.85	21.95	23.90	26.75	30.05	33.20	37.75	41.20
31	16.20	22.50	24.55	27.45	30.90	34.10	38.85	42.40
32	16.60	23.05	25.20	28.20	31.75	35.05	39.95	43.50
33	16.95	23.55	25.80	28.90	32.55	35.00	41.05	44.80
34	17.30	24.20	25.45	29.65	33.40	36.95	42.15	48.00
35	17.65	24.75	27.05	30.35	34.25	37.90	43.20	47.25
36	18.05	25.30	27.70	31.10	35.05	38.85	44.30	48.45
37	18.40	25.90	28.35	31.85	35.90	39.75	45.40	49.55
38	18.75	26.45	28.95	32.55	36.75	40.70	46.50	50.85
39	19.10	27.00	29.60	33.30	37.60	41.65	47.60	52.05
40	19.50	27.60	30.25	34.00	38.40	42.60	48.70	53.25
41	19.85	28.15	30.85	34.75	39.25	43.55	49.80	54.45
42	20.20	28.70	31.50	35.45	40.10	44.45	50.90	55.70
43	20.55	29.30	32.15	36.20	40.95	45.40	51.95	56.90
44	20.95	29.85	32.75	36.90	41.75	46.35	53.05	58.10
45	21.30	30.40	33.40	37.85	42.60	47.30	54.15	59.30
46	21.65	31.00	34.05	38.35	43.45	48.25	55.25	60.50
47	22.00	31.55	34.65	39.10	44.25	49.20	56.35	61.70
48	22.40	32.10	35.30	39.80	45.10	50.10	57.45	62.90
49	22.75	32.70	35.90	40.55	45.95	51.05	58.55	64.15
50	23.10	33.25	36.55	41.25	46.80	52.00	59.60	65.35
51	23.50	33.80	37.20	42.00	47.60	52.95	60.70	66.55
52	23.85	34.35	37.80	42.70	48.45	53.90	61.80	67.75
53	24.20	34.95	38.45	43.45	49.30	54.80	62.90	63.95
54	24.55	35.50	39.10	44.15	50.15	55.75	64.00	70.15
55	24.95	36.05	39.70	44.90	50.95	56.70	65.10	71.40
56	25.30	36.65	40.35	45.60	51.80	57.65	66.20	72.50
57	25.65	37.20	41.00	46.35	52.65	58.60	67.30	73.80
58	26.00	37.75	41.60	47.10	53.50	59.55	68.35	75.00
59	26.40	38.35	42.25	47.80	54.30	60.45	69.45	76.20
60	26.75	38.90	42.85	48.55	55.15	61.40	70.55	77.40
61	27.10	39.45	43.50	49.25	56.00	62.35	71.65	78.60
62	27.45	40.05	44.15	50.00	56.80	63.30	72.75	79.85
63	27.85	40.60	44.75	50.70	57.65	64.25	73.85	81.05
64	28.20	41.15	45.40	51.45	58.50	65.15	74.95	82.25
65	28.55	41.75	46.05	52.15	59.35	66.10	76.00	83.45
66	28.90	42.30	46.65	52.90	60.15	67.05	77.10	84.55
67	29.30	42.05	47.30	53.60	61.00	68.00	78.20	85.85
68	29.55	43.45	47.95	54.35	61.85	68.95	79.30	87.10
69	30.00	44.00	48.55	55.05	62.70	69.85	80.40	88.30
70	30.35	44.55	49.20	55.80	63.50	70.80	81.50	89.50

Add: $5.60 for each pickup stop.

SCHEDULE G-1.—SPECIAL SERVICE: ADDRESS CORRECTION

Description	Fees
Per piece	$0.25

SCHEDULE G-2.—SPECIAL SERVICE: CERTIFICATES OF MAILING

Description	Fees [1]
Individual pieces:	
Original certificate of mailing for individually listed pieces of all classes of ordinary mail (each)	$0.40
Each additional copy of original certificate of mailing or original mailing receipt for registered, insured, certified and c.o.d. mail (each)	.40
Bulk pieces:	
Identical pieces of first- and third-class mail paid with ordinary stamps, precanceled stamps, or meter stamps are subject to the following fees:	
Up to 1,000 pieces (1 certificate for total number)	1.35
Each additional 1,000 pieces or fraction	.15
Duplicate copy	.40

[1] In addition to postage.

SCHEDULE G-3.—SPECIAL SERVICE: CERTIFIED MAIL

Description	Fees [1]
Per piece	$0.75

[1] In addition to postage.

SCHEDULE G-4.—SPECIAL SERVICE: COLLECT ON DELIVERY MAIL

Amount to be collected or insurance coverage desired	Fees [1]
$0.01 to $10	$1.20
10.01 to 25	1.50
25.01 to 50	1.80
50.01 to 100	2.15
100.01 to 200	2.55
200.01 to 300	3.00
300.01 to 400	3.60
Notice of nondelivery of C.O.D.	1.10
Alteration of C.O.D. charges or designation of new addressee	1.10
Registered C.O.D.	1.20

[1] In addition to postage.

SCHEDULE G-5.—SPECIAL SERVICE: DEAD LETTER RETURN

Description	Fee
Per piece (First-class letters and parcels only)	$0.70

SCHEDULE G-6.—SPECIAL SERVICE: INSURED MAIL

Liability	Fees [1]
$0.01 to $20	$0.45
20.01 to 50	.85
50.01 to 100	1.25
100.01 to 150	1.70
150.01 to 200	2.05
200.01 to 300	3.45
300.01 to 400	4.70

[1] Domestic, in addition to postage.

SCHEDULE G-7—SPECIAL SERVICES: LOCKBOX/CALLER SERVICE

[A. Rental rates for lockboxes]

	Fee per semiannual period				
Cubic inch capacity of lockboxes	to 265	266 to	500 to	1,000 to	2,000 and over
Box size	1	2	3	4	5
Group I	$10.00	$13.00	$22.50	$34.50	$51.00
Group II	2.50	3.50	5.50	8.50	13.00
Group III	1.00	1.00	1.00	1.00	1.00

[B. Caller service]

Description	Fees
For caller service (semiannual)	$95
For each reserved call number (annual)	10

SCHEDULE G-8.—SPECIAL SERVICE: ONSITE METER SETTING

Description	Fees
Meter Company Adjustments	$8.50
All Other Meter Settings:	
First meter:	
By appointment	14.00
Unscheduled request	16.00
Additional meters (each)	4.00

SCHEDULE G-9.—SPECIAL SERVICE: MONEY ORDERS

Amount	Fees (domestic)
$0.01 to $25	$0.75
25.01 to 50	1.10
50.01 to 500	1.55
APO-FPO:	
$0.01 to $500	0.25

SCHEDULE G-10.—SPECIAL SERVICE: PARCEL AIRLIFT MAIL

Description	Fees (in addition to postage)
Up to 2 pounds	$0.30
Over 2 but not exceeding 3 pounds	0.60
Over 3 but not exceeding 4 pounds	0.90
Over 4 pounds	1.20

SCHEDULE G-11.—SPECIAL SERVICE: PERMIT-IMPRINT FEE

Description	Fee
Per permit (one time only)	$40.00

SCHEDULE G-12.—SPECIAL SERVICE: REGISTERED MAIL

Value	Fees (in addition to postage)	
	For articles covered by insurance	For articles not covered by insuranc
	Fees	Fees
0.00 to $100	$3.30	$3.25
$100.01 to $500	3.60	3.55
$501.01 to $1,000	3.90	3.85
$1,000.01 to $2,000	4.20	4.10
$2,000.01 to $3,000	4.50	4.35
$3,000.01 to $4,000	4.80	4.60
$4,000.01 to $5,000	5.10	4.85
$5,000.01 to $6,000	5.40	5.10
$6,000.01 to $7,000	5.70	5.35
$7,000.01 to $8,000	6.00	5.60
$8,000.01 to $9,000	6.30	5.85
$9,000.01 to $10,000	6.60	6.10
$10,000.01 to $11,000	6.90	6.35
$11,000.01 to $12,000	7.20	6.60
$12,000.01 to $13,000	7.50	6.85
$13,000.01 to $14,000	7.80	7.10
$14,000.01 to $15,000	8.10	7.35
$15,000.01 to $16,000	8.40	7.60
$16,000.01 to $17,000	8.70	7.85
$17,000.01 to $18,000	9.00	8.10
$18,000.01 to $19,000	9.30	8.35
$19,000.01 to $20,000	9.60	8.60
$20,000.01 to $21,000	9.90	8.85
$21,000.01 to $22,000	10.20	9.10
$22,000.01 to $23,000	10.50	9.35
$23,000.01 to $24,000	10.80	9.60
$24,000.01 to $25,000	11.10	9.85
$25,000 to $1,000,000	[1] 11.10	[1] 9.85
$1,000,000 to $15,000,000	[2] 254.85	[2] 253.60
Over $15,000,000	[3]	[3]

[1] Plus handling charge of 25 cents per $1,000 or fraction over first $25,000.
[2] Plus handling charge of 20 cents per $1,000 or fraction over first $1,000,000.
[3] Additional charges may be made based on considerations of weight, space and value.

SCHEDULE G-13.—SPECIAL SERVICE: RESTRICTED DELIVERY

Description	Fees [1]
Per piece	$1.00

[1] In addition to postage.

SCHEDULE G-14.—SPECIAL SERVICES: RETURN RECEIPTS

Description	Fees [1]
Requested at time of mailing:	
Showing to whom (signature) and date delivered	$0.60
Showing to whom (signature) and date and address where delivered	.70
Requested after mailing:	
Showing to whom and date delivered	3.75

[1] In addition to postage.

SCHEDULE G-15.—SPECIAL SERVICE: SECOND-CLASS MAILING APPLICATIONS

Type	Fee (one time only)
Original entry	$160.00
News agent	30.00
Reentry	30.00
Additional entry	50.00

SCHEDULE G-16.—SPECIAL SERVICE: SPECIAL DELIVERY

Class/weight	Fees [1]
First-class and priority mail:	
Not more than 2 pounds	$2.10
More than 2 pounds but not more than 10 pounds	2.35
More than 10 pounds	3.00
All other classes:	
Not more than 2 pounds	2.35
More than 2 pounds but not more than 10 pounds	3.00
More than 10 pounds	3.40

[1] In addition to postage.

SCHEDULE G-17.—SPECIAL SERVICE: SPECIAL HANDLING

Weight	Fees [1]
Not more than 10 pounds	$0.75
More than 10 pounds	1.30

[1] In addition to postage.

SCHEDULE G-18.—SPECIAL SERVICE: STAMPED ENVELOPES

Type	Fees (in addition to postage)
Single sale	$0.04
Bulk (500) No. 6¾ size:	
Regular	5.85
Window	6.35
Precanceled	5.85
Bulk (500) No. 10 size:	
Regular	6.85
Window	7.35
Precanceled	6.85
Printing charge per 500 envelopes:	
Minimum order (500 envelopes)	3.00
Orders for 1,000 or more envelopes	3.00

SCHEDULE G-19.—SPECIAL SERVICE: ZIP CODING OF MAILING LISTS

Description	Fee
Per 1,000 addresses	$33.00

SCHEDULE G-20.—SPECIAL SERVICE: CORRECTION OF MAILING LISTS

Description	Fee
Per correction of address	$0.13

SCHEDULE G-21.—ADDRESS CHANGES FOR ELECTION BOARDS AND REGISTRATION COMMISSIONS

Description	Fee
Per change of adress	$0.13

Appendix Two

SCHEDULE 1

[Second-Class Phased Rates: In-County]

Rate category	Phased rates (cents)							
	Year							
	9	10	11	12	13	14	15	16
Pound-rate matter								
Per pound	3.2	3.4	3.6	3.7	3.9	4.1	4.3	4.5
Per piece:								
Presorted to carrier route	1.6	1.3	1.5	1.7	1.9	2.1	2.3	2.5
Other	1.6	1.8	2.0	2.2	2.4	2.6	2.8	3.0

SCHEDULE 2

[Second-Class Phased Rates: Publications of Authorized Nonprofit Organizations, Outside County]

Rate category	Phased rates (cents)							
	Year							
	9	10	11	12	13	14	15	16
Editorial	6.3	6.6	7.0	7.4	7.7	8.0	8.4	8.8
Advertising:								
1 and 2	9.3	9.8	10.0	10.3	10.7	11.0	11.4	11.7
3	10.0	10.4	10.7	11.0	11.4	11.7	12.1	12.4
4	11.4	11.8	12.1	12.4	12.7	13.0	13.3	13.6
5	13.3	13.6	13.9	14.3	14.6	14.9	15.2	15.5
6	15.0	15.4	15.7	16.1	16.4	16.7	17.1	17.4
7	16.6	17.0	17.5	17.9	18.4	18.8	19.3	19.8
8	18.0	18.6	19.1	19.6	20.2	20.7	21.3	21.8
Pieces:								
A	2.8	3.5	4.1	4.7	5.3	5.9	6.5	7.1
B	2.6	1.9	2.5	3.1	3.7	4.3	4.9	5.5
C	2.5	0.9	1.5	2.1	2.7	3.3	3.9	5.4

SCHEDULE 3

[Second-Class Phased Rates: Classroom Publications]

Phased rates (cents)	Rate category							
	Year							
	9	10	11	12	13	14	15	16
Editorial	4.0	4.2	4.3	4.4	4.5	4.7	4.8	4.9
Advertising:								
1 and 2	5.3	5.5	5.7	5.8	6.0	6.2	6.3	6.5
3	6.0	6.2	6.4	6.5	6.7	6.9	7.0	7.2
4	7.3	7.5	7.7	7.8	8.0	8.2	8.3	8.5
5	9.4	9.5	9.7	12.1	10.0	10.1	10.3	10.4
6	11.7	11.8	11.9	14.2	12.2	12.3	12.4	12.5
7	13.6	13.8	14.0	16.2	14.4	14.5	14.7	14.9
8	15.6	15.8	16.0	19.6	16.4	16.6	16.8	17.0
Piece	1.6	1.8	2.0	2.2	2.4	2.6	2.8	3.0

SCHEDULE 4

[Second-Class Phased Rates: Regular Rate Publications Outside County]

Rate category	Phased rates (cents)							
	Year							
	9	10	11	12	13	14	15	16
Science of Agriculture								
Advertising to zones 1 and 2	9.3	9.8	10.0	10.3	10.7	11.0	11.4	11.7
Limited Circulation								
A	2.7	3.2	3.6	4.1	4.6	5.1	5.5	6.0
B	2.1	1.6	2.0	2.5	3.0	3.5	3.9	4.4
C	2.1	1.1	1.5	2.0	2.5	3.0	3.4	3.9

SCHEDULE 5

[Third-Class Phased Rates: Nonprofit Bulk]

Phased rates (cents)	Rate Category							
	Year							
	9	10	11	12	13	14	15	16
Per pound [1]	14.0	15.8	17.7	19.6	21.4	23.3	25.1	27.0
Minimum-per-piece								

SCHEDULE 5—Continued

[Third-Class Phased Rates: Nonprofit Bulk]

Phased rates (cents)	Rate Category							
	Year							
	9	10	11	12	13	14	15	16
Required presortation	3.5	3.8	4.2	4.5	4.9	5.2	5.6	5.9
Presorted to 5-digits	3.3	2.9	3.3	3.6	4.0	4.3	4.7	5.0
Presorted to carrier route	3.1	1.9	2.3	2.6	3.0	3.3	3.7	4.0

[1] Less the amount of difference between the minimum per-piece rates for required presortation and the appropriate presortation level on a per-piece basis.

SCHEDULE 6

[Fourth-Class Phased Rates: Library]

Rate Category	Phased Rates (cents)							
	Year							
	9	10	11	12	13	14	15	16
First Pound	21.0	24.0	27.0	29.0	32.0	35.0	38.0	41.0
Each Additional pound thru 7 pounds	8.0	9.0	9.0	10.0	11.0	12.0	13.0	14.0
Each additional pound	5.0	6.0	6.0	6.0	7.0	7.0	7.0	7.5

[FR Doc. 81-30189 Filed 10-20-81; 8:45 am]

BILLING CODE 7710-12-M

PRESIDENTIAL ADVISORY COMMITTEE ON FEDERALISM

Open Meeting

The Housing and Urban Development Subcommittee of the Presidential Advisory Committee on Federalism will meet on Thursday, November 5, 1981, from 9:00 a.m. to 12:00 p.m. in the 6th Floor Board Room of the Federal Home Loan Bank Board, 17th and G Streets, NW, Washington, D.C.

The Subcommittee is part of the Advisory Committee on Federalism which was established by Executive Order 12303 on April 8, 1981. The Chairman of the full Committee is U.S. Senator Paul Laxalt. The Subcommittee is composed of members from the full Committee which include private citizens, public officials from state and local governments, and members of the Legislative and Executive branches of the federal government. The members serve at the pleasure of the President.

The Committee shall advise the President with respect to the objectives and conduct of the overall federalism policy of the United States.

The meeting will be open to public observation. Written comments or statements may be submitted at any time before or after the meeting and should be related to the substantive matter identified above. Approximately 75 seats will be available for the public on a first come, first served basis.

For further information, contact Rick Neal at (202) 456-7943.

Richard S. Williamson,

Assistant to the President.

[FR Doc. 81-30432 Filed 10-20-81; 8:45 am]

BILLING CODE 3115-01-M

SECURITIES AND EXCHANGE COMMISSION

Cincinnati Stock Exchange; Application for Unlisted Trading Privileges and of Opportunity for Hearing

October 14, 1981.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to Section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of: Anheuser-Busch Companies, Inc. Common Stock, $1 Par Value (File No. 7-6061).

This security is listed and registered on one or more other national securities exchanges and is reported on the consolidated transaction reporting system.

Interested persons are are invited to submit on or before November 4, 1981 written data, views and arguments concerning the above referenced application. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extension of unlisted trading privileges pursuant to such application is consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-30477 Filed 10-20-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-18170]

Fingerprinting Program

AGENCY: Securities and Exchange Commission.

ACTION: Notice of new procedures for the submission to the Federal Bureau of Investigation of fingerprints by registered bank transfer agents.

SUMMARY: The Commission has approved amendments to the fingerprint plans of the American Stock Exchange, Inc. ("Amex") and the New York Stock Exchange, Inc. ("NYSE") and an interpretation of the fingerprint plan of the National Association of Securities Dealers, Inc. ("NASD") allowing registered bank transfer agents to forward to the Federal Bureau of Investigation ("FBI") through the Amex, NYSE, and NASD fingerprints of partners, directors, officers or employees required to be fingerprinted under section 17(f)(2) of the Securities Exchange Act of 1934 and Rule 17f-2 thereunder.

DATE: Effective October 13, 1981.

FOR FURTHER INFORMATION CONTACT:

Marc L. Weinberg, Staff Attorney, Division of Market Regulation, Securities and Exchange Commission, 500 North Capitol Street NW., Washington, D.C. 20549, (202-272-2388).

SUPPLEMENTARY INFORMATION:

I. Introduction and Background

Rule 17f-2(a) (17 CFR 240.17f-2(a)) under Section 17(f)(2) of the Securities Exchange Act of 1934 (the "Act") requires all partners, directors, officers or employees of registered transfer agents, among others, to be fingerprinted and to submit, or cause to submit, such fingerprints to the FBI, the designee of the Attorney General of the United States, for identification and appropriate processing.[1]

[1] Rule 17f-2 was adopted by the Commission in Securities Exchange Act Release No. 12214 (March 16, 1976), 41 FR 13594 (March 31, 1976).

In 1976, pursuant to Rule 17f–2(c) (17 CFR 240.17f–2(c)) under the Act, several registered national securities exchanges and the NASD submitted to the Commission fingerprinting plans that provide for the collection of fingerprint cards from member broker-dealers, the transmittal of the cards to the FBI for identification and appropriate processing, and thereafter, the return of the processed fingerprint cards and any information received from the FBI to submitting broker-dealers. That same year, those fingerprinting plans were approved by the Commission in a series of releases.[2]

In addition to providing fingerprint card services to member broker-dealers, the fingerprinting plans of the Amex, Boston Stock Exchange Inc. ("BSE"), NYSE and NASD provide such services for registered non-bank transfer agents. Registered bank transfer agents, however, continued to use procedures implemented in 1973 in accordance with Pub. L. 92–544 ("92–544"),[3] which gave the FBI discretion to provide fingerprint identification services directly to federally chartered or insured banking institutions, among others. Thus, to comply with section 17(f)(2) of the Act and Rule 17f–2 thereunder, registered bank transfer agents submitted fingerprints of their partners, directors, officers or employees directly to the FBI pursuant to Pub. L. 92–544.

Recently, the FBI notified all fingerprint contributors by letter [4] that for a one-year period beginning October 1, 1981, and ending September 30, 1982, it intended to cease processing fingerprint cards submitted directly to the FBI by federally chartered and insured banking institutions. As a result, beginning October 1, 1981, registered bank transfer agents will be unable to comply with the fingerprinting requirement of section 17(f)(2) of the Act and Rule 17f–2 thereunder, unless alternative methods of accessing the FBI's fingerprint identification services are implemented.

II. The Fingerprinting Plans

To provide registered bank transfer agents with access to the FBI during its one-year suspension of Pub. L. 92–544, the Amex and the NYSE have submitted to the Commission amendments to their fingerprinting plans that would extend fingerprint card services to registered bank transfer agents. In addition, the NASD has confirmed to the Commission by a letter of interpretation that it will extend such services to registered bank transfer agents under its current fingerprinting plan.[5]

Under the fingerprinting plans, as amended, registered bank transfer agents obtain fingerprint cards from the appropriated exchange or the NASD,[6] have the fingerprints rolled by a person competent to do so and return the rolled cards to the exchange or the NASD. The exchange or the NASD, in turn, will forward the cards to the FBI for identification and appropriate processing. Following processing, the cards, together with any relevant information, will be returned to the transfer agent that originally submitted the cards.

Under these new procedures, registered bank transfer agents that perform transfer agent functions for securities issues traded solely on the Amex, or the NYSE, or over-the-counter must use the fingerprinting plan of the Amex, NYSE or the NASD, as the case may be. Registered bank transfer agents that perform transfer agent functions for securities issues that are listed or traded in more than one of those marketplaces have the option to use a fingerprinting plan of any of the relevant self-regulatory organizations. In addition, registered bank transfer agents that perform transfer agent functions only for securities issues listed solely on a national securities exchange other than the Amex or NYSE must use the fingerprinting plan of the NASD, until such time as those other national securities exchanges extend their fingerprint plans to transfer agents.

The Commission, having due regard for the public interest, the protection of investors and the Commission's responsibilities under the Act hereby approves the amendments to the fingerprinting plans of the Amex and NYSE.[7] The Commission finds that the foregoing action should be effective immediately in order to continue the effective operation of the Commission's fingerprinting program pursuant to Rule 17f–2(c) under the Act and that notice and public comment are not necessary. Accordingly, the amendments are effective immediately.

III. Statutory Basis and Competitive Considerations

The approval of the amendments to the Amex and NYSE fingerprinting plans is made pursuant to sections 2, 17(f) and 23(a) of the Act (15 U.S.C. 78b, 78q(f) and 78w(a)). The Commission has determined that the amendments impose no burden on competition not necessary or appropriate in furtherance of the purposes of the Act and are not inconsistent with the public interest or the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to Delegated Authority.

George A. Fitzsimmons,

Secretary.

October 14, 1981.

[FR Doc. 81–30475 Filed 10–20–81; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 18173/October 15, 1981]

Municipal Securities Rulemaking Board; Order Approving Proposed Rule Change

In the matter of Municipal Securities Rulemaking Board, Suite 507, 1150 Connecticut Avenue, N.W., Washington, D.C. 20036; (SR–MSRB–81–12), order approving proposed rule change.

On September 1, 1981, the Municipal Securities Rulemaking Board (the "MSRB") filed with the Commission, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1) (the "Act") and Rule 19b–4 thereunder, copies of a proposed rule change which would amend MSRB rule G–6 relating to the fidelity bonding requirements for municipal securities brokers and municipal securities dealers. Rule G–6 currently provides that municipal securities brokers and municipal securities dealers will not be qualified for purposes of MSRB rule G–2 (Standards of Professional Qualification) unless such municipal securities brokers and municipal

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[2] *See* Securities Exchange Act Release Nos. 12566 (June 22, 1976), 41 FR 27792 (July 6, 1976); 12609 (July 8, 1976), 8 S.E.C. Docket 1053 (July 21, 1976); 12687 (August 4, 1976), 41 FR 34135 (August 12, 1976); 12911 (October 2, 1976), 41 FR 47120 (October 27, 1976); and 13105 (December 23, 1976), 42 FR 753 (January 4, 1977).

[3] 86 Stat. 1115 (1973).

[4] Letter dated September 1, 1981, from Mr. Nick F. Stames, Assistant Director, FBI Identification Division, to all fingerprint contributors.

[5] Letter dated October 5, 1981, from John T. Wall, Executive Vice President, Member and Market Services, NASD, to Marc L. Weinberg, Esq., of the Commission's staff.

[6] The FBI has indicated to the staff of the Commission that rolled fingerprint cards that accumulate between October 1, 1981, and the effective date of this Release, will be accepted by the FBI for identification and appropriate processing if they are submitted to the FBI through the Amex, NYSE or NASD. After the effective date of this Release, registered bank transfer agents must obtain blank fingerprint cards from, and submit rolled cards to, the Amex, NYSE or NASD. Any other rolled fingerprint cards or blank fingerprint card requests will be rejected by the FBI.

[7] To ensure that all registered bank transfer agents are informed of this action, the board of Governors of the Federal Reserve System, Federal Deposit Insurance Corporation and the Office of the Comptroller of the Currency are sending a written notice to all registered bank transfer agents within their respective regulatory jurisdictions. In addition, the FBI is sending a similar notice to all banks that, in the past, have forwarded fingerprints directly to the FBI pursuant to Pub. L. 92–544.

securities dealers meet the fidelity bonding requirements of the National Asssociation of Securities Dealers, Inc. or Rule 15b10–11 of the Act, as applicable, as such requirements were in effect on January 10, 1977. The proposed rule change deletes the reference to a specific date and clarifies that municipal securities brokers and municipal securities dealers must meet the applicable fidelity bonding requirements as currently in effect and as amended in the future.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 18080, September 4, 1981) and by publication in the **Federal Register** [46 FR 45457, September 11, 1981). No comments with respect to the proposed rule change have been received by the Commission.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to the MSRB, and, in particular, the requirements of Section 15B 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. 81–30478 Filed 10–20–81; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 18172; SR–MSRB–81–9]

Municipal Securities Rulemaking Board; Order Approving Proposed Rule Change

October 15, 1981.

On June 1, 1981, the Municipal Securities Rulemaking Board (the "MSRB"), Suite 507, 1150 Connecticut Avenue, N.W., Washington, D.C. 20036, filed with the Commission, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1) (the "Act") and Rule 19b–4 thereunder, copies of a proposed rule change to amend its uniform practice rule, MSRB rule G–12. The proposal would provide a right of reclamation in the event that a transaction not specified to involve registered securities is completed by the delivery and acceptance of registered securities. The proposed rule change would establish a time limit of one business day from the date of delivery of the securities for reclamation.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission release (Securities Exchange Act Release No. 17849 (June 5, 1981)), and by publication in the **Federal Register** (46 FR 30947 (1981)). One comment letter with respect to the proposed rule change was received by the Commission and was made available to the public at the Commission's Public Reference Room.[1] The comment letter supported the proposed rule change.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to the MSRB and in particular, the requirements of Section 15B 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. 81–30479 Filed 10–20–81; 8:45 am]

BILLING CODE 8010–01–M

[File No. 22–11305]

Tenneco Inc.; Application and Opportunity for Hearing

October 16, 1981.

Notice is hereby given that Tenneco Inc. (the "Company") has filed an application pursuant to clause (ii) of Section 310(b)(1) of the Trust Indenture Act of 1939 (the "Act") for a finding by the Commission that the Trusteeship of the Chase Manhattan Bank (National Association) ("Chase") under Indentures of the Company dated as of December 1, 1961; April 1, 1962; June 1, 1963; April 1, 1964; December 1, 1964; September 1, 1965; May 1, 1967; February 1, 1974; May 1, 1975; April 1, 1977, as amended; April 15, 1978; June 15, 1979; February 1, 1980; May 1, 1980; January 15, 1981; April 1, 1981; June 1, 1981 and June 1, 1981 (the "Qualified Indentures") which were heretofore qualified under the Act, and Indentures dated August 1, 1981 (the "New Indentures") with the County of Sweetwater, Wyoming (which Indentures are guaranteed by the Company pursuant to a Guaranty Agreement dated as of August 1, 1981) which are not qualified under the Act, and trusteeship by Chase under an Indenture of Tenneco International N.V. ("International"), to be dated as of October 1, 1981 (the "Subject Indenture") which is not qualified under the Act and the Notes issued pursuant to which are guaranteed by the Company pursuant to Section 2.05 of the Indenture, is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for protection of investors to disqualify Chase from acting as Trustee under the Qualified Indentures, the New Indentures, and under the Subject Indenture.

The Company alleges that:

(1) At September 1, 1981, it had outstanding $3,500,000 of its 5¼% Debentures due December 1, 1981, $7,926,000 of its 5% Debentures due 1982, $7,264,000 of its 5% Debentures due September 1, 1982, $8,517,000 of its 5% Debentures due 1983, $12,060,000 of its 5⅛% Debentures due 1984, $9,118,000 of its 5% Debentures due December 1, 1984, $19,629,000 of its 5¼% Debentures due 1985, $23,178,000 of its 6½% Debentures due 1987, $79,300,000 of its 9% Debentures due 1994, $118,000,000 of its 9⅞% Debentures due 2000, $175,000,000 of its 8⅜% Debentures due 2002, $200,000,000 of its 8⅞% Debentures due 2003, $250,000,000 of its 9½% Debentures due 2004, $150,000,000 of its 11⅞% Notes due 1983, $250,000,000 of its 12⅛% Debentures due 2005, $200,000,000 of its 13⅜% Notes due 1991, $200,000,000 of its 14½% Debentures due 2006, $200,000,000 of its 14½% Notes due 1991, and $100,000,000 of its 15% Debentures due 2006 issued under the Qualified Indentures (dated December 1, 1961; April 1, 1962; September 1, 1962; June 1, 1963; April 1, 1964; December 1, 1964; September 1, 1965; May 1, 1967; February 1, 1974; May 1, 1975; April 1, 1977 (with Supplemental Indenture dated November 15, 1977); April 15, 1978; June 15, 1979; February 1, 1980; May 1, 1980; January 15, 1981; April 1, 1981; June 1, 1981, and June 1, 1981 respectively), executed by the Company and Chase, as trustee, and $18,560,000 of 9½% Bonds due August 1, 1984 of the County of Sweetwater, Wyoming issued under Indentures dated August 1, 1981, exempt from the qualification provisions of the Act, executed by Chase, as trustee, and guaranteed by the Company pursuant to Guaranty Agreements dated as of August 1, 1981 (the "Guaranty Agreements"). The Debentures issued pursuant to the Qualified Indentures

[1] Letter to George A. Fitzsimmons, Secretary, Securities and Exchange Commission from Henry C. Alexander and Joseph C. Fenner, Co-Chairmen, Operations and Compliance Committee, Public Securities Association (June 30, 1981).

were registered under the Securities Act of 1933 (File Nos. 2-19273, 2-19940, 2-20654, 2-21450, 2-22137, 2-22929, 2-23953, 2-26360, 2-49852, 2-53402, 2-58345, 2-61001, 2-64660, 2-66493, 2-67547, 2-70482, 2-71345, 2-72606 and 2-72606, respectively) and the Qualified Indentures were qualified under the Trust Indenture Act of 1939;

(2) Tenneco International N.V. proposes to issue and sell $100,000,000 principal amount of its 17% Guaranteed Notes Due October 1, 1989 (the "Subject Notes") to be issued under the Subject Indenture. Chase is trustee under the Subject Indenture. The Subject Notes are being issued by a person organized and existing under the laws of a foreign government and are not being offered and may not be sold directly or indirectly in the United States of America or its territories or possessions or to nationals or residents thereof. The issuance of these Notes is therefore exempt from the registration requirements of the Securities Act of 1933 and the Subject Indenture is exempt from the qualification provisions of the Trust Indenture Act of 1939;

(3) The Qualified Indentures and Notes, the Guaranty Agreements, and the Subject Indenture are wholly unsecured, and rank pari passu inter se;

(4) The Company's guaranty of the Subject Notes is neither superior nor inferior in right of payment to the Qualified Debentures and Notes or the Guaranty Agreements;

(5) It is not in default under the Qualified Indentures, Qualified Debentures and Notes or the Guaranty Agreements;

(5) It is not in default under the Qualified Indentures, Qualified Debentures and Notes or the Guaranty Agreements;

(6) Such differences as exist among the Qualified Indentures, the Guaranty Agreements, and the Subject Indenture are not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of any of the Debentureholders, Noteholders or Bondholders to disqualify Chase from acting as Trustee under any of the Indentures.

The Company has waived notice of hearing, hearing and any and all rights to specify procedures under the Rules of Practice of the Securities and Exchange Commission in connection with this matter.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission's Public Reference Section, 1100 L Street, NW., Washington, D.C. 20549.

Notice is further given That an order granting the application may be issued by the Commission at any time on or before November 13, 1981, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in clause (ii) of Section 310(b)(1) of the Trust Indenture Act of 1939. Any interested person may, not later than November 13, 1981 at 5:30 P.M., Eastern Standard Time, in writing, submit to the Commission, his views or any additional facts bearing upon this application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 500 North Capitol Street, NW., Washington, D.C. 20549, and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact and law raised by the application which he desires to controvert.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 81-30504 Filed 10-20-81; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-18166]

List of Foreign Issuers Which Have Submitted Information Required by the Exemption Relating to Certain Foreign Securities

Foreign private issuers with total assets in excess of $1,000,000 and a class of equity securities held of record by 500 or more persons, of which 300 or more shareholders reside in the United States, are subject to the registration and reporting provisions of the Securities Exchange Act of 1934 [15 U.S.C. 78a et seq., as amended by Pub. L. No. 94-29 (June 4, 1975)] (the "Act").[1]

Rule 12g3-2(b) (17 CFR 240.12g3-2(b)) provides an exemption from registration under Section 12(g) of the Act for a foreign issuer which submits on a current basis material specified in the Rule to the Commission. Such required material includes that information about which investors ought reasonably to be informed with respect to the issuer and its subsidiaries and which the issuer (1) has made public pursuant to the law of the country of its domicile or in which it is incorporated or organized, (2) has filed with a stock exchange on which its securities are traded and which was made public by such exchange and/or (3) has distributed to its security holders.

When it adopted Rule 12g3-2 and other rules relating to foreign securities (see Securities Exchange Act Release No. 8066, April 28, 1967), the Commission indicated that from time to time it would issue lists containing those foreign issuers which have obtained exemptions from the registration provisions of Section 12(g) of the Act by providing the information specified in Rule 12g3-2(b). The purpose of the present release is to call to the attention of brokers, dealers and investors that some form of relatively current information concerning the foreign issuers included on the attached list is available in the public files of the Commission. The attached list includes those foreign issuers which, as of September 30, 1981, appear to be current in furnishing information under Rule 12g3-2(b).

The Commission also wishes to bring to the attention of brokers, dealers, and investors the fact that current information concerning certain foreign issuers may not be available in the United States. The Commission continues to expect that brokers and dealers will consider this fact in connection with their obligations under the federal securities laws to have a reasonable basis for recommending these securities to their customers. The Commission will continue to review activity in the markets for foreign securities to determine whether the present rules are achieving their purpose and whether further rules or rule revisions are necessary in the public interest or for the protection of investors.

Any questions regarding Rule 12g3-2 or the list included herein should be directed to Carl T. Bodolus or Ronald Adee, Office of International Corporate Finance, Division of Corporation Finance, securities and Exchange Commission, Washington, D.C. 20549 (202/272-3246 or 272-3250).

[1] Foreign issuers may also be subject to such requirements of the Act by reason of having securities registered and listed on a national securities exchange in the United States or subject to the reporting requirements by reason of having registered securities under the Seurities Act of 1933 [15 U.S.C. 77a et seq., as amended by Pub. L. No. 94-29 (June 4, 1975)].

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

October 13, 1981.

Company	File No.	Country
ABC Energy Ltd.	82-526	Canada.
AMCA International Ltd.	82-93	Canada.
Abitibi Paper Co., Ltd.	82-80	Canada.
Acroll Petroleums Ltd.	82-568	Canada.
Aero Energy Ltd.	82-551	Canada.
Afrikander Lease Ltd.	82-245	South Africa.
Alanda Energy Corp.	82-447	Canada.
Algoma Steel Corp. Ltd.	82-99	Canada.
Amark Explorations	82-458	Canada.
American Chromium Ltd.	82-527	Canada.
Anglo American Corp. of South Africa.	82-97	South Africa.
Anglo American Gold Investment Co., Ltd.	82-146	Canada.
Aries Resources Inc.	82-533	Canada.
Artesian Petroleum Corp.	82-541	Canada.
Artillery Resources Ltd.	82-538	Canada.
Ascot Petroleum Corp.	82-461	Canada.
Australian Shale & Coal N.L.	82-431	Australia.
Avance International Inc.	82-515	Canada.
Ayerok Petroleum Ltd.	82-472	Canada.
Azam Energy Corp.	82-516	Canada.
B. A. T. Industries Ltd.	82-33	United Kingdom.
B. M. C. Oil & Gas Inc.	82-582	Canada.
Bank of Montreal	82-126	Canada.
Banner Resources Ltd.	82-357	Canada.
Basic Resources S.A.	82-203	Luxembourg.
Beaver Gold Resources Inc.	82-436	Canada.
Beaverhead Resources Ltd.	82-562	Canada.
Beecham Group Ltd.	82-22	Canada.
Belmoral Mines Ltd.	82-279	Canada.
Bethlehem Copper Corp.	82-248	Canada.
Blackmist Resources Inc.	82-474	Canada.
Blue Diamond Energy Resources Inc.	82-391	Canada.
Bluesky Oil & Gas Ltd.	82-473	Canada.
Blyvooruitzicht Gold Mining Co., Ltd.	82-69	South Africa.
Border & Southern Stockholders Trust Ltd.	82-287	United Kingdom.
Bracken Mines Ltd.	82-219	South Africa.
Bralorne Resources Ltd.	82-143	Canada.
Brascan Ltd.	82-4	Canada.
Bras D'Or Resources Ltd.	82-453	Canada.
Bread Man International Ltd.	82-528	Canada.
Brican Resources Ltd.	82-294	Canada.
Bridge Resources Ltd.	82-493	Canada.
Broken Hill Proprietary Co., Ltd.	82-81	Australia.
Brunswick Oil N.L.	82-410	Australia.
Buffelsfontein Gold Mining Co., Ltd.	82-302	South Africa.
Burmah Oil Co. Ltd.	82-5	United Kingdom.
Cadillac Explorations Ltd.	82-519	Canada.
Cal Dynamics Energy Corp.	82-532	Canada.
Caledonia Resources Ltd.	82-589	Canada.
Camflo Mines Ltd.	82-193	Canada.
Canadex Mining Corp., Ltd.	82-470	Canada.
Canadian-American Resources Co.	82-469	Canada.
Canadian Barranca Corp., Ltd.	82-292	Canada.
Canadian Imperial Bank of Commerce.	82-103	Canada.
Canadian Marconi Co.	82-86	Canada.
Canadian Ponderay Energy Ltd.	82-558	Canada.
Canadian Tungsten Mining Corp. Ltd.	82-290	Canada.
Canalta Resources Ltd.	82-466	Canada.
Cantex Energy Corp.	82-584	Canada.
Canzona Minerals Inc.	82-497	Canada.
Celanese Canada Ltd.	82-171	Canada.
Celico Resources Ltd.	82-571	Canada.
Central Pacific Minerals Ltd.	82-354	Canada.
Chancellor Energy Resources Inc.	82-467	Canada.
Charter Consolidated Ltd.	82-233	United Kingdom.
Chromasco Ltd.	82-106	Canada.
Cochrane Oil & Gas Ltd.	82-501	Canada.
Colby Resources Corp.	82-417	Canada.
Collingwood Energy Inc.	82-578	Canada.
Caminco Ltd.	82-107	Canada.
Conex Australia N.L.	82-319	Australia.
Conigas Mines Ltd.	82-168	Canada.
Consolidated Bathurst Ltd.	82-172	Canada.
Consolidated Durham Mines & Resources Ltd.	82-176	Canada.
Consolidated Gold Fields Ltd.	82-251	United Kingdom.
Consolidated Gold Mining Areas N.L.	82-413	Australia.
Contact Ventures Ltd.	82-581	Canada.
Continental Silver Corp.	82-421	Canada.
Cooper Lake Explorations Ltd.	82-394	Canada.
Coopers Diamond Holdings N.L.	82-444	Australia.
Coralta Resources Ltd.	82-380	Canada.
Carona Resources Ltd.	82-599	Canada.
Corvette Petroleum Corp.	82-543	Canada.
Cullaton Lake Gold Mines Ltd.	82-503	Canada.
Cumo Resources Ltd.	82-435	Canada.
Czar Resources Ltd.	82-406	Canada.
Dai'Ei Inc.	82-230	Japan.
Damascus Resources Ltd.	82-521	Canada.
Daon Development Corp.	82-344	Canada.
Datumone Petroleum Ltd.	82-593	Canada.
DeBeers Consolidated Mines, Ltd.	82-91	South Africa.
Deelkraal Gold Mining Co., Ltd.	82-246	South Africa.
Delhi Pacific Resources, Ltd.	82-370	Canada.
Denison Mines Ltd.	82-155	Canada.
Deutsche Bank A.G.	82-334	Germany.
Dimac Resources Corp.	82-514	Canada.
Dominion Explorers Ltd.	82-504	Canada.
Dominion Mining & Oil N.L.	82-433	Australia.
Dominion Textile Co., Ltd.	82-113	Canada.
Domtar Ltd.	82-18	Canada.
Donegal Resources Ltd.	82-427	Canada.
Doornfontein Gold Mining Co., Ltd.	82-213	Canada.
Dresdner Bank A.G.	82-229	Germany.
Driefontein Consolidated Ltd.	82-124	South Africa.
Durban Roodepoort Deep Ltd.	82-156	South Africa.
Eagle Corp Ltd.	82-476	Australia.
East Daggafontein Mines Ltd.	82-42	South Africa.
East Rand Gold and Uranium Co., Ltd.	82-289	South Africa.
East Rand Proprietary Mines Ltd.	82-239	South Africa.
El Coco Explorations Ltd.	82-494	Canada.
Elandsrand Gold Mining Co., Ltd.	82-266	South Africa.
Electra Resources Corp.	82-531	Canada.
Energex Minerals Ltd.	82-403	Canada.
Enterprise Development Corp.	82-460	Canada.
Entrad Ltd.	82-415	Australia.
Eurocan Ventures Ltd.	82-588	Canada.
Excalibur Energy Corp.	82-540	Canada.
Expo Oil N.L.	82-489	Australia.
F. W. Woolworth & Co., Ltd.	82-200	United Kingdom.
Falconbridge Nickel Mines Ltd.	82-30	Canada.
Fiat S.P.A.	82-116	Italy.
Fisher Oil & Gas Corp.	82-557	Canada.
Fisons Ltd.	82-202	United Kingdom.
Flair Resources Ltd.	82-583	Canada.
Fortress Petroleum & Resources Ltd.	82-569	Canada.
Free State Geduld Mines Ltd.	82-40	South Africa.
Free State Saaiplass Gold Mines.	82-41	South Africa.
Fuji Photo Film Co., Ltd.	82-78	Japan.
Gallahad Petroleum Ltd.	82-454	Canada.
Gaslite Petroleum Ltd.	82-590	Canada.
General American Properties Inc.	82-588	Canada.
General Energy Corp.	82-520	Canada.
Genoa Oil N.L.	82-598	Australia.
Geometals N.L.	82-398	Australia.
Glaxo Holdings Ltd.	82-10	United Kingdom.
Gold Cup Resources Ltd.	82-517	Canada.
Gold Fields of South Africa Ltd.	82-204	South Africa.
Gold Fields Property Co., Ltd.	82-214	South Africa.
Gold Hawk Resources Ltd.	82-505	Canada.
Gold Reef Resources Ltd.	82-587	Canada.
Golden Spoke Mines Ltd.	82-422	Canada.
Goldstack Resources Ltd.	82-506	Canada.
Goldwinn Resources Ltd.	82-555	Canada.
Gowganda Silver Mines Ltd.	82-513	Canada.
Grande Trunk Resources Inc.	82-536	Canada.
Grandma Lee's Inc.	82-542	Canada.
Greenwood Explorations Ltd.	82-368	Canada.
Grotviei Proprietary Mines Ltd.	82-222	South Africa.
Groundstar Resources Ltd.	82-249	Canada.
Gulf Oil Ltd. (Canada)	82-101	Canada.
Hale Resources Ltd.	82-443	Canada.
Harlequinn Enterprises Ltd.	82-318	Canada.
Harmony Gold Mining Co., Ltd.	82-238	Canada.
Hartogen Energy Ltd.	82-597	Australia.
Heartland Oil & Gas Corp.	82-570	Canada.
Hemisphere Development Corp.	82-419	Canada.
Highwood Resources Ltd.	82-450	Canada.
Highveld Steel & Vanadium Corp. Ltd.	82-595	South Africa.
Himac Resources Ltd.	82-574	Canada.
IAC Ltd.	82-120	Canada.
IMASCO Ltd.	82-118	Canada.
Impala Platinum Holdings Ltd.	82-359	South Africa.
Imperial Group Ltd.	82-316	United Kingdom.
Inca Resources Inc.	82-440	Canada.
Indusmin Ltd.	82-201	Canada.
Intercep Industries Ltd.	82-580	Canada.
Interlake Development Corp.	82-537	Canada.
International Ionarc Inc.	82-471	Canada.
International Standard Resources Ltd.	82-482	Canada.
Irvco Resources Ltd.	82-591	Canada.
Island Mining & Exploration Co., Ltd.	82-556	Canada.
Jan Resources Ltd.	82-567	Canada.
Joutel Resources Ltd.	82-502	Canada.
Julia Resources Corp.	82-366	Canada.
Kandahar Resources Ltd.	82-522	Canada.
Kennedy Resources Inc.	82-550	Canada.
Kent Energy Corp.	82-559	Canada.
Kerr Addison Mines Ltd.	82-14	Canada.
Kinross Mines Ltd.	82-220	South Africa.
Kirin Brewery Co. Ltd.	82-188	Japan.
Kloff Gold Mines Co. Ltd.	82-205	South Africa.
L. M. Ericsson Telephone Co.	82-115	Sweden.
Lake Shore Mines Ltd.	82-15	Canada.
LaLuz Mines Ltd.	82-237	Canada.
Laredo Petroleums Ltd.	82-480	Canada.
Lava Cap Resources Ltd.	82-376	Canada.
Leader Resources Inc.	82-577	Canada.
Leichardt Explorations Ltd.	82-322	Australia.
Lennard Oil	82-298	Australia.
Leslie Gold Mines Ltd.	82-223	South Africa.
Les Mines Est-Malartic Ltee.	82-212	Canada.
Libanon Gold Mining Co., Ltd.	82-215	South Africa.
Lincoln Resources Inc.	82-349	Canada.
Lion Mines Ltd.	82-457	Canada.
Little Long Lac Mineral Exploration Ltd.	82-198	Canada.
Lodestar Energy Inc.	82-573	Canada.
Lonrho Ltd.	82-191	United Kingdom.
Lorcan Resources Ltd.	82-412	Canada.
Lydenburg Platinum Ltd.	82-312	South Africa.
M. I. M. Holdings Ltd.	82-173	Australia.
M. S. R. Explorations Ltd.	82-446	Canada.
Maclean-Hunter Ltd.	82-485	Canada.
Madre Mining Ltd.	82-529	Canada.
Magnet Metals Ltd.	82-299	Australia.
March Resources Ltd.	82-467	Canada.
Marievale Consolidated Mines Ltd.	82-224	South Africa.
Mark V Petroleums & Mines Ltd.	82-535	Canada.
Maymac Explorations Ltd.	82-496	Canada.
Megaline Resources Ltd.	82-439	Canada.
Meridan Oil N.L.	82-397	Australia.
Merland Explorations Ltd.	82-595	Canada.
Minerals and Resources Corp.	82-206	Bermuda.
Monarch Petroleum N.L.	82-339	Australia.
Mundee Mines Ltd.	82-534	Canada.
N. B. U. Mines Ltd.	82-511	Canada.
N. R. D. Mining Ltd.	82-358	Canada.
New Aston Resources Inc.	82-499	Canada.
New Congress Resources Ltd.	82-438	Canada.
New Frontier Petroleum Inc.	82-341	Canada.
Newpass Resources Ltd.	82-486	Canada.
Ni-Cal Developments Ltd.	82-360	Canada.
Nissan Motor Co., Ltd.	82-207	Japan.
Noble Mines & Oils Ltd.	82-509	Canada.
Noranda Mines Ltd.	82-158	Canada.
Northair Mines Ltd.	82-305	
North American Power Petroleums Inc.	82-383	Canada.
North South Resources Ltd.	82-585	Canada.
North West Mining N.L.	82-309	Australia.
Northwest Ventures Ltd.	82-260	Canada.
Nova, an Alberta Corporation.	82-594	Canada.
Nuspar Resources Ltd.	82-464	Canada.
Oakwood Petroleums Ltd.	82-564	Canada.
Ocelot Industries Inc.	82-331	Canada.
Onaping Resources Ltd.	82-273	Canada.
Orbex Minerals Ltd.	82-478	Canada.
Orion Petroleum Ltd.	82-576	Canada.
Otter Exploration N.L.	82-320	Australia.
Overseas Inns S.A.	82-166	Luxembourg.
Pacific North West Resources Ltd.	82-544	Canada.

Company	File No.	Country
Palliser Resources Inc	82-575	Canada.
Paragon Resources Ltd	82-388	Canada.
Parkside Petroleum Inc	82-483	Canada.
Pecos Resources Ltd	82-524	Canada.
Pelsart Resources N.L	82-484	Australia.
Penn West Petroleum Ltd	82-452	Canada.
Pennant Resources Ltd	82-371	Canada.
Petrofina Canada Inc	82-512	Canada.
Petro-Pak Resources Ltd	82-425	Canada.
Pez Resources Ltd	82-492	Canada.
Power Corp. of Canada	82-137	Canada.
Praire Pacific Energy Corp	82-456	Canada.
President Brand Gold Mining Co., Ltd.	82-39	South Africa.
President Steyn Gold Mining Co., Ltd.	82-44	South Africa.
Pryme Energy Resources Ltd	82-428	Canada.
Q. M. G. Holdings Inc	82-423	Canada.
Quebec Sturgeon River Mines Ltd.	82-186	Canada.
Queen Margaret Gold Mines N.L	82-414	Australia.
Queenstake Resources Ltd	82-565	Canada.
Quintaine Resources Inc	82-350	Canada.
Quinto Mining Corp	82-475	Canada.
Racal Electronics Ltd	82-481	United Kingdom.
Rainer Energy Resources Inc	82-560	Canada.
Rank Organization	82-17	United Kingdom.
Rayrock Resources Ltd	82-378	Canada.
Redford Resources Inc	82-553	Canada.
Reed Stenhouse Companies Ltd	82-254	Canada.
Reef Resources Corp	82-400	Canada.
Rhodes Resources Inc	82-495	Canada.
Rogers Cablesystems Inc	82-335	Canada.
Rosmac Resources Ltd	82-449	Canada.
Rothmans International Ltd	82-84	United Kingdom.
Rustenburg Platinum Holdings Ltd.	82-241	South Africa.
Ruth Vermont Mine Ltd	82-545	Canada.
Sabina Industries Ltd	82-244	Canada.
Samantha Exploration N.L	82-323	Australia.
Samson Exploration N.L	82-401	Australia.
San Miguel Corp	82-306	Philippines.
San Rafael Resources Ltd	82-507	Canada.
Santa Sarita Mining Co. Ltd	82-338	Canada.
Santos Ltd	82-34	Australia.
Sanyo Electric Co., Ltd	82-264	Japan.
Scheer Energy Development Corp.	82-333	Canada.
Scottie Gold Mines Ltd	82-351	Canada.
Seagold Oil Corp	82-518	Canada.
Seagull Resources Ltd	82-429	Canada.
Selkirk Petroleum Ltd	82-547	Canada.
Sentrust Ltd	82-313	South Africa.
Share Mines & Oils Ltd	82-508	Canada.
Sharon Energy Ltd	82-530	Canada.
Sherritt Gordon Mines Ltd	82-29	Canada.
Siemens Aktiengesellschaft	82-73	Germany.
Silvermaque Mining Ltd	82-510	Canada.
Sotheby Parke Bernet Group Ltd	82-337	United Kingdom.
Source Perrier	82-291	France.
South Africa Land & Exploration Co. Ltd.	82-59	South Africa.
Southern Pacific Petroleum N.L	82-353	Australia.
Southern Tier Gas Producers Ltd.	82-539	Canada.
Southern Union Resources Inc	82-490	Canada.
Southvaal Holdings Ltd	82-197	South Africa.
Spartan Capital Corp	82-160	Canada.
St. Helena Gold Mines Ltd	82-232	South Africa.
Stampede International Resources Ltd.	82-242	Canada.
Stateside Energy Corp	82-549	Canada.
Stelco Inc	82-141	Canada.
Sultontein Gold Mining Co., Ltd	82-301	South Africa.
Sunexco Energy Corp	82-389	Canada.
Swan Resources Ltd	82-477	Australia.
Sweetwater Petroleum Corp	82-462	Canada.
T. D. K. Electronics Co., Ltd	82-255	Japan.
Tanner Artic Oil Ltd	82-396	Canada.
Taro-Vit Chemical Industries Ltd	82-210	Israel.
Taurus Resources Ltd	82-408	Canada.
Telefonos De Mexico S.A	82-332	Mexico.
Temagami Oil & Gas Ltd	82-566	Canada.
Thorn EMI Ltd	82-373	United Kingdom.
Thunderwood Explorations Ltd	82-500	Canada.
Toronto Dominion Bank	82-142	Canada.
Toyota Motor Co., Ltd	82-208	Japan.
Tracer Resources Corp	82-552	Canada.
Trade Development Bank Holding S.A.	82-276	Luxembourg.
Transcolt Resources Ltd	82-342	Canada.
Transvaal Consolidated Land & Exploration Co.	82-304	South Africa.
Treasure Cay Ltd	82-288	Bahamas.
Tri-Basin Resources Ltd	82-468	Canada.
Triple-Crown Resources Ltd	82-491	Canada.
U. C. Investments Ltd	82-235	South Africa.
Unisel Gold Mines Ltd	82-236	South Africa.
United Siscoe Mines Ltd	82-194	Canada.
United Westland Resources Ltd	82-393	Canada.
Vaal Reefs Exploration and Mining Co., Ltd.	82-56	South Africa.
Val D'Or Explorations Ltd	82-572	Canada.
Val Petroleum Ltd	82-592	Canada.
Venterpost Gold Mining Co., Ltd	82-216	South Africa.
Ventora Resources Ltd	82-381	Canada.
Veronex Resources Ltd	82-364	Canada.
Versatile Cornat Corp	82-390	Canada.
Viscount Resources Ltd	82-420	Canada.
Vlakfontein Gold Mining Co., Ltd	82-217	South Africa.
Vulcan Industrial Packaging Ltd	82-300	Canada.
Wasp International Resources Inc.	82-451	Canada.
Watson International Resources Ltd.	82-563	Canada.
Welkam Gold Mining Co., Ltd	82-57	South Africa.
Westley Mines Ltd	82-546	Canada.
Westfort Petroleums Ltd	82-308	Canada.
West Jay Petroleums Ltd	82-525	Canada.
West Rand Consolidated Mines Ltd.	82-314	South Africa.
Western Deep Levels Ltd	82-58	South Africa.
Western Holdings Ltd	82-54	South Africa.
Westmount Resources Ltd	82-392	Canada.
Westward Energy & Resources Corp.	82-426	Canada.
Willanour Resources Ltd	82-63	Canada.
Windarra Minerals Ltd	82-561	Canada.
Windsor Resources Inc	82-554	Canada.
Winkelhaak Mines Ltd	82-221	South Africa.
Wright Hargreaves Mines Ltd	82-60	Canada.
Yukon Gold Placers Ltd	82-523	Canada.
Zambia Copper Investments Ltd	82-227	Bermuda.
Zenith Energy Corp	82-486	Canada.
Zenore Resources Inc	82-579	Canada.
Zodiac Resources Ltd	82-548	Canada.

[FR Doc. 81-30505 Filed 10-20-81; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[License No. 02/02-5421]

Intercontinental Capital Funding Corp.; Issuance of a Small Business Investment Company License

On November 19, 1980, a notice was published in the **Federal Register** (45 FR 76562) stating that an application has been filed by Intercontinental Capital Funding Corporation, 80 Mott Street, New York, New York 10013, with the Small Business Administration (SBA), pursuant to § 107.102 of the Regulations governing small business investment companies (13 CFR 107.102 (1980)) for a license as a small business investment company.

Interested parties were given until close of business December 4, 1980, to submit their comments to SBA. No comments were received.

Notice is hereby given that, pursuant to Section 301(d) of the Small Business Investment Act of 1958, as amended, after having considered the application and all other pertinent information, SBA issued License No. 02/02-5421 on September 30, 1981 to Intercontinental Capital Funding Corporation to operate as a small business investment company.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: October 15, 1981.

Peter F. McNeish,

Deputy Associate Administrator for Investment.

[FR Doc. 81-30494 Filed 10-20-81; 8:45 am]

BILLING CODE 8025-01-M

[License No. 09/09-0293]

Metropolitan Venture Company, Inc.; Issuance of Licenses

On June 19, 1981, a Notice was published in the **Federal Register** (46 FR 32123) stating that an application had been filed by Metropolitan Venture Company, Inc., 8200 Wilshire Blvd., Suite 314, Beverly Hills, California 90211, with the Small Business Administration pursuant to § 107.102 of the Regulations governing small business investment companies (SBICs).

Interested parties were given until the close of business July 6, 1981, to submit their comments to SBA. No comments were received.

Notice is hereby given that, pursuant to Section 301(c) of the Small Business Investment Act of 1958, as amended, after having considered the application and all other pertinent information, the SBA issued License No. 09/09-0293 to Metropolitan Venture Company, Inc., to operate as an SBIC, effective September 30, 1981.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: October 15, 1981.

Peter F. McNeish,

Deputy Associate Administrator for Investment.

[FR Doc. 81-30495 Filed 10-20-81; 8:45 am]

BILLING CODE 8025-01-M

Senior Executive Service Performance Review Board; List of Members

AGENCY: Small Business Administration.

ACTION: Listing of personnel serving as members of this agency's Senior Executive Service Performance Review Board.

SUMMARY: Public Law 95-454 dated October 13, 1978, (Civil Service Reform Act of 1978) requires that Federal Agencies publish notification of the appointment of individuals who serve as

members of that agency's Performance Review Board (PRB). The following is a listing of those individuals currently serving as members of this Agency's PRB:

1. Robert A. Turnbull, Associate Deputy Administrator
2. Donald R. Templeman, Deputy Administrator
3. Edwin T. Holloway, Deputy Associate Administrator for Financial Assistance Chairperson
4. Robert B. Webber, Associate General Counsel for Litigation
5. Albert J. Prendergast, Duputy Director for Field Management
6. Roger H. Jones, Assistant Administrator for Administration (Alternate)
7. Joe Maas, Director of Personnel (Non-voting technical adviser)
8. George H. Robinson, Director of Equal Employment Opportunity and Compliance (Non-voting equal employment opportunity adviser)

Michael Cardenas,

Administrator.

[FR Doc. 81-30358 Filed 10-20-81; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF STATE

Office of the Secretary

[Public Notice 777]

Assistance Under the Foreign Assistance Act to Nicaraguan Private Sector Organizations

Determination under Section 620(q) of the Foreign Assistance Act of 1961, as amended (the "Act") that it is in the National Interest to Furnish Assistance Under the Act to Nicaraguan Private Sector Organizations.

In accordance with the recommendation in a memorandum of September 30, 1981, and pursuant to the authority vested in me by Section 620(q) of the Act, Executive Order 12163 and Delegations of Authority issued thereunder, I hereby determine it is in the national interest of the United States to furnish assistance under the Act to the Nicaraguan and U.S. private sector organizations listed in a Memorandum, notwithstanding that the Government of Nicaragua is more than six months in default in payment of principal and interest on loans made under the Act.

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

Dated: September 30, 1981.

William P. Clark,

Deputy Secretary of State.

[FR Doc. 81-30340 Filed 10-20-81; 8:45 am]

BILLING CODE 4710-10-M

DEPARTMENT OF THE TREASURY

Customs Service

Tubular Textile Braided Lead Lines: Change of Practice Considered

AGENCY: U.S. Customs Service, Treasury.

ACTION: Proposed change of practice.

SUMMARY: This document gives notice that the Customs Service is reviewing an established and uniform practice concerning the classification of certain tubular textile braided lines containing, and in chief value of, lead cores. Customs currently classifies the merchandise under the provision for articles of lead, not coated or plated with precious metal, valued over 13⅓ cents per pound in item 657.75, Tariff Schedules of the United States (TSUS). The proposed change of practice would result in the classification of the merchandise under the *eo nomine* provision for tubular braids with a nonelastic core, not suitable for making or ornamenting headwear, in item 348.00, TSUS. If adopted, the proposed change of practice would result in the assessment of higher duties for the subject merchandise.

DATES: Comments must be received on or before December 21, 1981.

ADDRESS: Written comments (preferably in triplicate) may be addressed to the Commissioner of Customs, Attention: Regulations Control Branch, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229.

FOR FURTHER INFORMATION CONTACT: Phil Robins, Classification and Value Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington D.C. 20229 (202-566-8181).

SUPPLEMENTARY INFORMATION:

Background

In a Headquarters Ruling dated August 26, 1965, file No. TC 423.323 0, abstracted as T.D. 56521(91), Customs held that leadlines composed of braided textile covers over lead cores, valued at 40¼ cents per pound, and in chief value of lead, were classifiable under the provision for articles of lead, not coated or plated with precious metal, valued over 13⅓ cents per pound, in item 657.75, Tariff Schedules of the United States (TSUS) (19 U.S.C. 1202). That ruling was circulated to all ports, and all importations of the merchandise of the kind in question have been classified in conformity therewith, resulting in an established and uniform practice within the meaning of section 315(d), Tariff Act of 1930, as amended (19 U.S.C. 1315(d)).

In a subsequent Headquarters Ruling dated August 23, 1978, file 055132, Customs held that because of the established and uniform practice discussed above, certain tubular braids containing, and in chief value of, lead cores are classifiable under item 657.75, TSUS. The material in question had a core of 98 percent lead and 2 percent antimony. However, the ruling indicated that the correct classification of this merchandise should be under the provision for tubular braids with a nonelastic core, not suitable for making or ornamenting headwear, in item 348.00, TSUS.

Item 348.00, TSUS, is an *eo nomine* provision that neither requires the merchandise to be in chief value of any particular material, nor does it require the merchandise to be of textile materials. Further, even if there were a requirement that the braids had to be "of textile materials," the term "texitle materials" is defined in Headnote 2(a)(v), Schedule 3, TSUS, as including "braids." The word "braids" is defined in Subpart (f) of the same headnote as including all braids of any contruction, with or without cores.

Proposed Change or Practice

An *eo nomine* provision for an article, such as the provision for tubular braids with a nonelastic core, not suitable for making or ornamenting headwear, without limitations or shown contrary legislative intent, judicial decision, or adminstrative practice to the contrary, and without proof of commerical designation, will include all forms of such article. *Nootka Packing Co.* v. *United States*, 22 C.C.P.A. 464, T.D. 47464 (1935). In view of this principle and in light of the definitions of "textile materials" and "braids" enunciated above, Customs proposes to change the current established and uniform practice of classifying tubular textile braided lines with a nonelastic lead core of the kind in question under item 657.75, TSUS. Customs proposes that the subject merchandise be reclassified under item 348.00, TSUS.

Authority

Inasmuch as the proposed change of practice, if adopted, will result in the imposition of a higher rate of duty than previously found to have been applicable to the imported merchandise under the established and uniform

practice, Customs is giving notice and opportunity to comment in accordance with section 315(d), Tariff Act of 1930, as amended (19 U.S.C. 1315(d)), and § 177.10(c)(1), Customs Regulations (19 CFR 17.10(c)(1).

Comments

Before taking any further action on this matter, consideration will be given to any written comments timely submitted to the Commissioner of Customs. Comments submitted will be available for public inspection in accordance with § 103.8(b), Customs Regulations (19 CFR 103.8(b)), during regular business days between the hours of 9:00 a.m. and 4:30 p.m. at the regulations Control Branch, Room 2426, U.S. Customs Service, Headquarters, 1301 Constitution Ave, NW., Washington, D.C. 20229.

Drafting Information

The principal author of this notice was Charles D. Ressin, Regulations Control Branch, Office of regulations and Rulings, U.S. Customs Service. However, personnel from other Customs offices participated in its development.

William T. Archey,

Acting Commissioner of Customs.

Approved: September 25, 1981.

John M. Walker, Jr.

Assistant Secretary of the Treasury.

[FR Doc. 81-30471 Filed 10-20-81; 8:45 am]

BILLING CODE 4810-22-M

Office of the Secretary

[Dept. Circular, Public Debt Series No. 32-81]

Treasury Notes of October 31, 1983, Series W-1983

October 15, 1981.

1. Invitation For Tenders

1.1. The Secretary of the Treasury, under the authority of the Second Liberty Bond Act, as amended, invites tenders for approximately $4,750,000,000 of United States securities, designated Treasury Notes of October 31, 1983, Series W-1983 (CUSIP No. 912827 ML 3). The securities will be sold at auction, with bidding on the basis of yield. Payment will be required at the price equivalent of the bid yield of each accepted tender. The interest rate on the securities and the price equivalent of each accepted bid will be determined in the manner described below. Additional amounts of these securities may be issued to Government accounts and Federal Reserve Banks for their own account in exchange for maturing Treasury securities. Additional amounts of the new securities may also be issued at the average price to Federal Reserve Banks, as agents for foreign and international monetary authorities, to the extent that the aggregate amount of tenders for such accounts exceeds the aggregate amount of maturing securities held by them.

2. Description of Securities

2.1. The securities will be dated November 2, 1981, and will bear interest from that date, payable on a semiannual basis on April 30, 1982, and each subsequent 6 months on October 31 and April 30 until the principal becomes payable. They will mature October 31, 1983, and will not be subject to call for redemption prior to maturity. In the event an interest payment date or the maturity date is a Saturday, Sunday, or other nonbusiness day, the interest or principal is payable on the next-succeeding business day.

2.2. The income derived from the securities is subject to all taxes imposed under the Internal Revenue Code of 1954. The securities are subject to estate, inheritance, gift, or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, any possession of the United States, or any local taxing authority.

2.3. The securities will be acceptable to secure deposits of public monies. They will not be acceptable in payment of taxes.

2.4. Bearer securities with interest coupons attached, and securities registered as to principal and interest, will be issued in denominations of $5,000, $10,000, $100,000, and $1,000,000. Book-entry securities will be available to eligible bidders in multiples of those amounts. Interchanges of securities of different denominations and of coupon, registered, and book-entry securities, and the transfer of registered securities will be permitted.

2.5. The Department of the Treasury's general regulations governing United States securities apply to the securities offered in this circular. These general regulations include those currently in effect, as well as those that may be issued at a later date.

3. Sale Procedures

3.1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to 1:30 p.m., Eastern Daylight Saving time, Wednesday, October 21, 1981. Noncompetitive tenders as defined below will be considered timely if postmarked no later than Tuesday, October 20, 1981.

3.2. Each tender must state the face amount of securities bid for. The minimum bid is $5,000, and larger bids must be in multiples of that amount. Competitive tenders must also show the yield desired, expressed in terms of an annual yield with two decimals, e.g., 7.11%. Common fractions may not be used. Noncompetitive tenders must show the term "noncompetitive" on the tender form in lieu of a specified yield. No bidder may submit more than one noncompetitive tender, and the amount may not exceed $1,000,000.

3.3. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and primary dealers, which for this purpose of defined as dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions in and borrowings on such securities, may submit tenders for account of customers if the names of the customers and the amount of each customers are furnished. Others are only permitted to submit tenders for their own account.

3.4. Tenders will be received without deposit for their own account from commercial banks and other banking institutions; primary dealers, as defined above; Federally-insured savings and loan associations; States, and their political subdivisions or instrumentalities; public pension and retirement and other public funds; international organizations in which the United States holds membership; foreign central banks and foreigh states; Federal Reserve Banks; and Government accounts. Tenders from others must be accompained by full payment for the amount of securities applied for (in the form of cash, maturing Treasury securities, or readily, collectible checks), or by a payment guarantee of 5 percent of the face amount applied for, from a commercial bank or a primary dealer.

3.5. Immediately after the closing hour, tenders will be opened, followed by a public announcement of the amount and yield range of accepted bids. Subject to the reservations expressed in Section 4, noncompetitive tenders will be accepted in full, and then competitive tenders will be accepted, starting with those at the lowest yields through successively higher yields to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessry. After the determination is made as to which tenders are accepted, a coupon rate will be established, on the basis of a ⅛ of one percent increment, which results in

an equivalent average accepted price close to 100.000 and a lowest accepted price above the orignial issue discount limit of 99.750. That rate of interest will be paid on all of the securities. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price equivalent to the yield bid. Those submitting noncompetitive tenders will pay the price equivalent to the weighted average yield of accepted competitive tenders. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. If the amount of noncompetitive tenders received would absorb all or most of the offering, competitive tenders will be acccepted in an amount sufficient to provide a fair determination of the yield. Tenders received from Government accounts and Federal Reserve Banks will be accepted at the price equivalent to the weighted average yield of accepted competitive tenders.

3.6. Competitive bidders will be advised of the accpetance of rejection of their tenders. Those submitting noncompetitive tenders will only be notified if the tender is not accepted in full, or when the price is over par.

4. Reservations

4.1. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders in whole or in part, to allot more or less than the amount of securities specified in Section 1, and to make different percentage allotments to various classes of applicants when the Secretary considers it in the public interest. The Secretary's action under this Section is final.

5. Payment and Delivery

5.1. Settlement for allotted securities must be made at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt, wherever the tender was submitted. Settlement on securities allotted to institutional investors and to others whose tenders are accompanied by a payment guarantee as provided in Section 3.4., must be made or completed on or before Monday, November 2, 1981. Payment in full must accompany tenders submitted by all other investors. Payment must be in cash; in other funds immediately available to the Treasury; in Treasury bills, notes, or bonds (with all coupons detached) maturing on or before the settlement date but which are not overdue as defined in the general regulations governing United States securities; or by check drawn to the order of the institution to which the tender was submitted, which must be received from institutional investors no later than Thursday, October 29, 1981. When payment has been submitted with the tender and the purchase price of allotted securities is over par, settlement for the premium must be completed timely, as specified in the preceding sentence. When payment has been submitted with the tender and the purchase price is under par, the discount will be remitted to the bidder. Payment will not be considered complete where registered securities are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. When payment is made in securities, a cash adjustment will be made to or required of the bidder for any difference between the face amount of securities presented and the amount payable on the securities allotted.

5.2. In every case where full payment has not been completed on time, an amount of up to 5 percent of the face amount of securities allotted, shall, at the discretion of the Secretary of the Treasury, be forfeited to the United States.

5.3. Registered securities tendered in payment for allotted securities are not required to be assigned if the new securities are to be registered in the same names and forms as appear in the registrations or assignments of the securities surrendered. When the new securities are to be registered in names and forms different from those in the inscriptions or assignments of the securities presented, the assignment should be to "The Secretary of the Treasury for (securities offered by this circular) in the name of (name and taxpayer identifying number)." If new securities in coupon form are desired, the assignment should be to "The Secretary of the Treasury for coupon (securities offered by this circular) to be delivered to (name and address)." Specific instructions for the issuance and delivery of the new securities, signed by the owner or authorized representative, must accompany the securities presented. Securities tendered in payment should be surrendered to the Federal Reserve Bank or Branch or to the Bureau of the Public Debt, Washington, D.C. 20226. The securities must be delivered at the expense and risk of the holder.

5.4. If bearer securities are not ready for delivery on the settlement date, purchasers may elect to receive interim certificates. These certificates shall be issued in bearer form and shall be exchangeable for definitive securities of this issue, when such securities are available, at any Federal Reserve Bank or Branch or at the Bureau of the Public Debt, Washington, D.C. 20226. The interim certificates must be returned at the risk and expense of the holder.

5.5. Delivery of securities in registered form will be made after the requested form of registration has been validated, the registered interest account has been established, and the securities have been inscribed.

6. General Provisions

6.1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make allotments as directed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of securities on full-paid allotments, and to issue interim certificates pending delivery on the definitive securities.

6.2. The Secretary of the Treasury may at any time issue supplemental or amendatory rules and regulations governing the offering. Public announcement of such changes will be promptly provided.

Supplementary Statement

The announcement set forth above does not meet the Department's criteria for significant regulations and, accordingly, may be published without compliance with the departmental procedures applicable to such regulations.

Paul H. Taylor,

Fiscal Assistant Secretary.

[FR Doc. 81-30660 Filed 10-20-81; 9:56 am]

BILLING CODE 4810-40-M

VETERANS ADMINISTRATION

Station Committee on Educational Allowances; Meeting

Notice is hereby given pursuant to Section V, Review Procedure and Hearing Rules, Station Committee on Educational Allowances that on November 20, 1981, at 1:00 p.m., the Veterans Administration Regional Office Station Committee on Educational Allowances shall at Estes Kefauver Federal Building—U.S. Courthouse, Room A-220, 110 Ninth Avenue, South, Nashville, Tennessee, conduct a hearing to determine whether Veterans Administration benefits to all eligible persons enrolled in NCR Corporation, 4115 Access Road,

Chattanooga, Tennessee, should be discontinued, as provided in 38 CFR 21.4134, because a requirement of law is not being met or a provision of the law has been violated. All interested persons shall be permitted to attend, appear before, or file statements with the Committee at that time and place.

Dated: October 13, 1981.

R. S. Bielak,

Director, VA Regional Office, 110 Ninth Avenue, South, Nashville, Tennessee.

[FR Doc. 81-30379 Filed 10-20-81; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register
Vol. 46, No. 203
Wednesday, October 21, 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

COMMODITY FUTURES TRADING COMMISSION.

TIME AND DATE: 11 a.m. Friday, October 23, 1981.

PLACE: 2033 K Street, NW., Washington, D.C., 8th floor conference room.

STATUS: Closed.

MATTERS TO BE CONSIDERED:
Surveillance Briefing.

[S–1586–81 Filed 10–19–81; 11:11 am]

BILLING CODE 6351–01–M

2

COMMODITY FUTURES TRADING COMMISSION.

TIME AND DATE: 11 a.m., Friday, October 30, 1981.

PLACE: 2033 K STREET NW., WASHINGTON, D.C., 8TH FLOOR CONFERENCE ROOM.

STATUS: Closed.

MATTERS TO BE CONSIDERED:
Surveillance Briefing.

CONTACT PERSON FOR MORE INFORMATION: Jane Stuckey, 254–6314.

[S–1587–81 Filed 10–19–81; 11:12 am]

BILLING CODE 6351–01–M

3

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 10:00 a.m. on Monday, October 26, 1981, the Federal Deposit Insurance Corporation's Board of Directors will meet in closed session, by vote of the Board of Directors pursuant to sections 552b(c)(2), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of Title 5, United States Code, to consider the following matters:

Summary Agenda: No substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board of Directors requests that an item be moved to the discussion agenda.

Requests for relief from adjustment for violations of Regulation Z:

Names and locations of banks authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(8) and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(8) and (c)(9)(A)(ii)).

Note.—Some matters falling within this category may be placed on the discussion agenda without further public notice if it becomes likely that substantive discussion of those matters will occur at the meeting.

Recommendations with respect to the initiation, termination, or conduct of administrative enforcement proceedings (cease-and-desist proceedings, termination-of-insurance proceedings, suspension or removal proceedings, or assessment of civil money penalties) against certain insured banks or officers, directors, employees, agents, or other persons participating in the conduct of the affairs thereof:

Names of persons and names and locations of banks authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(6), (c)(8), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(6), (c)(8), and (c)(9)(A)(ii)).

Note.—Some matters falling within this category may be placed on the discussion agenda without further public notice if it becomes likely that substantive discussion of those matters will occur at the meeting.

Discussion Agenda:

Application for consent to establish a branch:

The Peoples Bank, Carrollton, Georgia, for consent to establish a branch at 1090 North Park Street, Carrollton, Georgia.

Recommendation regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 44,949–NR (Addendum)—United States National Bank, San Diego, California.

Appeal from an initial partial denial of a request for records pursuant to the Freedom of Information Act.

Personnel actions regarding appointments, promotions, administrative pay increases, reassignments, retirements, separations, removals, etc.:

Names of employees authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(2) and (c)(6) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2) and (c)(6)).

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550—17th Street, NW., Washington, D.C.

Requests for information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389–4425.

Dated: October 19, 1981.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S–1588–81 Filed 10–19–81; 1:18 pm]

BILLING CODE 6714–01–M

4

FEDERAL HOME LOAN BANK BOARD.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Vol. 43, No 200, Page 51111, October 16, 1981.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: October 20, 1981, 10 a.m.

PLACE: 1700 G Street NW, Sixth Floor, Washington, D.C.

STATUS: Open Meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202–377–6679).

CHANGES IN THE MEETING:

THE FOLLOWING ITEMS HAVE BEEN ADDED TO THE AGENDA FOR THE OPEN MEETING:

Amendments concerning borrowing.

Technical Amendments Relating to Receiverships.

No. 549, October 16, 1981.

[S–1585–81 Filed 10–19–81; 9:40 am]

BILLING CODE 6720–01–M

5

FEDERAL HOME LOAN BANK BOARD

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Vol. No. 43, Issue No. 200, Date Published Wednesday, October 21, 1981.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10 a.m., Tuesday, October 20, 1981.

PLACE: 1700 G Street NW., Board room, 6th Floor, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Marshall (202–377–6679).

CHANGES IN THE MEETING: The following item has been withdrawn from the open portion of the Bank Board meeting scheduled for Tuesday, October 20, 1981.

Technical Amendments Relating to Receiverships.

No. 250, October 19, 1981.

[S–1594–81 Filed 10–19–81; 4:03 pm]

BILLING CODE: 6720–01–M

6

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

October 14, 1981.

TIME AND DATE: 10 a.m., Wednesday, October 21, 1981.

PLACE: Room 600, 1730 K Street, N.W., Washington, D.C.

STATUS: This meeting may be closed in part.

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following:

1. Puerto Rican Cement Co., SE 81–25–M; Petition for Discretionary Review (Issues include whether violation of 30 CFR § 56.4–27 occurred).
2. Eastern Associated Coal Corp., PITT 76X203, IBMA 77–28; (Issues include whether violation of 30 CFR § 77.215(j) occurred).
3. Jim Walter Resources and Cowin & Company, BARB 77–266–P, BARB 76X465–P; (Issues include whether 30 CFR § 77.1903(b) is a mandatory standard).
4. Cowin and Company, HOPE 76–210–P, etc.; (Issues include whether 30 CFR § 77.1903(b) is a mandatory standard).
5. Knox County Stone Company, DENV 79–359–PM; (Issues include whether judge's denial of motion for settlement and assessment of $500 penalty was erroneous).

CONTACT PERSON FOR MORE INFORMATION: Jean Ellen, 202–653–5632.

[S–1593–81 Filed 10–19–81; 3:15 pm]

BILLING CODE 6820–12–M

7

FEDERAL TRADE COMMISSION.

TIME AND DATE: 10 a.m., Thursday, October 23, 1981.

PLACE: Room 532 (open); Room 540 (closed), Federal Trade Commission Building, 6th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be Closed to the Public.

MATTERS TO BE CONSIDERED:

Portions Open to Public: (1) Oral Argument in Sterling Drug, Inc. et al., Docket No. 8919.

Portions closed to the Public: (2) Executive Session to follow Oral Argument in Sterling Drug, Inc. et al., Docket No. 8919.

CONTACT PERSON FOR MORE INFORMATION: Susan B. Ticknor, Office of Public Information, (202) 523–1892; Recorded Message: (202) 523–3806.

[S–1591–81 Filed 10–19–81; 3:14 pm]

BILLING CODE 6750–01–M

8

INTERNATIONAL TRADE COMMISSION

TIME AND DATE: 10:30 a.m., Thursday, October 29, 1981.

PLACE: Room 117, 701 E Street NW., Washington, D.C. 20436.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agenda.
2. Minutes.
3. Ratifications.
4. Petitions and complaints: a. Extracting plastic tubing (Docket No. 762).
5. Investigation 701–TA–80 [Preliminary] Lamb meat from New Zealand—briefing and vote.
6. Investigation TA–203–11 (Bolts, nuts, and large screws of iron or steel)—briefing and Commission statements, if any.
7. Investigation TA–201–45 (Fishing rods)—briefing and vote on injury.
8. Any items left over from previous agenda.

CONTACT PERSON FOR MORE INFORMATION: Kenneth R. Mason, Secretary, (202) 523–0161.

[S–1589–81 Filed 10–19–81; 1:59 pm]

BILLING CODE 7020–02–M

9

NUCLEAR REGULATORY COMMISSION.

DATE: Week of October 19, 1981 (Revised).

PLACE: Commissioners' Conference Room, 1717 H Street, N.W., Washington, D.C.

STATUS: Open/Closed.

MATTERS TO BE CONSIDERED:

Wednesday, October 21

2 p.m. 1. Briefing on Status of NUREG–0771 and –0772 (on Fission Product Behavior) (Public Meeting) (as announced) (approximately 2 hours).

2. Discussion of Management-Organization and Internal Personnel Matters (Closed Meeting).

Thursday, October 22

10 a.m. 1. Periodic Status Report on Phase II of SEP (Public Meeting) (as announced).

3 p.m. 1. Affirmation/Discussion Session (Public Meeting) (items revised).

Items to be affirmed and/or discussed:

a. Proposed amendment to 10 CFR Part 71 to Restrict Air Transport of Plutonium.

b. Review of ALAB–646, In the Matter of Alabama Power Co. (Antitrust), and Alabama Power Company's Application for Stay *Pendente Lite* (Postponed from 10/15).

c. Implementation of Equal Access to Justice Act (postponed from 10/15).

d. Delegation of Part 70 Jurisdiction to Licensing and Appeal Boards (Postponed from 10/15).

ADDITIONAL INFORMATION: Discussion of Budget, scheduled for Thursday, October 15, was held first portion open, second portion closed and continued at 2:00 p.m. on that day. Affirmations of Interim Rule on Hydrogen Control, and New Development in Florida Cities and Florida Power & Light Antitrust Matter, scheduled for Thursday, October 15, were cancelled.

Automatic telephone answering service for schedule update: (202) 634–1498.

Those planning to attend a meeting should reverify the status on the day of the meeting.

CONTACT PERSON FOR MORE INFORMATION: Walter Magee, (202) 634–1410.

Walter Magee,

Office of the Secretary.

[S–1584–81 Filed 10–16–81; 4:38 am]

BILLING Code 7590–01–M

10

RAILROAD RETIREMENT BOARD.

TIME AND DATE: 10 a.m., October 29, 1981.

PLACE: Americana Congress Hotel (formerly the Pick Congress), the Seminar Room, 3rd floor, 520 S. Michigan, Chicago, Illinois, 60605.

STATUS: The entire meeting will be open to the public.

MATTERS TO BE CONSIDERED:

(1) Appeal of Excelsior Truck Leasing, Inc.

(2) Survery of the Division of Disability Benefits, Bureau of Retirement Claims.

CONTACT PERSON FOR MORE INFORMATION: Beatrice Bzerski, COM No. 312–751–4920, FTS No. 387–4920.

[S–1592–81 Filed 10–19–81; 3:15 pm]

BILLING CODE: 7905–01–M

Reader Aids

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Vol. 46, No. 203

Wednesday, October 21, 1981

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At the end of each month, the Office of the Federal Register publishes separately a list of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday). This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/FNS		DOT/COAST GUARD	USDA/FNS
DOT/FAA	USDA/REA		DOT/FAA	USDA/REA
DOT/FHWA	USDA/SCS*		DOT/FHWA	USDA/SCS*
DOT/FRA	MSPB/OPM		DOT/FRA	MSPB/OPM
DOT/MA	LABOR		DOT/MA	LABOR
DOT/NHTSA	HHS/FDA		DOT/NHTSA	HHS/FDA
DOT/RSPA			DOT/RSPA	
DOT/SLSDC			DOT/SLSDC	
DOT/UMTA			DOT/UMTA	
CSA			CSA	

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday. Comments on this program are still invited.

Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

*Note: The Soil Conservation Service will begin Tues/Fri. publication as of Nov. 3, 1981.

REMINDERS

The "reminders" below identify documents that appeared in issues of the **Federal Register** 15 days or more ago. Inclusion or exclusion from this list has no legal significance.

Deadlines for Comments on Proposed Rules for the Week of October 25 through October 31, 1981

AGRICULTURE DEPARTMENT

Agricultural Marketing Service—

47585 9–29–81 / Onions grown in certain designated counties in Idaho and Malheur County, Oreg.; recommended decision on proposed amendment of marketing agreement and order; comments by 10–29–81

43836 9–1–81 / U.S. Standards for grades of canned apple juice; comments by 10–30–81

43838 9–1–81 / U.S. Standards for grades of canned apple sauce; comments by 10–30–81

Animal and Plant Health Inspection Service—

43175 8–27–81 / Interstate movement of diseased animals and poultry; comments by 10–26–81

43650 8–31–81 / Restrictions on importation of horses from Austria; comments by 10–30–81

Food Safety and Inspection Service—

39274 7–31–81 / Meat and poultry; standards and labeling requirements for mechanically processd (species) product and products in which it is used; comments by 10–29–81

Food Safety and Quality Service—

43836 9–1–81 / U.S. Standards for grades of canned apple juice; comments by 10–30–81

43838 9–1–81 / U.S. Standards for grades of canned apple sauce; comments by 10–30–81

DEFENSE DEPARTMENT

Office of the Secretary—

43185 8–27–81 / Discharge Review Boards; procedures for obtaining copies of military records; comments by 10–26–81

46597 9–21–81 / Removal of RTCs as authorized providers of care under the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); comment period extended to 10–31–81

[*See also* 46 FR 39167, 7–31–81]

ENERGY DEPARTMENT

Federal Energy Regulatory Commission—

48234 10–1–81 / High-cost gas produced from tight formations; Utah; comments by 10–28–81

[Corrected at 46 FR 49141, 10–6–81]

ENVIRONMENTAL PROTECTION AGENCY

47469 9–28–81 / Air quality implementation plans; approval and promulgation; various States, etc.:

Connecticut; comments by 10–28–81

47470 9–28–81 / Air quality implementation plans; approval and promulgation; various States, etc.:

New York; comments by 9–28–81

47624 9–29–81 / Arizona State Implementation Plan revision; comments by 10–29–81

47242 9–25–81 / Glyphosate; tolerances; comments by 10–26–81

FEDERAL COMMUNICATIONS COMMISSION

49624 10–7–81 / FM broadcast stations in Brookville and Versailles, Indiana; table of assignments; comment period extended to 10–26–81

[*See also* 46 FR 39629, 7–22–81]

44010 9–2–81 / FM broadcast station in Spearfish, S. Dak.; table of assignments; comments by 10–26–81

40776 8–12–81 / FM broadcast stations in Tulsa, Okla.; changes in TV table of assignments; reply comments by 10–26–81

40709 8–11–81 / FM broadcast station in Vernal, Utah; changes in table of assignments; reply comments by 10–26–81

44012 9–2–81 / FM broadcast stations in Agana, Guam; table of assignments; comments by 10–26–81

49617 10–7–81 / Overseas Communications Services; reply comments extended to 10–28–81

[*See also* 45 FR 76498, 11–19–80]

46148 9-17-81 / Release of remaining 250 channels in the 800 MHz land mobile reserve band; comments by 10-30-81
[*See also* 46 FR 37927, 7-23-81]

40707 8-11-81 / TV broadcast station in Fort Walton Beach, Fla.; changes in table of assignments; reply comments by 10-26-81

40710 8-11-81 / TV broadcast station in Houston, Tex.; changes in table of assignments; reply comments by 10-26-81

FEDERAL DEPOSIT INSURANCE CORPORATION

43431 8-28-81 / Administrative proceedings; equal access to justice; comments by 10-27-81

FEDERAL ELECTION COMMISSION

48074 9-30-81 / Transfer of funds; collecting agents, joint fundraising; comments by 10-30-81

FEDERAL MARITIME COMMISSION

43474 8-28-81 / Per-container rates; tariff filing requirements applicable to carriers and conferences in the foreign commerce of the United States; petition filed by Sea-Land Service, Inc.; comments by 10-27-81

25326 5-6-81 / Regulatory flexibility agenda; comments by 10-31-81

43472 8-28-81 / Time limit for filing of overcharge claims; comments by 10-30-81

FEDERAL TRADE COMMISSION

47236 9-25-81 / Labeling and advertising of home insulation; comments by 10-26-81
[*See also* 44 FR 50218, 8-27-79; 44 FR 64402, 11-7-79; 44 FR 73017, 12-17-79; 45 FR 37674, 6-3-80 and 45 FR 54702, 8-15-80]

GENERAL SERVICES ADMINISTRATION

43973 9-2-81 / Property management; instruments and laboratory equipment costing over $10,000; purchase order copy submission requirement; temporary regulation; comments by 10-31-81

47472 9-28-81 / Transportation; quantity (bulk) ticket purchases; dollar limit increases; comments by 10-28-81

HEALTH AND HUMAN SERVICES DEPARTMENT

Food and Drug Administration—

47532 9-29-81 / Grape Color Extract; listing of color additives exempt from certification; comments by 10-29-81

47217 9-25-81 / Indirect food additives; adjuvants, production aids, and sanitizers; objections by 10-26-81

47217 9-25-81 / Indirect food additives; adjuvants, production aids, and sanitizers; antioxidants and/or stabilizers for polymers; objections by 10-26-81

43465 8-28-81 / Inhalation anesthetic drug products; proposed revocation of requirements for studies of carcinogenic and teratogenic potential; comments by 10-27-81

Health Care Financing Administration—

48006 9-30-81 / Medicaid Program; offset based on third party liability recoveries against reductions in medicaid payments; comments by 10-30-81

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Office of Assistant Secretary for Neighborhoods, Voluntary Associations and Consumer Protection Office—

43466 8-28-81 / Manufactured home construction; formaldehyde outgassing; comments by 10-27-81

INTERIOR DEPARTMENT

Fish and Wildlife Service—

46361 9-18-81 / Permit regulations for wildlife and plants; comments by 10-30-81

Surface Mining Reclamation and Enforcement Office—

47467 9-28-81 / Permanent program submission; various States: Indiana; comments by 10-28-81

LABOR DEPARTMENT

Federal Contract Compliance Office—

42968 8-25-81 / Government contractors; affirmative action requirements; comments by 10-26-81

PERSONNEL MANAGEMENT OFFICE

42835 8-25-81 / Retirements; recovery of indebtedness owed by former Federal employees; comments by 10-26-81

SECURITIES AND EXCHANGE COMMISSION

42015 8-18-81 / Circumstances affecting the determination of what constitutes reasonable investigation and reasonable grounds by belief; comments by 10-30-81

42001 8-18-81 / Delayed or continuous offering and sale; comments by 10-30-81

42026 8-18-81 / Disclosure of security ratings in registration systems; comments by 10-30-81

42029 8-18-81 / Integrated disclosure; amendments to forms and recision of obsolete form; comments by 10-30-81

42042 8-18-81 / Integrated disclosure; amendments to rules and forms; clarification of safe Harbor rules; comments by 10-30-81

41971 8-18-81 / Regulation C, registration and regulation 12B, registration and reporting; comments by 10-30-81

41902 8-18-81 / Reproposal of comprehensive revision to system for registration of securities offerings; comments by 10-30-81

43457 8-28-81 / Self-underwriting by nonmember brokers or dealers; comments by 10-30-81

41925 8-18-81 / Standard instructions for filing forms and guides for preparation; comments by 10-30-81

TRANSPORTATION DEPARTMENT

Federal Aviation Administration—

43176 8-27-81 / Summary of petitions received and dispositions of petitions denied or withdrawn; comments by 10-26-81

Federal Highway Administration—

National Highway Traffic Safety Administration—

43692 8-31-81 / Highway Safety Programs; determination of effectiveness; comments by 10-29-81

45627 9-14-81 / Relocation assistance; revised interest payments; comments by 10-29-81

TREASURY DEPARTMENT

Alcohol, Tobacco and Firearms—

38536 7-28-81 / Cienega Valley Viticultural Area; comments by 10-26-81

Deadlines for Comments on Proposed Rules for the Week of November 1 through November 7, 1981

AGRICULTURE DEPARTMENT

Agricultural Marketing Service—

49908 10-8-81 / Milk marketing orders; Lake Mead area; comments by 11-4-81
[*See also* 46 FR 45776, 9-15-81]

Animal and Plant Health Inspection Service—

44144 9-2-81 / Mediterranean fruit fly; restriction of Los Angeles, San Benito and Santa Cruz Counties, Calif.; interim rule; comments by 11-2-81

Rural Electrification Administration—

44472 9-4-81 / Public information; Appendix A—REA bulletins specification for low-loss buried distribution wire, PE-44, Bulletin 345-42 and specification for plastic-insulated line wire, PE-21, Bulletin 345-17; comments by 11-3-81

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

47744 9-29-81 / Proposed rescission of minimum guidelines and requirements for standards for accessibility and usability of Federal and federally-funded building; comments by 11-6-81
[*See also* 46 FR 39764, 8-4-81]

COMMERCE DEPARTMENT

International Trade Administration—

43842 9-1-81 / Effects of Foreign policy export controls; comments by 11-2-81

National Oceanic and Atmospheric Administration—
45969 9-16-81 / Northern Anchory Fishery Management Plan; initial approval and availability of Plan amendment; comments by 11-2-81

DEPOSITORY INSTITUTIONS DEREGULATION COMMITTEE
49137 10-6-81 / Time deposits of less than $100,000 with original maturities of 3½ years or more; comments by 11-6-81

ENERGY DEPARTMENT
49546 10-6-81 / Nondiscrimination on the basis of age; comments by 11-5-81
Economic Regulatory Administration—
48118 10-1-81 / Electric power plants; established procedures for owners and operators; comments by 11-2-81
44696 9-4-81 / Import and export of material gas; new administrative procedures; comments by 11-3-81
[*See also* 46 FR 49909, 10-8-81]

ENVIRONMENTAL PROTECTION AGENCY
46927 10-5-81 / Air quality; designation of areas; approval of redesignation of attainment status; District of Columbia; final rule; comments by 11-4-81
43855 9-1-81 / Indiana, approval and promulgation of State Implementation Plan; comments by 11-2-81
31677 6-17-81 / 1984 heavy-duty engine requirements; comments by 11-1-81
49814 10-7-81 / Stack height regulations; comments by 11-3-81
48240 10-1-81 / State implementation plan; revision; State of Md.; comments by 11-2-81

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
43848 9-1-81 / The Equal Pay Act, interpretations; comments by 11-2-81

FEDERAL COMMUNICATIONS COMMISSION
45635 9-14-81 / Digital Termination Systems; allocation of a portion of a specific GH_z band and associated point-to-point intermodal links to supplement recently allocated GH_z band for DTS; comments by 11-2-81
45166 9-10-81 / FM broadcast station in Charleston, W.Va.; changes in table of assignments; comments by 11-2-81
45167 9-10-81 / FM broadcast station in Greenville, Ala.; changes in table of assignments; comments by 11-2-81
42474 8-21-81 / FM broadcast station in Hilo, Hawaii; changes in table of assignments; reply comments by 11-2-81
42475 8-21-81 / FM broadcast station in Petasky, Mich.; changes in table of assignments; reply comments by 11-2-81
42477 8-21-81 / FM broadcast station in Redding, Calif.; changes in table of assignments; reply comments by 11-2-81
45169 9-10-81 / FM broadcast station in Thoreau, N. Mex.; changes in table of assignments; comments by 11-2-81
45170 9-10-81 / FM broadcast station in West Liberty and Flemingsburg, Ky.; changes in table of assignments; comments by 11-2-81
42703 8-24-81 / FM broadcast stations in Greenfield and Springfield, Mo.; changes in table of assignments; reply comments by 11-2-81
42701 8-24-81 / FM broadcast stations in Hudson and Adrian, Mich.; and Swanton, Ohio; reply comments by 11-2-81
42483 8-21-81 / FM broadcast stations in Truth or Consequences, N. Mex.; changes in table of assignments; reply comments by 11-2-81
46147 9-17-81 / Future role of television translators and low-power television broadcasting; reply comments by 11-1-81
[*See also* 46 FR 42478, 8-21-81]
43190 8-27-81 / Revision of programming policies and reporting requirements related to public broadcasting licensees; comments by 11-2-81

HEALTH AND HUMAN SERVICES DEPARTMENT
Food and Drug Administration—
49114 10-6-81 / Fermented ammoniated condensed whey; liquid feed supplement for cattle; objections by 11-5-81
49115 10-6-81 / Selenium; providing for safe use as a nutrient in duck feeds; objections by 11-5-81
Human Development Services Office—
48606 10-1-81 / Work Incentive Program for AFDC recipients under Title IV of the Social Security Act; comments by 11-2-81
Public Health Service—
39976 8-5-81 / Obligated Service for mental health traineeships (rule); comments by 11-3-81

INTERIOR DEPARTMENT
Geological Survey—
48951 10-5-81 / Outer Continental Shelf; oil, gas, and sulphur operations; environmental reports; tiering; comments by 11-4-81
48952 10-5-81 / Outer Continental Shelf; oil, gas, and sulphur operations; reimbursement to lessees and permittees; comments by 11-4-81
Land Management Bureau—
43950 9-1-81 / Geothermal resources leasing; comments by 11-2-81
Surface Mining Reclamation and Enforcement Office—
49141 10-6-81 / Abandoned mine lands reclamation program; North Dakota; comments by 11-5-81
49143 10-6-81 / Abandoned mine lands reclamation program; Oklahoma; comments by 11-5-81

INTERSTATE COMMERCE COMMISSION
34819 7-6-81 / Motor carrier classification system; interim policy statement; comment period extended to 11-3-81
[*See also* 46 FR 27732, 5-21-81]
45966 9-16-81 / Revision to railroad annual Report Form R-1; comments by 11-2-81
45967 9-16-81 / Revisions to annual motor carrier reporting requirements; comments by 11-2-81

JUSTICE DEPARTMENT
48921 10-5-81 / Equal Access to Justice Act; implementation; interim rule; comments by 11-4-81

LABOR DEPARTMENT
Employment and Training Administration—
44730 9-4-81 / Comprehensive Employment and Training Act (CETA) regulations; Governors Special Grant Programs under Title II and Youth Programs under Title IV; comments by 11-1-81
48606 10-1-81 / Work Incentive Program for AFDC recipients under Title IV of the Social Security Act; comments by 11-2-81
Office of the Secretary—
49542 10-6-81 / Subpoenas served on Departmental employees; procedures to be followed; comments by 11-5-81

LIBRARY OF CONGRESS
Copyright Office—
49145 10-6-81 / Registration of claims to renewal of copyright; comments by 11-6-81

NUCLEAR REGULATORY COMMISSION
35280 7-8-81 / Technical criteria for disposal of high-level radioactive wastes in geologic repositories; comments by 11-5-81

SECURITIES AND EXCHANGE COMMISSION
49594 10-7-81 / Designation of national market system securities; comments by 11-6-81

STATE DEPARTMENT
48884 10-2-81 / Change in fees for consular services; comments by 11-2-81

TRANSPORTATION DEPARTMENT
National Highway Traffic Safety Administration—
46604 9-21-81 / Federal Motor Vehicle Safety Standards; fields of direct view; reply comments by 11-5-81

TREASURY DEPARTMENT

Alcohol, Tobacco and Firearms Bureau—

39852 8–5–81 / Establishment of Leelanau Peninsula viticultural area; comments by 11–3–81

40045 8–6–81 / Establishment of a viticultural area in San Benito County, Calif., to be known as "Paicines"; comments by 11–4–81

39849 8–5–81 / Multi-vintage labeling for wine; comments by 11–3–81

Customs Service—

44195 9–3–81 / Discharge of an importer's liability for duties; comments by 11–2–81

WATER RESOURCES COUNCIL

39972 8–5–81 / Biomass-ethanol commercial project, South Point, Ohio; availability of water assessment report; comments by 11–3–81

Next Week's Meetings

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

50398 10–13–81 / Freedom of Information Act, confidential business information, Washington, D.C. (open), 10–26–81

[Originally announced at 46 FR 45385, 9–11–81]

AGRICULTURE DEPARTMENT

Science and Education Administration—

47105 9–24–81 / Animal Health Science Research Advisory Board, Washington, D.C. (open), 10–29 and 10–30–81

ARTS AND HUMANITIES, NATIONAL FOUNDATION

50626 10–14–81 / National Council on the Arts, Visual Arts Panel, Washington, D.C. (closed), 10–26 through 10–31–81

CIVIL RIGHTS COMMISSION

48277 10–1–81 / Maine Advisory Committee, Augusta, Maine (open), 10–29–81

48735 10–2–81 / New Jersey Advisory Committee, New Brunswick, N.J. (open), 10–29–81

49927 10–8–81 / Utah Advisory Committee, Salt Lake City, Utah (open), 10–28–81

COMMERCE DEPARTMENT

Census Bureau—

47804 9–30–81 / Census Advisory Committee on Agriculture Statistics, Suitland, Md. (open), 10–29–81

National Oceanic and Atmospheric Administration—

49938 10–8–81 / Mid-Atlantic Fishery Management Council's Surf Clam/Ocean Quahog Resources Subpanel, Dover, Del. (open), 10–30–81

48283 10–1–81 / South Atlantic Fishery Management Council, Duck Key, Fla. (open), 10–27 through 10–29–81

Office of the Secretary—

44213 9–3–81 / U.S. Delegation of the International Laboratory Accreditation Conference, Mexico City, Mexico (open), 10–26 through 10–30–81

DEFENSE DEPARTMENT

Army Department—

46615 9–21–81 / Army Medical Research and Development Advisory Panel Subcommittee on Pharmacology, Washington, D.C. (closed), 10–28–81

Defense Communications Agency—

49634 10–7–81 / Scientific Advisory Group, Arlington, Va. (closed), 10–26 and 10–27–81

Navy Department—

50405 10–13–81 / Chief of Naval Operations Executive Panel Advisory Committee, Force Enhancement Subpanel, Alexandria, Va. (closed), 10–28 and 10–29–81

Office of the Secretary—

47250 9–25–81 / Electron Devices Advisory Group, Working Group C—Mainly Imaging and Display, Minneapolis, Minn. (closed), 10–26–81

42327 8–20–81 / Wage Committee, Washington, D.C. (closed), 10–27–81

EDUCATION DEPARTMENT

48744 10–2–81 / Adult Education National Advisory Council, Anaheim, Calif. (open), 10–28 through 10–31–81

50095 10–9–81 / Bilingual Education National Advisory Council, New York, N.Y. (open), 10–25 through 10–27–81

50094 10–9–81 / Education Statistics Advisory Council, Hyattsville, Md. (open), 10–29 and 10–30–81

50580 10–14–81 / Vocational Education National Advisory Council, Arlington, Va. (open), 10–30 and 10–31–81

ENERGY DEPARTMENT

48745 10–2–81 / National Petroleum Council, Environmental Conservation Committee, Washington, D.C. (open), 10–29–81

49635 10–7–81 / National Petroleum Council, Environmental Conservation Subcommittee, Washington, D.C. (open), 10–29–81

ENVIRONMENTAL PROTECTION AGENCY

49604 10–7–81 / Administrator's Toxic Substances Advisory Committee, Washington, D.C. (open), 10–29 and 10–30–81

50414 10–13–81 / Science Advisory Board, Executive Committee, Washington, D.C. (open), 10–28 and 10–29–81

FEDERAL RESERVE SYSTEM

50151 10–9–81 / Consumer Advisory Council, Washington, D.C. (open), 10–28 and 10–29–81

[*See also* 46 FR 50610, 10–14–81]

GENERAL SERVICES ADMINISTRATION

Office of the Federal Register—

35552 7–9–81 / Standard Building Code, Orlando, Fla. (open), 10–25 through 10–29–81

HEALTH AND HUMAN SERVICES DEPARTMENT

Alcohol, Drug Abuse and Mental Health Administration—

47014 9–23–81 / National advisory bodies, Rockville, Md. (partially open), 10–26 through 10–30–81

44885 9–8–81 / Scientific Counselors Board, Bethesda, Md. (partially open), 10–29 and 10–30–81

Food and Drug Administration—

50153 10–9–81 / Mammographic phantoms, Rockville, Md. (open), 10–27 and 10–28–81

National Institutes of Health—

45816 9–15–81 / Allergy, Immunology and Transplantation Research Committee: Allergy and Clinical Immunology Research Subcommittee and Transplantation Biology and Immunology Subcommittee, Bethesda, Md. (partially open), 10–28 through 10–30–81

45198 9–10–81 / Arteriosclerosis, Hypertension and Lipid Metabolism Advisory Committee, Bethesda, Md. (open), 10–27–81

43884 9–1–81 / Bacteriology and Mycology-2 Study Section, Georgetown, D.C. (partially open), 10–29 through 10–31–81

43884 9–1–81 / Biochemical Endocrinology Study Section, Bethesda, Md. (partially open), 10–28 through 10–30–81

49210 10–6–81 / Breast Cancer Task Force Committee, Bethesda, Md. (open), 10–28 and 10–29–81

43884 9–1–81 / Cardiovascular and Pulmonary Study Section, Bethesda, Md. (partially open), 10–28 through 10–30–81

43884 9–1–81 / Cardiovascular and Renal Study Section, Rosslyn, Va. (partially open), 10–28 through 10–30–81

43884 9-1-81 / Cell Biology Study Section, Bethesda, Md. (partially open), 10-28 through 10-30-81

43884 9-1-81 / Communicative Sciences Study Section, Chevy Chase, Md. (partially open), 10-28 through 10-30-81

43884 9-1-81 / Diagnostic Radiology Study Section, Bethesda, Md. (partially open), 10-28 through 10-30-81

43884 9-1-81 / Experimental Cardiovascular Sciences Study Section, Bethesda, Md. (partially open) 10-27 through 10-29-81

43884 9-1-81 / General Medicine A Study Section, Bethesda, Md. (partially open), 10-26 and 10-27-81

43884 9-1-81 / General Medicine B Study Section, Georgetown, D.C. (partially open), 10-27 through 10-29-81

43884 9-1-81 / Human Development and Aging-1 Study Section, Washington, D.C. (partially open), 10-26 through 10-30-81

43884 9-1-81 / Human Embryology and Development Study Section, Bethesda, Md. (partially open), 10-28 through 10-30-81

43884 9-1-81 / Immunobiology Study Section, Bethesda, Md. (partially open), 10-28 through 10-30-81

43885 9-1-81 / Nutrition Study Section, Bethesda, Md. (partially open), 10-28 through 10-30-81

43885 9-1-81 / Oral Biology and Medicine Study Section, Silver Spring, Md. (partially open), 10-27 through 10-30-81

43885 9-1-81 / Orthopedics and Musculoskeletal Study Section, Bethesda, Md. (partially open), 10-26 through 10-28-81

43885 9-1-81 / Pathobiological Chemistry Study Section, Bethesda, Md. (partially open), 10-28 through 10-31-81

43885 9-1-81 / Pathology A Study Section, Rosslyn, Va. (partially open), 10-28 through 10-31-81

43885 9-1-81 / Pathology B Study Section, Bethesda, Md. (partially open), 10-28 through 10-30-81

43885 9-1-81 / Pharmacology Study Section, Bethesda, Md. (partially open), 10-27 through 10-29-81

43885 9-1-81 / Physiology Study Section, Chevy Chase, Md. (partially open), 10-28 through 10-31-81

43885 9-1-81 / Surgery and Bioengineering Study Section, Bethesda, Md. (partially open), 10-29 through 10-30-81

43885 9-1-81 / Toxiology Study Section, Washington, D.C. (partially open), 10-28 through 10-30-81

43885 9-1-81 / Tropical Medicine and Parasitology Study Section, Bethesda, Md. (partially open), 10-26 through 10-28-81

43885 9-1-81 / Visual Sciences A Study Section, Washington, D.C. (partially open), 10-28 through 10-30-81

Public Health Service—

47870 9-30-81 / Health Care Technology Study Section, Washington, D.C. (partially open), 10-26 and 10-27-81

48768 Health Effects of Toxic Chemical Waste Dumps, Research Needs for Evaluation, Research Triangle Park, N.C. (open), 10-27 and 10-28-81

INTERIOR DEPARTMENT

Land Management Bureau—

49653 10-7-81 / Coos Bay District Multiple Use Advisory Council, Coos Bay, Oreg. (open), 10-27-81

48773 10-2-81 / Craig District Advisory Council, Colorado locations (open), 10-26-81

48775 10-2-81 / Las Cruces District Advisory Council, Hachita, N. Mex. (open), 10-28 and 10-29-81

48780 10-2-81 / Outer Continental Shelf Advisory Board, North and Mid-Atlantic Technical Working Group, New York, N.Y. (open), 10-27 and 10-28-81

47667 9-29-81 / Outer Continental Shelf Advisory Board, Scientific Committee, Los Angeles, Calif. (open), 10-28 through 10-30-81

49958 10-8-81 / Pinyon Grazing Management Framework Plans, Utah locations (open), 10-27 through 10-29-81

47872 9-30-81 / Rawlins District Advisory Council, Rawlins, Wyo. (open), 10-27-81

47308 9-25-81 / Safford District Grazing Advisory Board, Safford, Ariz. (open), 10-30-81

46409 9-18-81 / Wild horse gathering in Washakie Resource Area of Worland District, Ten Sleep, Wyo. (open), 10-29-81

National Parks Service—

49215 10-6-81 / Golden Gate National Recreation Area Advisory Commission, Fort Mason, San Francisco, Calif. (open), 10-28-81

Reclamation Bureau—

473098 9-25-81 / Colorado River Basin Salinity Control Advisory Council, Yuma, Ariz. (open), 10-27-81

Office of the Secretary—

44294 9-3-81 / Oil Shale Environmental Advisory Panel, Salt Lake City, Utah (open), 10-28 and 10-29-81

INTERNATIONAL TRADE COMMISSION

49683 10-7-81 / Hard-smoked herring filets from Canada, Washington, D.C. (open), 10-26-81

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48346 10-1-81 / NASA Advisory Council, Aeronautics Advisory Committee, Informal Advisory Subcommittee on Rotorcraft Technology, Moffett Field, Calif. (open), 10-26 through 10-28-81

49235 10-6-81 / NASA Advisory Council, Informal Ad Hoc Solar System Exploration Committee, Washington, D.C. (open), 10-26 and 10-27-81

NATIONAL SCIENCE FOUNDATION

46237 9-17-81 / Behavioral and Neural Sciences Advisory Committee, Anthropology Subcommittee, Washington, D.C. (closed), 10-28 through 10-30-81

48347 10-1-81 / Behavioral and Neural Sciences Advisory Committee, Psychobiology Subcommittee, Washington, D.C. (partially open), 10-29 and 10-30-81

46704 9-21-81 / Environmental Biology Advisory Committee, Subcommittee on Ecology, Washington, D.C. (closed), 10-29 and 10-30-81

48348 10-1-81 / NSF Advisory Council, Task Group No. 18, Rosemont, Ill. (open), 10-26-81

46705 9-21-81 / Physiology, Cellular, and Molecular Biology Advisory Committee, Subcommittee on Molecular Biology, Group B, of the Advisory Committee for Physiology, Cellular, and Molecular Biology, Washington, D.C. (closed), 10-26 and 10-27-81

49968 10-8-81 / Science and Engineering Education Advisory Committee, Washington, D.C. (open), 10-26 and 10-27-81

NUCLEAR REGULATORY COMMISSION

28536 5-27-81 / Development of a method for systematic probablilistic risk assessments of Nuclear Power Plants, Washington, D.C., 10-25, 10-26, 10-27 and 10-28-81

Reactor Safeguards Advisory Committee (all sessions partially open):

50178 10-9-81 / AC/DC Power Systems Subcommittee, Washington, D.C., 10-30-81

50179 10-9-81 / Three Mile Island Unit 2 Action Plans Subcommittee, Washington, D.C., 10-29-81

50178 10-9-81 / St. Lucie Plant Unit No. 2 Subcommittee, West Palm Beach, Fla., 10-30 and 10-31-81

50178 10-9-81 / Reactor Operations Subcommittee, Washington, D.C., 10-29-81

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

49242 10-6-81 / Meeting, Washington, D.C. (closed), 10-29-81

PRESIDENTIAL ADVISORY COMMITTEE ON FEDERALISM

50634 10-14-81 / Health and Human Services Subcommittee, Washington, D.C. (open), 10-29-81

STATE DEPARTMENT

50457 10-13-81 / International Investment, Technology, and Development Advisory Committee, Treatment of Investment and Special Investment Problems Working Group, Washington, D.C. (open), 10-29-81

50456 10-13-81 / Shipping Coordinating Committee, Safety of Life at Sea Subcommittee, Washington, D.C. (open), 10-29-81

50456 10-13-81 / Shipping Coordinating Committee, Safety of Life at Sea Subcommittee, Bulk Cargoes Panel, Containers and Cargoes Working Group, Washington, D.C. (open), 10-28-81

TRANSPORTATION DEPARTMENT

Federal Aviation Administration—

49037 10-5-81 / Aeronautics Radio Technical Commission, Special Committee 137, Airborne Area Navigation Systems, Washington, D.C. (open), 10-27 through 10-29-81

40936 10-5-81 / Air Traffic Procedures Advisory Committee, Washington, D.C. (open), 10-26 through 10-30-81

National Highway Traffic Safety Administration—

49038 10-5-81 / National Highway Safety Advisory Committee, Washington, D.C. (open), 10-26 through 10-28-81

7123 1-22-81 / Safety Standards, International Authorization, Construction of Vehicles, Group of Experts on, Sixty-fifth session; Geneva, Switzerland; 10-26 through 10-30-81

TREASURY DEPARTMENT

Office of the Secretary—

50458 10-13-81 / Debt Management Advisory Committee: Public Securities Association U.S. Government and Federal Agencies Securities Committee, Washington, D.C. (closed), 10-27 and 10-28-81

VETERANS ADMINISTRATION

49996 10-8-81 / Voluntary Service National Advisory Committee, Dallas, Tex., 10-26 and 10-28-81

46463 9-18-81 / Wage Committee, Washington, D.C. (closed), 10-29-81

Next Week's Hearings

DEFENSE DEPARTMENT

Navy Department—

35141 7-7-81 / Naval Discharge Review Board, Chicago, Ill., and Minneapolis, Minn., 10-26 through 11-6-81

ENVIRONMENTAL PROTECTION AGENCY

47626 9-29-81 / Wisconsin hazardous waste management program, Madison, Wis., 10-30-81

FEDERAL ELECTION COMMISSION

47800 9-30-81 / Communications by Corporations and Labor Organizations, Washington, D.C., 10-26-81 and if necesary 10-28 and 10-30-81

INTERIOR DEPARTMENT

Office of the Secretary—

44294 9-3-81 / Oil Shale Lease Detailed Development Plan; Vernal, Utah, 10-21 and Salt Lake City, Utah 10-28-81

TRANSPORTATION DEPARTMENT

Federal Aviation Administration—

39558 8-3-81 / International Civil Aviation Organization (ICAO) Airworthiness Committee, Montreal, Canada, 10-26 through 11-10-81

List of Public Laws

Lasting Listing Oct. 20, 1981

This is a continuing list of public bills from the current session of Congress which have become Federal laws. The text of laws is not published in the **Federal Register** but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 (telephone 202-275-3030).

H.R. 4048 / Pub. L. 97-64 Granting the consent of Congress to the agreement between the States of Kansas and Missouri establishing their mutual boundary in the vicinity of the French Bottoms near Saint Joseph, Missouri, and Elwood, Kansas. (Oct. 16, 1981; 95 Stat. 1019) Price $1.50.

H.R. 3136/Pub. L. 97-65 Overseas Private Investment Corporation Amendments Act of 1981 (Oct. 16, 1981; 95 Stat. 1021) Price $1.50.

S. 917/Pub. L. 97-66 Veterans' Disability Compensation, Housing, and Memorial Benefits Amendments of 1981 (Oct. 17, 1981; 95 Stat. 1026) Price: $1.75.

Documents Relating to Federal Grant Programs

This is a list of documents relating to Federal grant programs which were published in the **Federal Register** during the previous week.

DEADLINES FOR COMMENTS ON PROPOSED RULES

51184 10-16-81 / ED—Common need analysis to be used for 1982-83 award year for Pell Grant, National Direct Student Loan, College Work and Supplemental Educational Opportunity Grant Programs; comments by 12-15-81

APPLICATIONS DEADLINES

50406 10-13-81 / ED—Fund for the improvement of postsecondary eduction; Mina Shaughnessy Scholars Program; apply by 11-10-81

50419 10-13-81 / HHS/HRA—Health Careers Opportunity Program; applications for FY 1982 grants by 12-11-81

MEETINGS

50613 10-14-81 / HHS/ADAMHA—Basic Behavioral Processes Research Review Committee, Rockville, Md., (partially open), 11-6-81

50613 10-14-81 / HHS/ADAMHA—Cognition, Emotion, and Personality Research Review Committee, Washington, D.C. (partially open), 11-7-81

50613 10-14-81 / HHS/ADAMHA—Psychopathology and Clinical Biology Research Review Committee, Rockville, Md., (partially open), 11-19 through 11-21-81

50419 10-13-81 / HHS/NIH—Cancer Special Program Advisory Committee, Anaheim, Calif. (partially open), 11-9 and 11-10-81

50420 10-13-81 / HHS/NIH—Clinical Cancer Program Project and Cancer Center Support Review Committee, Cancer Center Support Review Subcommittee, Bethesda, Md. (partially open), 11-19 and 11-20-81

50420 10-13-81 / HHS/NIH—Large Bowel and Pancreatic Cancer Review Committee, Pancreatic Cancer Review Subcommittee, Chicago, Ill. (partially open), 11-4-81

50867 10-15-81 / NFAH—Federal Council on The Arts and the Humanities, Arts and Artifacts Indemnity Panel Advisory Committee, Washington, D.C. (closed), 11-17-81

51096 10-16-81 / NFAH—Humanities Panel, Washington, D.C. (closed), 11-4 and 11-5-81

50627 10-14-81 / NSF—Advisory Committee for Behavioral and Neural Sciences; Neurobiology Subcommittee, Washington, D.C. (partially open), 11-2 through 11-6-81

50626 10-14-81 / NSF—Advisory Committee for Behavioral and Neural Sciences, Sensory, Phsyiology and Perception Subcommittee, Washington, D.C. (partially open), 11-2 through 11-6-81

50627 10-14-81 / NSF—Advisory Committee for Materials Research; Ad Hoc Oversight Subcommittee for Condensed Matter Theory, Washington, D.C. (closed), 11-5 and 11-6-81

OTHER ITEMS OF INTEREST

51011 10-16-81 / ED—Correction of Guaranteed Student Loan Program family contribution schedule

51204 10-16-81 / ED—Minority Institutions Science Improvement Program provisions (final regulations)

50677 10-14-81 / HHS/HSA—Designation of medically underserved areas; proposed deletions or revisions in the weighting of data; comments by 11-13-81

50628 10-14-81 / NSF—Fourteen Advisory Committees; determination of renewal

50927 10-16-81 / USDA/FNS—School Breakfast Program; uniform national eligibility criteria schools must satisfy to receive increased Federal funding for breakfasts served in schools serving a high percentage of needy children

Just Released

Code of Federal Regulations

Revised as of April 1, 1981

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