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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.

Contents

Federal Register

Vol. 47, No. 58

Thursday, March 25, 1982

- The President**
EXECUTIVE ORDERS
12785 Fund-raising, charitable (EO 12353)
- Executive Agencies**
- Agency for International Development**
NOTICES
12886 Housing guaranty programs:
Sri Lanka
- Agricultural Marketing Service**
RULES
12787 Oranges (navel) grown in Ariz. and Calif.
PROPOSED RULES
12805 Cantaloups; grade standards
- Agriculture Department**
See Agricultural Marketing Service.
- Alcohol, Drug Abuse, and Mental Health Administration**
NOTICES
12862 Meetings; advisory committees:
April
- Antitrust Division**
NOTICES
Competitive impact statements and proposed consent judgments:
12886 Acorn Engineering Co.
- Army Department**
NOTICES
Meetings:
12843, Medical Research and Development Advisory
12844 Committee (3 documents)
- Arts and Humanities, National Foundation**
NOTICES
Meetings:
12888 Literature Advisory Panel
12888 Media Arts Advisory Panel
- Civil Rights Commission**
NOTICES
Meetings; State advisory committees:
12833 Alabama
- Coast Guard**
RULES
12793 Anchorage regulations:
Louisiana
12792 Regattas and marine parades; safety of life:
San Francisco Bay, Calif.; 1982 Pacific Inter-Club
Yacht Association Opening Day Parade
PROPOSED RULES
12811 Drawbridge operations:
Florida
12829 Tank vessels:
Barges, new and existing; oil pollution prevention; withdrawn
- Commerce Department**
See Minority Business Development Agency;
National Oceanic and Atmospheric Administration.
- Commodity Futures Trading Commission**
NOTICES
12843 Domestic exchange-traded commodity options;
pilot program; exchange proposal of Chicago Board
of Trade; reopening of comment period
12913 Meetings; Sunshine Act
- Consumer Product Safety Commission**
RULES
12789 Informal rulemaking proceedings other than for
development of safety standards; financial
compensation of participants; revocation
- Copyright Royalty Tribunal**
NOTICES
12913 Meetings; Sunshine Act
- Defense Department**
See also Army Department.
NOTICES
Meetings:
12844 DIA Advisory Committee
- Economic Regulatory Administration**
NOTICES
Natural gas; fuel oil displacement certification
applications:
12845 Consolidated Edison Co. of New York, Inc.
- Education Department**
NOTICES
Meetings:
12844 Financing Elementary and Secondary Education
Advisory Panel
- Energy Department**
See also Economic Regulatory Administration;
Energy Information Administration; Federal Energy
Regulatory Commission.
NOTICES
Meetings:
12854 National Petroleum Council
- Energy Information Administration**
NOTICES
12920 Reporting and recordkeeping requirements
- Environmental Protection Agency**
RULES
12797 Air pollution control; new motor vehicles and
engines:
Low-emission vehicles; certification procedures
removed

- Ethical Problems in Medicine and Biomedical and Behavioral Research, President's Study Commission**
NOTICES
12889 Meetings
- Fair Housing and Equal Opportunity, Office of Assistant Secretary**
RULES
12926 Community Housing Resource Board program; voluntary affirmative marketing agreements programs; interim
- Farm Credit Administration**
PROPOSED RULES
General provisions:
12806 Farm credit system institutions; sale of insurance limitations
- Federal Aviation Administration**
RULES
Airworthiness directives:
12787 Vickers-Slingsby
12788 Restricted areas; correction
12787 Transition areas
PROPOSED RULES
12808 Transition areas (2 documents)
NOTICES
Committees; establishment, renewals, terminations, etc.:
12908 Air Traffic Procedures Advisory Committee
12908 Exemption petitions; summary and disposition
Meetings:
12908 Air Traffic Procedures Advisory Committee
- Federal Communications Commission**
PROPOSED RULES
Radio stations; table of assignments:
12831 Michigan; extension of time
NOTICES
Common carrier services:
12858 Telephone network, nationwide; customer-provided telephone equipment; permanent exemption and temporary authority grant for Energy Department
Hearings, etc.:
12854 Apogee, Inc., et al.
12855 Little Rock Signal Corp. et al.
12855 Shoblom Broadcasting, Inc., et al.
Meetings:
12854 ITU 1983 Region 2 Broadcasting Satellite Service Planning Conference Preparations Advisory Committee (3 documents)
12858 Telecommunications Industry Advisory Group
12858 Telecommunications Industry Advisory Group; cancellation
- Federal Deposit Insurance Corporation**
NOTICES
12913 Meetings; Sunshine Act (5 documents)
12914
- Federal Election Commission**
NOTICES
12914 Meetings; Sunshine Act
- Federal Emergency Management Agency**
RULES
Flood insurance; communities eligible for sale:
12798 Illinois et al.
- PROPOSED RULES**
Flood elevation determinations:
12814 Arkansas et al.
12812 Colorado
12813 Montana
- Federal Energy Regulatory Commission**
RULES
Natural Gas Policy Act:
12790 Incremental pricing; acquisition cost thresholds
PROPOSED RULES
Natural Gas Policy Act; ceiling prices for high cost natural gas produced from tight formation; various States:
12809 Louisiana
NOTICES
Hearings, etc.:
12846 Carolina Power & Light Co.
12846 Granite State Gas Transmission, Inc.
12846- Homestake Consulting & Investments, Inc. (4 documents)
12848
12850 McMurtrey, Lawrence J.
12850 Montana Department of Natural Resources & Conservation
12851 Montana Power Co.
12851 Oklahoma Gas & Electric Co.
12852 Public Service Co. of Indiana, Inc.
12849 Salyersville, Ky.
12852 Southern California Edison Co.
12852 Timberlay Petroleum Co.
12853 Washington Water Power Co. (2 documents)
12853 Williamson, Richard V.
- Federal Highway Administration**
RULES
Motor carrier safety regulations:
12800 Interstate or foreign transportation; minimum levels of financial responsibility; clarification and corrections
PROPOSED RULES
Right-of-way and environment:
12811 Relocation assistance; review of requirements, meeting, etc.
- Federal Housing Commissioner—Office of Assistant Secretary for Housing**
NOTICES
Grants; availability, etc.:
12864 Elderly and non-elderly handicapped; congregate housing services, new construction
- Federal Reserve System**
NOTICES
Applications, etc.:
12859 Ambanc Corp.
12859 Centerre Bancorporation
12859 National Penn Bancshares, Inc.
12859 Sarcoxie Bancorp, Inc.
12860 United Banks of Colorado, Inc. (2 documents)
Bank holding companies; proposed de novo nonbank activities:
12860 Chase Manhattan Corp. et al.
- Federal Trade Commission**
PROPOSED RULES
Prohibited trade practices:
12809 Broward County Medical Association; correction

- Fiscal Service**
NOTICES
Surety companies acceptable on Federal bonds:
12912 Ideal Mutual Insurance Co.
- Health and Human Services Department**
See also Alcohol, Drug Abuse, and Mental Health Administration.
NOTICES
12862 Privacy Act; systems of records
- Historic Preservation, Advisory Council**
NOTICES
12833 Coal mining operations; protection of historic and cultural properties agreement
12833 Oregon; exchange of lands agreement
- Housing and Urban Development Department**
See Fair Housing and Equal Opportunity, Office of Assistant Secretary; Federal Housing Commissioner—Office of Assistant Secretary for Housing.
- Interior Department**
See Land Management Bureau; Reclamation Bureau.
- International Development Cooperation Agency**
See Agency for International Development.
- International Trade Commission**
RULES
12792 Investigations; procedural rules; correction
NOTICES
12914 Meetings; Sunshine Act
- Interstate Commerce Commission**
RULES
Motor and rail carriers:
12803 Electronic transmission of freight bills and loss and damage claims
NOTICES
Motor carriers:
12874, Permanent authority applications (2 documents)
12881
12883 Permanent authority applications; operating rights republication
12885 Press release summary publication, contractor distribution service implementation, and existing box service termination
Railroad services abandonment:
12883, Consolidated Rail Corp. (9 documents)
12884
12885 Norfolk, Franklin & Danville Railway Co.
- Justice Department**
See also Antitrust Division; Parole Commission.
NOTICES
Pollution control; consent judgments:
12887 Dusek, Franklin J., et al.
12887 Sharon Steel Corp.
- Land Management Bureau**
RULES
Public land orders:
12798 Colorado; correction
- NOTICES**
Alaska native claims selections; applications, etc.:
12868 Bristol Bay Native Corp.
12871 Cook Inlet Region, Inc.
12869 Danzhit Hanlani Corp. et al.
12866 Doyon, Ltd.
12872 Kootznoowoo, Inc., et al.; correction
Coal leases, exploration licenses, etc.:
12872 Colorado
Exchange of public lands for private land:
12873 Montana
Management framework plans; review and supplement, etc.:
12873 Oklahoma
Pipeline right-of-way applications:
12872 New Mexico
Sale of public lands:
12872 Montana
- Low-Emission Vehicle Certification Board**
RULES
12798 CFR Chapter removed; cross reference
- Minority Business Development Agency**
NOTICES
Financial assistance application announcements:
12834, Indiana (2 documents)
12835
12836 Kansas and Missouri
12838 Michigan
12839 Missouri
12841 Wisconsin
- National Aeronautics and Space Administration**
NOTICES
Senior Executive Service:
12887 Performance Review Board; membership
- National Oceanic and Atmospheric Administration**
NOTICES
Meetings:
12842 New England Fishery Management Council
- Nuclear Regulatory Commission**
NOTICES
Applications, etc.:
12888 Arizona Public Service Co. et al.
12888 Long Island Lighting Co.
12889 Public Service Co. of Colorado
- Parole Commission**
NOTICES
12914 Meetings; Sunshine Act
- Postal Rate Commission**
RULES
Practice and procedure rules:
12794 Computer studies and analyses; availability with evidence
- Reclamation Bureau**
NOTICES
Contract negotiations:
12874 Rapid Valley Unit, Pick-Sloan Missouri Basin Program, S. Dak.

**Research and Special Programs Administration,
Transportation Department**

NOTICES

Hazardous materials:

- 12911 Propylene dichloride in aluminum packagings;
prohibition

Securities and Exchange Commission

NOTICES

Hearings, etc.:

- 12890 Central Power & Light Co.
12904 Gallatin Investment Corp.
12890 Georgia Power Co.
12906 Guardian Insurance & Annuity Co., Inc., et al.
12892 Kidder, Peabody Premium Account Fund
12893 Middle South Utilities
12894 Natwest Capital Corp.
12897 Investment advisers; cancellation of registrations

**Self-regulatory organizations; proposed rule
changes:**

- 12895 Boston Stock Exchange, Inc.
12896 Chicago Board Options Exchange, Inc.
12896 National Association of Securities Dealers, Inc.

Textile Agreements Implementation Committee

NOTICES

Cotton, wool, or man-made textiles:

- 12842 India

Transportation Department

See Coast Guard; Federal Aviation Administration;
Federal Highway Administration; Research and
Special Programs Administration, Transportation
Department.

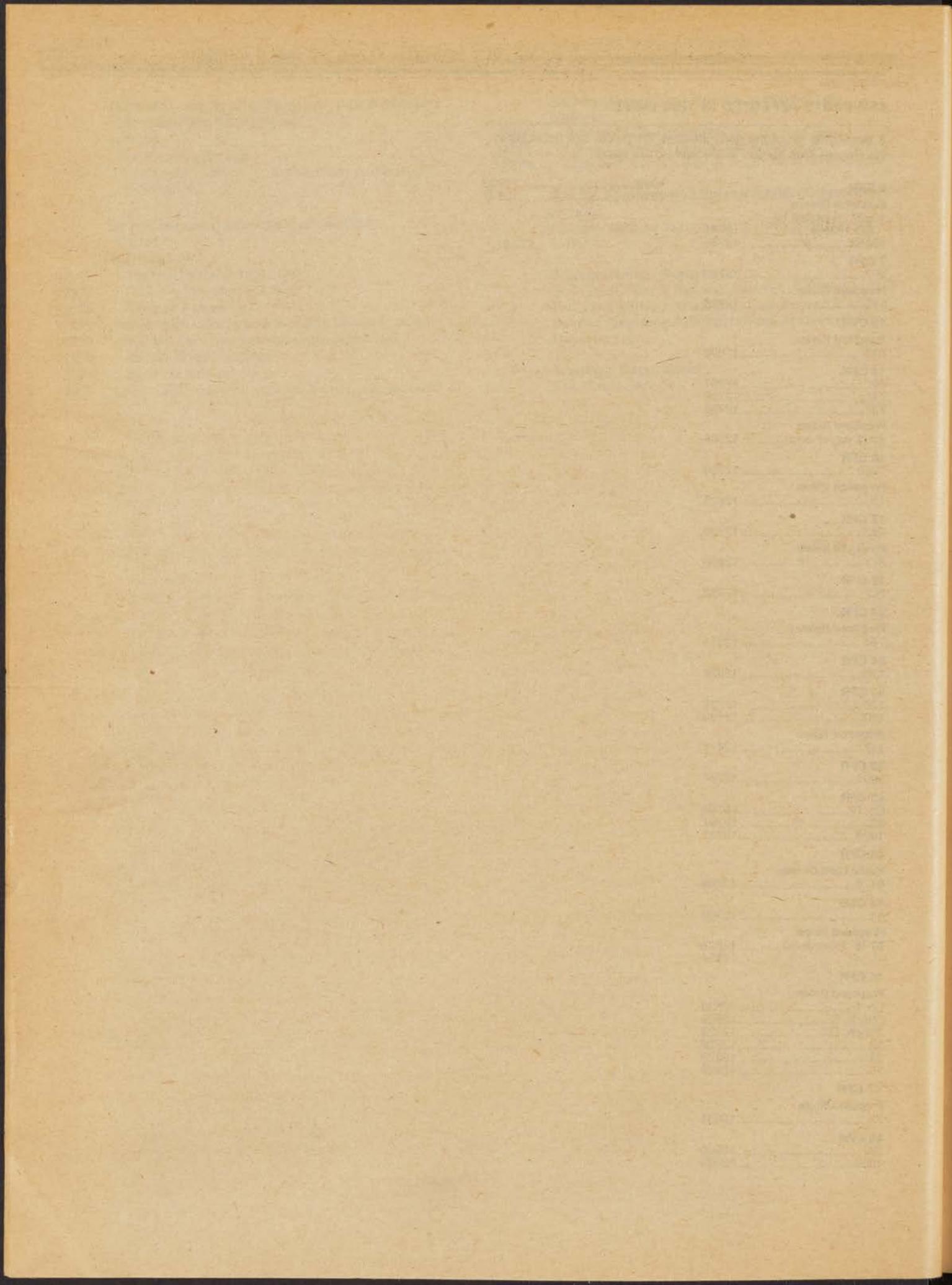
Treasury Department

See Fiscal Service.

CFR PARTS AFFECTED IN THIS ISSUE

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

3 CFR	1008.....	12803
Executive Orders:	1015.....	12803
10927 (Revoked by		
EO 12353).....	12785	
12353.....	12785	
7 CFR		
907.....	12787	
Proposed Rules:		
51.....	12805	
12 CFR		
Proposed Rules:		
618.....	12806	
14 CFR		
39.....	12787	
71.....	12788	
73.....	12789	
Proposed Rules:		
71 (2 documents).....	12808	
16 CFR		
1050.....	12789	
Proposed Rules:		
13.....	12809	
18 CFR		
282.....	12790	
Proposed Rules:		
271.....	12809	
19 CFR		
207.....	12792	
23 CFR		
Proposed Rules:		
740.....	12811	
24 CFR		
120.....	12926	
33 CFR		
100.....	12792	
110.....	12793	
Proposed Rules:		
117.....	12811	
39 CFR		
3001.....	12794	
40 CFR		
Ch. IV.....	12798	
85.....	12797	
1400.....	12797	
43 CFR		
Public Land Orders:		
6170.....	12798	
44 CFR		
64.....	12798	
Proposed Rules:		
67 (3 documents).....	12812- 12814	
46 CFR		
Proposed Rules:		
Ch. I.....	12829	
Subch. D.....	12829	
Subch. O.....	12829	
30.....	12829	
32.....	12829	
35.....	12829	
47 CFR		
Proposed Rules		
73.....	12831	
49 CFR		
387.....	12800	
1005.....	12803	



Presidential Documents

Title 3—

Executive Order 12353 of March 23, 1982

The President

Charitable Fund-Raising

By the authority vested in me as President by the Constitution of the United States of America, and in order to support and facilitate fund-raising on behalf of voluntary agencies through on-the-job solicitations of Federal employees and members of the uniformed services, and to ensure that the recipient agencies are responsible in the uses of the monies so raised, it is hereby ordered as follows:

Section 1. The Director of the Office of Personnel Management shall make arrangements for such national voluntary health and welfare agencies and such other national voluntary agencies as may be appropriate to solicit contributions from Federal employees and members of the uniformed services at their places of employment or duty. These arrangements shall take the form of an annual Combined Federal Campaign in which eligible voluntary agencies are authorized to take part.

Sec. 2. The Director shall establish criteria for determining the eligibility of voluntary agencies that may participate in each of the annual Combined Federal Campaigns.

Sec. 3. In making arrangements for the Combined Federal Campaign, the Director is authorized, in his discretion, to consult with the Departments and agencies concerned, representatives of the employees and members to be solicited, and, to the extent practicable, representatives of voluntary agencies seeking to participate in a Combined Federal Campaign.

Sec. 4. The arrangements made by the Director shall (a) ensure that all contributions are voluntary, that there is no coercion, and that individuals have the option of disclosing their contribution or keeping it confidential, (b) designate the specific period during which the annual solicitation may be conducted, and (c) permit only one annual solicitation except in cases of emergency or disaster appeals for which specific provision shall be made by the Director.

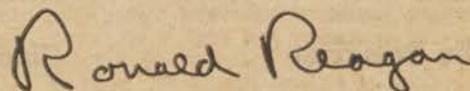
Sec. 5. Subject to such rules and regulations as he shall prescribe, the Director may authorize a local principal combined fund organization to manage a local Combined Federal Campaign. Such authorization shall, if made, ensure at a minimum that the local principal combined fund organization operates subject to the direction and control of the Director and such local Federal coordinating entities as he may establish; manages the local campaign fairly and equitably; consults with and considers advice from interested parties and organizations; and publishes reports of its management of the local campaign.

Sec. 6. The forms for the solicitation of funds shall clearly specify the eligible agencies and provide a direct means to designate funds to such agencies. Where allocation of undesignated funds by the local principal combined fund organization is authorized by the Director, prominent notice of the authorization for such allocation shall be provided on the solicitation forms.

Sec. 7. This Order shall not apply to solicitations conducted by organizations composed of civilian employees or members of the uniformed services among their own members for organizational support or for the benefit of welfare funds for their members. Such solicitations shall be conducted under policies and procedures approved by the head of the Department or agency concerned.

Sec. 8. The Director shall prescribe such rules and regulations as may be necessary to implement this Order.

Sec. 9. Executive Order No. 10927, as amended, is revoked. Notwithstanding that revocation, directives issued under that Order shall continue in effect until revoked or modified under the provisions of this Order.



THE WHITE HOUSE,
March 23, 1982.

[FR Doc. 82-8279

Filed 3-24-82; 11:26 am]

Billing code 3195-01-M

Rules and Regulations

Federal Register

Vol. 47, No. 58

Thursday, March 25, 1982

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 907

[Navel Orange Reg. 546; Navel Orange Reg. 545, Amdt. 1]

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

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This action establishes the quantity of fresh California-Arizona navel oranges that may be shipped to market during the period March 26, 1982—April 1, 1982, and increases the quantity of such oranges that may be so shipped during the period March 19 through March 25, 1982. Such action is needed to provide for orderly marketing of fresh navel oranges for the periods specified due to the marketing situation confronting the orange industry.

DATES: This regulation becomes effective March 26, 1982, and the amendment is effective for the period March 19–25, 1982.

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

SUPPLEMENTARY INFORMATION: *Findings.* This rule has been reviewed under Secretary's Memorandum 1512-1, and Executive Order 12291 and has been designated a "non-major" rule. This regulation and amendment are issued under the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The action

is based upon the recommendation and information submitted by the Navel Orange Administrative Committee and upon other available information. It is hereby found that this action will tend to effectuate the declared policy of the act.

This action is consistent with the marketing policy for 1981-82. The marketing policy was recommended by the committee following discussion at a public meeting on October 6, 1981. The committee met again publicly on March 23, 1982 at Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of navel oranges deemed advisable to be handled during the specified weeks. The committee reports the demand for navel oranges is improving.

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

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

1. Section 907.846 is added as follows:

§ 907.846 Navel Orange Regulation 546.

The quantities of navel oranges grown in Arizona and California which may be handled during the period March 26, 1982, through April 1, 1982, are established as follows:

- (1) District 1: 1,650,000 cartons;
- (2) District 2: Unlimited cartons;
- (3) District 3: Unlimited cartons;
- (4) District 4: Unlimited cartons.

2. Section 907.845 Navel Orange Regulation 545 (47 FR 11650), is hereby amended to read:

§ 907.845 Navel Orange Regulation 545.

- (1) District 1: 1,750,000 cartons;
- (2) District 2: Unlimited cartons;
- (3) District 3: Unlimited cartons;
- (4) District 4: Unlimited cartons.

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

Dated: March 24, 1982.

D. S. Kuryloski,

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

[FR Doc. 82-8283 Filed 3-24-82; 11:57 am]

BILLING CODE 3410-02-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 82-ANE-08; Amdt. 39-4352]

Airworthiness Directives; Vickers-Slingsby Model T.65A, Vega Glider Certificated in All Categories

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) requiring installation of a placard on the flap/airbrake control, which specifies an operational procedure requiring pilot contact with flap handle during high speed, with the flap in -8 degrees position, until modification of the flap/airbrake control system is accomplished on Vickers-Slingsby Model T.65A Vega gliders. The AD is needed to prevent loss of control caused by inadvertent extension of the airbrakes during high speeds under turbulent air conditions.

DATES: Effective date—March 25, 1982. Compliance schedule—as prescribed in the body of the AD.

ADDRESSES: The applicable technical instructions may be obtained from: Vickers-Slingsby, Kirbymoorside, York YO6 6EZ, England.

Copies of the technical instructions are contained in the Rules Docket, Federal Aviation Administration, Office of the Regional Counsel, New England

Region, 12 New England Executive Park, Burlington, Massachusetts 018033.

FOR FURTHER INFORMATION CONTACT: C. Christie, Chief Aircraft Certification Staff, AEU-100, Europe, Africa and Middle East Office, FAA, c/o American Embassy, Brussels, Belgium, telephone: 513.38.30, or Edward W. Maila, ANE-152, Boston Aircraft Certification Branch, New England Region, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone: (617) 273-7329.

SUPPLEMENTARY INFORMATION: There have been reports of the airbrakes inadvertently extending during high speed, low level flight in turbulent air conditions. Since this condition is likely to exist or develop on other gliders of the same type design, an AD is being issued which requires installation of a placard which requires the pilot to maintain contact with the flap handle during high speed flight with the flap in the -8 degrees position, until the flap/airbrake control system is modified to preclude unintentional extension of the airbrake.

Need for Amendment

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

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal aviation regulations (14 CFR 39.13) is amended effective March 25, 1982, by adding the following new AD:

Vickers-Slingsby: Applies to Model T. 65A Vega gliders certificated in all categories which do not have Vickers-Slingsby Modification No. 12 incorporated.

Compliance is required as indicated. To prevent inadvertent extension of the airbrakes during high speed, low level flight conditions in turbulent air, which could result in loss of control of the glider, accomplish the following:

1. Within the next 10 hours time in service after the effective date of this AD, unless already accomplished or until the modification required by paragraph 2 of this AD has been accomplished, install a placard on the flap/airbrake control in accordance with Vickers-Slingsby Technical Instruction No. 82, Issue 1, dated June 11, 1979. The placard must read as follows:

"TEMPORARY RESTRICTION

- "Maintain contact with flap handle during high speed in -8 degree flap position."
2. Modify the flap/airbrake control system in accordance with the instructions under

"PROCEDURE" of Vickers-Slingsby Technical Instruction No. 85 by September 17, 1982, unless already accomplished. The placard required by paragraph 1 may be removed when this modification is accomplished. An equivalent means of compliance may be approved by the Chief, Aircraft Certification Staff, AEU-100, Europe, Africa and Middle East Office, FAA, c/o American Embassy, Brussels, Belgium, or the Chief, Boston Aircraft Certification Branch, ANE-150, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803.

This amendment becomes effective March 25, 1982.

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

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

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

Issued in Burlington, Massachusetts, on March 15, 1982.

John B. Roach,

Acting Director, New England Region.

[FR Doc. 82-8011 Filed 3-24-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket Number 81-ACE-14]

Alteration of Transition Area, Grandview, Missouri

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this Federal action is to alter the 700-foot transition area at Grandview, Missouri, to provide additional controlled airspace for

aircraft executing a new nondirectional beacon (NDB) approach to runways 3/21, 08/26 and 17/35 at Gardner Airport, Gardner, Kansas, as well as for aircraft executing a new localizer approach to runway 17 and a new NDB circling approach to runways 17/35 at the Johnson County Executive Airport, Olathe, Kansas. A slight extension to the south and west of the existing Grandview, Missouri, transition area is required to include these new instrument approach procedures and to ensure segregation of aircraft utilizing them under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR).

EFFECTIVE DATE: July 8, 1982.

FOR FURTHER INFORMATION CONTACT: Don A. Peterson, Airspace Specialist, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-532, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

SUPPLEMENTARY INFORMATION: The purpose of this amendment to Subpart G of Part 71 of the Federal aviation regulations (14 CFR 71.181) is to alter the Grandview, Missouri, transition area. The alteration is necessary to provide additional controlled airspace for aircraft executing a new NDB circling approach to runways 3/21, 08/26 and 17/35 at Gardner Airport, Gardner, Kansas, and for aircraft executing a new localizer approach to runway 17 and a new NDB approach to runway 17/35 at the Johnson County Executive Airport, Olathe, Kansas. The intended effect of this action is to ensure segregation of aircraft using these new instrument approach procedures under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR). A slight extension to the south and west of the existing Grandview, Missouri, transition area will contain the new instrument procedures. Since this change is not significant and does not impose any additional burden, notice and public procedure under 5 U.S.C. 553(b) is impracticable and good cause exists for making this amendment effective in less than 30 days.

Accordingly, Subpart G, § 71.181 of the Federal Aviation Regulations (14 CFR 71.181) as republished on January 2, 1981 (48 FR 540), is amended effective 0901 GMT July 8, 1982, by altering the following transition area:

Grandview, Missouri

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Richards-Gebaur AFB (Latitude 38°50'50" N., Longitude 94°33'20" W.); within a 6.5-mile radius of Johnson County Executive Airport

(Latitude 38°50'51" N., Longitude 94°44'15" W.); within 3 miles each side of the 182° bearing from Johnson County Executive Airport extending from the 6.5-mile radius area to 8 miles south of the airport; within an 8.5-mile radius of the Johnson County Industrial Airport (Latitude 38°49'47" N., Longitude 94°53'29" W.) and within a 6-mile radius of the Gardner Municipal Airport (Latitude 38°48'20" N., Longitude 94°57'15" W.).

(Sec. 307(a), Federal Aviation Act of 1958 as amended (49 U.S.C. 1348); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); sec. 11.69 of the Federal Aviation Regulations (14 CFR 11.69))

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

Issued in Kansas City, Missouri, on March 12, 1982.

John E. Shaw,

Acting Director, Central Region.

[FR Doc. 82-8008 Filed 3-24-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 73

[Airspace Docket No. 81-AWP-24]

Alteration of Restricted Area R-2311, Army Proving Grounds, Yuma, AZ; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Correction to final rule.

SUMMARY: An error was noted in the effective date for the amendment to temporary Restricted Area R-2311, Army Proving Grounds, Yuma, AZ, published in the Federal Register on February 11, 1982 (47 FR 6252). This action corrects that error.

EFFECTIVE DATE: March 25, 1982.

FOR FURTHER INFORMATION CONTACT:

Robert Maxey, Airspace Regulations and Obstructions Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: (202) 426-8783.

SUPPLEMENTARY INFORMATION:

History

Federal Register Document 82-3669 was published on February 11, 1982, which extended the time of designation for temporary Restricted Area R-2311, Army Proving Grounds, Yuma, AZ, that allows sufficient time for completion of the flight test program which has been delayed by production delays by commercial contractors. An error was noticed in the effective date of the amendment and this action corrects that error.

Adoption of the Correction

Accordingly, pursuant to the authority delegated to me, Federal Register Document 82-3669 as published in the Federal Register on February 11, 1982, is corrected as follows:

R-2311 Army Proving Grounds, Yuma, AZ [Amended]

By amending the effective date to read "March 25, 1982".

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

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

Issued in Washington, D.C., on March 17, 1982.

John W. Baier,

Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc. 82-8009 Filed 3-24-82; 8:45 am]

BILLING CODE 4910-13-M

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1050

Financial Compensation of Participants in Informal Rulemaking Proceedings

AGENCY: Consumer Product Safety Commission.

ACTION: Revocation of rule.

SUMMARY: The Commission revokes procedural regulations governing

awards of financial compensation to outside parties by the Commission for participation in informal rulemaking proceedings other than for development of consumer product safety standards under section 7 of the Consumer Product Safety Act. The Commission has revoked these regulations because payments to outside parties in accordance with these regulations is prohibited by law. This revocation does not affect the Commission's regulation governing financial contributions from the Commission to participants in proceedings to develop consumer product safety standards under section 7 of the CPSA, which appears at 16 CFR 1105.19.

DATE: The revocation will be effective March 25, 1982.

FOR FURTHER INFORMATION CONTACT:

Allen F. Brauninger, Office of the General Counsel, Consumer Product Safety Commission, Washington, D.C. 20207, telephone (301) 492-6980.

SUPPLEMENTARY INFORMATION: In the Federal Register of May 31, 1978 (43 FR 23560), the Commission issued regulations governing applications for, and awards of, financial compensation from the Commission to outside parties for participation in informal rulemaking proceedings, under the Consumer Product Safety Act (CPSA, 15 U.S.C. 2051 *et seq.*), the Federal Hazardous Substances Act (FHSA, 15 U.S.C. 1261 *et seq.*), the Flammable Fabrics Act (FFA, 15 U.S.C. 1191 *et seq.*) and the Poison Prevention Packaging Act (PPPA, 15 U.S.C. 1471, *et seq.*).

These regulations were issued for the purpose of obtaining the representation of interests and points of view of parties outside the Federal Government who would not otherwise be able to participate in Commission rulemaking proceedings because of the costs involved. The regulations are codified at 16 CFR Part 1050.

A separate regulation governs financial contributions from the Commission to outside parties who participate in the development of consumer product safety standards under provisions of section 7 of the CPSA. This regulation is codified at 16 CFR 1105.19.

Legislation appropriating funds for the Commission through September 30, 1981 (Pub. L. 96-526), provides at section 410 that none of the Commission's funds can be used to pay expenses of or otherwise compensate persons not employed by the Federal Government for participation in rulemaking or adjudicatory proceedings, except those parties participating in the development

of consumer product safety standards under provisions of section 7 of the CPSA.

The same prohibition of compensation to outside parties for participation in any rulemaking proceeding other than one for development of a consumer product safety standard under provisions of section 7 of the CPSA is contained in the legislation appropriating funds for the Commission through September 30, 1982 (Pub. L. 97-101), enacted on December 23, 1981.

On December 3, 1981, the Pacific Legal Foundation petitioned the Commission to revoke the regulations at Part 1050. This petition (AP 82-1) stated that a recent decision of the United States Court of Appeals for the Fourth Circuit in *Pacific Legal Foundation v. Goyan*, No. 80-1854 (decided November 27, 1981), prohibits agencies from disbursing funds to voluntary participants in administrative proceedings unless specifically authorized by Congress to do so.

Because the compensation of outside parties in accordance with the regulations in Part 1050 is specifically prohibited by legislation now in effect, the Commission has decided by a 4-1 vote to revoke those regulations.¹ This revocation will have the effect of granting the relief requested by petition AP 82-1.

The legislation appropriating funds for the Commission through September 30, 1982, states that it does not affect those provisions of section 7 of the CPSA which authorize the Commission to contribute to outside parties who participate in proceedings for the development of consumer product safety standards under provisions of section 7. Accordingly, this revocation does not affect the regulation at 16 CFR 1105.19, governing compensation of non-Federal participants in proceedings for the development of a consumer product safety standard under provisions of section 7 of the CPSA, which remains in full force and effect.

¹ Commissioner R. David Pittle voted not to revoke the regulations in Part 1050, and stated that he will file a dissenting opinion in this matter. Requests for inspection of Commissioner Pittle's dissent should be made at the Commission's public reading room, 1111 18th Street, NW., Eighth Floor, Washington, D.C., or by calling the Office of the Secretary at (301) 492-6800.

Because the regulations being revoked are rules of agency procedure or practice, the Commission's action to revoke them is exempted from those provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking and opportunity for submission of written comments by 5 U.S.C. 553(b)(A).

The Administrative Procedure Act provides at 5 U.S.C. 553(d) that a substantive rule must be published at least 30 days before its effective date, unless the Commission makes a finding of good cause for an earlier effective date, and includes that finding within the rule. The Commission finds for good cause that the revocation of Part 1050 should be effective upon March 25, 1982, because an Act of Congress prohibits any payment in accordance with the provisions of those regulations. Accordingly, the revocation of the regulations in Part 1050 shall be effective immediately.

**PART 1050—FINANCIAL
COMPENSATION OF PARTICIPANTS
IN INFORMAL RULEMAKING
PROCEEDINGS [RESERVED]**

Therefore, pursuant to provisions of the Administrative Procedure Act (5 U.S.C. 553), Part 1050 of Title 16, Chapter II of the Code of Federal Regulations is revoked, removed, and reserved.

Effective date. The revocation shall be effective March 25, 1982.

(5 U.S.C. 553)

Dated: March 18, 1982.

Sadye E. Dunn,

Secretary, Consumer Product Safety
Commission.

[FR Doc. 82-8016 Filed 3-24-82; 8:45 am]

BILLING CODE 6355-01-M

**DEPARTMENT OF ENERGY
Federal Energy Regulatory
Commission**

18 CFR Part 282

[Doc. No. RM79-14]

**Order of the Director, OPRP of
Publication of Incremental Pricing
Acquisition Cost Thresholds**

AGENCY: Federal Energy Regulatory
Commission, DOE.

ACTION: Order Prescribing Incremental
Pricing Thresholds.

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

EFFECTIVE DATE: April 1, 1982.

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

SUPPLEMENTARY INFORMATION:

Order of the Director, OPRP

Issued March 19, 1982.

In the matter of publication of prescribed Incremental Pricing Acquisition Cost Threshold of the NGPA of 1978; Docket No. RM79-14.

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

Pursuant to that mandate and pursuant to § 375.307(1) of the Commission's regulations, delegating the publication of such prices to the Director of the Office of Pipeline and Producer Regulation, the incremental pricing acquisition cost threshold prices for the month of April 1982 is issued by the publication of a price table for the applicable month.

Kenneth A. Williams,
Director, Office of Pipeline and Producer
Regulation.

BILLING CODE 6717-01-M

Table I - Incremental Pricing Acquisition Cost Threshold Prices

Calendar Year 1980

	<u>January</u>	<u>February</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>August</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>
Incremental Pricing Threshold	\$1.702	\$1.738	\$1.750	\$1.762	\$1.776	\$1.790	\$1.804	\$1.819	\$1.834	\$1.849	\$1.863	\$1.877
NGPA Section 102 Threshold	2.358	2.381	2.404	2.428	2.453	2.478	2.504	2.532	2.560	2.588	2.614	2.640
NGPA Section 109 Threshold	1.786	1.799	1.812	1.825	1.839	1.853	1.867	1.883	1.899	1.915	1.929	1.943
130% of No. 2 Fuel Oil in New York City Threshold	7.170	7.260	7.410	7.110	7.380	8.040	7.840	7.380	7.400	7.400	7.450	7.580

Calendar Year 1981

	<u>January</u>	<u>February</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>August</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>
Incremental Pricing Threshold	\$1.891	\$1.908	\$1.925	\$1.942	\$1.954	\$1.967	\$1.980	\$1.990	\$2.000	\$2.010	\$2.025	\$2.041
NGPA Section 102 Threshold	2.667	2.698	2.729	2.761	2.787	2.813	2.840	2.863	2.886	2.909	2.940	2.971
NGPA Section 109 Threshold	1.957	1.975	1.993	2.011	2.024	2.037	2.050	2.060	2.070	2.080	2.096	2.112
130% of No. 2 Fuel Oil in New York City Threshold	7.610	7.760	8.260	9.010	9.510	9.430	9.360	9.260	8.860	8.700	8.930	8.990

Calendar Year 1982

	<u>January</u>	<u>February</u>	<u>March</u>	<u>April</u>
Incremental Pricing Threshold	\$2.057	\$2.071	\$2.085	\$2.099
NGPA Section 102 Threshold	3.003	3.033	3.063	3.093
NGPA Section 109 Threshold	2.128	2.143	2.158	2.173
130% of No. 2 Fuel Oil in New York City Threshold	9.180	9.340	9.470	9.340

INTERNATIONAL TRADE COMMISSION

19 CFR Part 207

Investigations of Whether Injury to Domestic Industries Results From Imports Sold at Less Than Fair Value or From Subsidized Exports to the United States; Correction

AGENCY: International Trade Commission.

ACTION: Final rule; correction.

SUMMARY: On February 10, 1982, the Commission published amendments to its Rules of Practice and Procedure (47 FR 6182), including an amendment to paragraph (a) of § 207.7 Limited disclosure of certain confidential information under a protective order (19 CFR 207.7). As published, that amendment may suggest that the Commission has deleted all material after the first sentence in paragraph (a). Since the Commission intended to amend only the first sentence and to retain the remainder of paragraph (a) without changes, this correction is being issued. This correction does not affect the effective date of the amendments.

FOR FURTHER INFORMATION CONTACT: Jack Simmons, Esq. Office of the General Counsel, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436, telephone 202-523-0350.

By order of the Commission.

Issued: March 19, 1982.

Kenneth R. Mason,
Secretary.

PART 207—INVESTIGATIONS OF WHETHER INJURY TO DOMESTIC INDUSTRIES RESULTS FROM IMPORTS SOLD AT LESS THAN FAIR VALUE OR FROM SUBSIDIZED EXPORTS TO THE UNITED STATES

Revision No. 8 to the Commission's Rules of Practice and Procedure (19 CFR Part 201 et seq.), published in the Federal Register of February 10, 1982 (47 FR 6182, at 6190), is corrected to read as follows:

"8. In § 207.7 paragraph (a) is revised to read as follows:

§ 207.7 Limited disclosure of certain confidential information under a protective order.

(a) Upon request of an attorney for an interested party to the investigation, excepting corporate counsel which (1) describes with particularity the information requested, (2) sets forth the reasons for the request, (3) demonstrates a substantial need for the information in

the preparation of his case, and (4) demonstrates that he is unable without undue hardship to obtain the substantial equivalent of the information by other means, the Secretary will make available confidential information concerning the domestic price and cost of production of the like product submitted by the petitioner or by an interested party in support of the petitioner to such attorney under a protective order described in paragraph (b) of this section. Upon filing with the Secretary of an agreement among all interested parties who are parties to the proceeding requesting the release under protective order of confidential information submitted by such interested parties, other than domestic price and cost of production data, the Secretary may make such confidential information available to an attorney of such an interested party, excepting corporate counsel, under a protective order described in paragraph (b) of this section. The Secretary may adopt, from time to time, forms for submitting requests for disclosure pursuant to a protective order incorporating the terms of this rule. The Secretary shall determine whether the requirements for release of information under this rule have been satisfied. The Secretary's determination shall be final for purposes of review by the Customs Court under section 777(c)(2) of the Act.

* * * * *

[FR Doc. 82-7967 Filed 3-24-82; 8:45 am]

BILLING CODE 7020-02-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD 12-82-MP1]

Safety of Life on Navigable Waters

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This is a final rule detailing the special local regulations for the 1982 Pacific Inter-Club Yacht Association Opening Day Parade for San Francisco Bay. The purpose is to control vessel traffic in designated areas and within the vicinity of the marine parade. This rule is necessary due to the confined areas involved and the anticipated vessel congestion during the event.

EFFECTIVE DATE: From 0930 to 1400 PST, April 25, 1982.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Robert A. Byers,

c/o Commander (bbc), Twelfth Coast Guard District, 630 Sansome Street, San Francisco, CA 94126, (415) 556-6075.

SUPPLEMENTARY INFORMATION: This special local regulation is issued pursuant to 46 U.S.C. 454 and 33 CFR 100.35, for the purpose of promoting the safety of life and property in San Francisco Bay during the 1982 Pacific Inter-Club Yacht Association Opening Day Parade for San Francisco Bay. It is anticipated that there will be considerable vessel congestion at the time of the parade due to large numbers of participating and spectator vessels, the presence of commercial vessel traffic in the area and the confined nature of certain areas to be utilized by the parade. Therefore these special local regulations are deemed necessary for the promotion of safety of life and property in the area during the marine parade.

The regulations are published as a final rule since there was insufficient time to publish a notice of proposed rule making prior to the date of the event and the regulations are needed in order to protect life and property. It is not considered to be a major rule under the terms of Executive Order 12291 since it involves negligible cost and will not have significant impact on recreational vessels, commercial vessels or other marine interests. For this reason, the District Commander has certified this rule will not have significant economic impact on a substantial number of small entities. Also, in accordance with DOT Order 2100.5, economic impact is so minimal that it does not require an evaluation. Further, the rule is necessary for the protection of life and property in the area during this marine event.

Drafting Information

The principal persons involved in drafting this final rule are LCDR Robert A. Byers, Project Manager, Twelfth Coast Guard District, Boating Affairs Branch and LT Kenneth E. Johnson, Project Attorney, Assistant Legal Officer, Twelfth Coast Guard District.

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

Accordingly, Part 100 of Title 33, of the Code of Federal Regulations is amended by adding the following section:

§ 100.35-1201 1982 Opening Day Marine Parade, San Francisco Bay.

(a) This section is effective from 0930 to 1400 PST, April 25 1982.

(b) The following areas are designated "regulated area" during the marine parade.

(1) Northern Area in Raccoon Straits. The area between a line drawn from Bluff Point on the southeastern side of Tiburon Peninsula to Point Campbell on the northern edge of Angel Island and a line drawn from Peninsula Point on the southern edge of Tiburon Peninsula to Point Stuart on the western edge of Angel Island.

(2) Southern Area. The area defined by a line drawn from Fort Point (37°48'40"N, 122°28'34"W) 079°T approximately 5,000 yards to a point located at 37°49'09"N, 122°25'28"W thence 173°T to the tip of Aquatic Park peninsula (37°48'39"N, 122°25'24"W).

(c) Regulation:

(1) All vessels entering the regulated areas shall follow the parade route and maintain an approximate speed of six knots.

(2) All vessels in the Raccoon Straits area shall proceed in a generally southwesterly direction except in that area immediately adjacent to the shore of Angel Island. Vessels may transit this area in a northeasterly direction.

(3) Vessels departing the St. Francis Yacht Harbor in the southern area may exit through the area subject to direction of Coast Guard patrol boats.

(4) The parade will be interrupted, as necessary, to permit the passage of commercial vessel traffic.

(5) All vessels in the vicinity of the parade shall comply with the instructions of the U.S. Coast Guard patrol personnel.

(Sec. 1, Pub. L. 60-120, 35 Stat. 69, as amended, sec. 6(b)(1), 80 Stat. 937; 46 U.S.C. 454, 49 U.S.C. 1655(b)(1); 33 CFR 100.35, 49 CFR 1.46(b))

Dated: March 1, 1982.

J. P. Stewart,

Vice Admiral, U.S. Coast Guard Commander,
Twelfth Coast Guard District.

[FR Doc. 82-7985 Filed 3-24-82; 9:45 am]

BILLING CODE 4910-14-M

33 CFR Part 110

[CGD77-028]

Anchorage Grounds, Mississippi River, Below Baton Rouge, La., Including South and Southwest Passes

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This document amends the rule establishing various anchorages on the lower Mississippi River that was published in the Federal Register on October 8, 1981 (46 FR 49847). In response to questions by the U.S. Army

Corps of Engineers, the Pilottown Anchorage is being redefined, with no substantial change in location. In addition, since no comments have been received on the interim rules for the Lower Baton Rouge, Middle Baton Rouge, and Upper Baton Rouge anchorages, they are adopted as final rules.

FOR FURTHER INFORMATION CONTACT: Mr. Daniel W. Ziegfeld, Project Manager, Office of Marine Environment and Systems (G-WWM/TP1), Department of Transportation, U.S. Coast Guard Headquarters, 2100 Second Street, SW., Washington, D.C. 20593, (202) 755-6146.

EFFECTIVE DATE: March 25, 1982.

SUPPLEMENTARY INFORMATION:

Publication of a notice of proposed rulemaking and thirty-day waiting period for the effectiveness of final rulemaking have been determined unnecessary for good cause. This change in the definition of the Pilottown Anchorage is editorial. It adopts a more practical description of the width of the anchorage while making no substantial change in the location of the anchorage.

Drafting Information:

The principal persons involved in drafting this rule are: Mr. Daniel W. Ziegfeld, Project Manager, Office of Marine Environment and Systems, and Lieutenant Mark Hanlon, Project Attorney, Office of the Chief Counsel.

Background Information:

A notice of proposed rulemaking was published by the Coast Guard on December 21, 1978 (43 FR 59521) concerning a series of amendments to 33 CFR Parts 110 and 162; § 110.195(a)(1) defines the Pilottown Anchorage. Subsequently, two correction documents were published, one on January 12, 1979 (44 FR 2606), and another on February 5, 1979 (44 FR 6956). Neither of these corrections involved the Pilottown Anchorage. The comment period was then extended from February 5, 1979 to March 5, 1979 (44 FR 8902). During this extended comment period two individuals requested a public hearing. A supplemental notice was published on July 16, 1979 (44 FR 41245) scheduling a public hearing for August 15, 1979, at New Orleans, Louisiana, and reopening the comment period to August 30, 1979. Neither the need for the Pilottown Anchorage nor its location were questioned during this lengthy rulemaking process.

After publication of the final rule the U.S. Army Corps of Engineers questioned the description of the width of the Pilottown Anchorage. The

anchorage is located along the right descending bank of the river and was described in reference to that bank to conform to a system that uniformly references the adjacent bank. Since it is more important that regulations be useful rather than internally symmetrical, the definition of the Pilottown Anchorage is being amended to refer to the more readily determined left descending bank.

Since notice and comment on the need for and location of the Pilottown Anchorage was provided for, and since this rule makes no substantial change, it has been determined that further notice and comment is unnecessary and that this amendment can be made effective in less than 30 days.

In the document published on October 8, 1981 the location of the Lower Baton Rouge, Middle Baton Rouge, and Upper Baton Rouge anchorages differed from those proposed. For this reason these anchorages were established as interim rules and further comment was solicited. No comments have been received. Therefore, § 110.195, paragraphs (a)(24) through (a)(26), appearing at page 49850 of the Federal Register for October 8, 1981 are adopted as final rules without change.

Regulatory Evaluation:

A separate evaluation is unnecessary since this rule makes no substantial change in the location of the anchorage and there has been no change from the previous final rule evaluation (46 FR 49849). Similarly, it is certified that this regulation will have no significant impact on a substantial number of small entities.

PART 110—ANCHORAGE REGULATIONS

For the above reasons 33 CFR Part 110 is amended as follows:

1. The authority citation for § 110.195 reads as follows:

Authority: (33 U.S.C. 471), (49 U.S.C. 1655 (g)(1)), Pub. L. 95-474, 92 Stat. 1477 (33 U.S.C. 1231); 49 CFR 1.46 (c)(1) and (n)(4).

2. Section 110.195 (a)(1) is revised to read as follows:

§ 110.195 Mississippi River below Baton Rouge, La., including South and Southwest Passes.

(a) * * *

(1) *Pilottown Anchorage.* An area 5.2 miles in length along the right descending bank of the river from mile 1.5 to mile 6.7 above Head of Passes,

extending in width to 1600 feet from the left descending bank of the river.

J. W. Kime,

Captain U.S. Coast Guard Acting Chief, Office of Marine Environment and Systems.

March 16, 1982.

[FR Doc. 82-7775 Filed 3-24-82; 8:45 am]

BILLING CODE 4910-14-M

POSTAL RATE COMMISSION

39 CFR Part 3001

[Docket No. RM81-2; Order No. 425]

Rules of Practice and Procedure; Use of Computer Studies and Analyses in Evidentiary Presentations

March 18, 1982.

AGENCY: Postal Rate Commission.

ACTION: Final rule.

SUMMARY: The Commission, having considered comments on its Notice of Proposed Rulemaking (46 FR 45376-45378), is promulgating a final rule which would require participants in its proceedings who rely upon computer studies to make available certain supporting materials. In addition, changes are being made to expand the applicability and expedite the operation of the procedures governing the introduction of other studies and analysis. These changes will facilitate more expeditious and efficient analysis of evidentiary presentations based on computer data.

EFFECTIVE DATE: March 25, 1982.

FOR FURTHER INFORMATION CONTACT: David F. Stover, General Counsel, Postal Rate Commission, Suite 500, 2000 L Street, NW., Washington, D.C. 20268; (202) 254-3824.

SUPPLEMENTARY INFORMATION: On September 3, 1981, the Commission published a Notice of Proposed Rulemaking (46 FR 45376-45378) identifying the need for separate rules governing the use of computer studies and analyses in evidentiary presentations. Comments on the proposal were submitted by the American Bankers Association (ABA), the Department of Defense (DOD), the Officer of the Commission (OOC), Tifne, Inc., United Parcel Service (UPS), and the Postal Service. In addition, two comments were filed after the deadline and were not included in the rulemaking file. One commenter, the San Francisco Planning and Urban Research Association (SPUR) Neighborhood Services Office, expressed general support for the rule as proposed. Another commenter, Robert Bigelow,

raised a question about production of proprietary computer materials. This issue was also addressed in two timely-filed comments and we discuss it in more detail below. We believe our disposition of the late-filed comments will not result in any unfairness to parties affected by the rule.

With the exception of the filing by the Postal Service, the comments generally support the Commission's proposal to issue rules applicable to the use of computer studies in Commission proceedings. Consequently, the Commission is promulgating a final rule with certain changes to the initial proposal. The Commission believes these changes provide a sharper, more lucid definition of the items that properly form the foundation that the commenters generally agree is necessary for computer-generated evidence presented in Commission proceedings. They also reflect several commenters' suggestion that the rule specifically address the issue of proprietary interests in computer materials. These changes, and the Commission's response to certain other changes suggested by the commenters, are discussed in more detail below.

The final rule reflects the same goals identified in the Proposed Notice, but attempts to meet them in a manner that is less rigid and mechanical than that originally set out in the proposed rule. For the most part, this is accomplished by recasting the requirement of proposed subsection (k)(3) that certain itemized information "shall be furnished"—in some cases, upon request—as a general presumption relating to the scope of a proper foundation for computer-generated evidentiary presentations. This foundation, in every instance, must include a general description of the program, including program objectives, processing tasks performed, methods and procedures employed, and a listing of input and output data and source codes (or a showing why the codes cannot be furnished). We contemplate that these invariable requirements will be furnished as part of prepared testimony when it is filed with the Commission.

The necessary foundation also presumptively includes, when requested, designations of sources of input data and explanations of modifications; definitions of input and output variables; a description of input and output data file organization; a machine-readable copy of all data bases; adequate source code documentation; the source program in machine-readable form; operating system and programming language manuals; and, under certain

circumstances, a sample run and explanation of the response sequence.

The revised format reflects, to a large extent, our review of the filed comments. For example, the OOC's suggestion that the phrase "system reliability" was ambiguous and that terminal identification was unnecessary prompted us to take a closer look at items (a) through (e). As a result, while we agree with the OOC's suggestion as far as it goes, we also believe that the proposed rule could have created a misleading impression about the importance or weight that attaches to the information that is to be furnished in every case. Consequently, while information identifying the computer name, model number, terminal, operating system name, and timesharing vendor's name and location (proposed subsection (k)(3)(i)(a), (c) and (d) respectively) might be of interest and furnished as a courtesy, it does not constitute a foundation requirement in the final rule.

Instead, the concept underlying subsection (k)(3)(i)(e) of the proposed rule—relating to a general description of the computer process—is retained in (k)(3)(i) of the final rule and clarified by including some items that appeared in proposed subsection (k)(3)(ii). Thus, the final rule now requires "a general description of the program that includes the objectives of the program, the processing tasks performed, the methods and procedures employed, and a listing of the input and output data and source codes * * * ." The requirement of a listing of input and output data and source codes formerly appeared as part of proposed subsection (k)(3)(ii)(a) and (c). The order in which the items are set forth in the final rule is not meant to indicate relative importance.

As in the proposed rule, the final rule sets forth a procedure that allows a participant, the Presiding Officer, or the Commission, to request additional relevant information. However, the final rule explicitly states that absent an affirmative showing to the contrary, the information appearing as new subsections (k)(3)(a) through (h) is presumed to be required to complete the foundation necessary for computer generated evidentiary presentations. The items in this set of requirements either have counterparts in the proposed rule or elaborate upon such requirements. For example, the requirement that program documentation be provided (subsection (k)(3)(i)(e) now includes a reference to several documentation standards generally accepted in the industry to illustrate the degree of

comprehensiveness and detail required. The requirement in the proposed rule that machine-readable material be provided in any widely-used format (subsection (k)(3)(iii)(2) of the proposed rule) has been simplified in the final rule by limiting the format options to magnetic tape or access through a time-sharing service (subsection (k)(3)(i)).

We now address other issues raised in the comments. Time, Inc. requested that the provisions of the rules be followed when the Commission engages in computer analyses. This suggestion overlooks a fundamental distinction between the function of advocate and decisionmaker with respect to the kind and manner of disclosure that the law requires.

The proposed amendments are directed at Rule 31, which is a rule governing the evidentiary submissions of parties to our proceedings. Their purpose is to articulate a general foundational requirement for such evidence in order to solve two principal problems that such evidentiary submissions characteristically present. The first relates to the hearsay nature of computer-based submissions and the special problems of establishing the authenticity, accuracy and reliability of such submissions.

In the context of judicial proceedings, there is ample precedent and commentary recognizing that computer-based evidence has attributes that warrant special foundation requirements which will guarantee that it will have a threshold level of reliability notwithstanding its hearsay nature. Notice of Proposed Rulemaking, 46 FR 45376, 45377; Proposed Changes to the Federal Rules of Evidence as Applied to Computer Generated Evidence, (1979) Rutgers Journal of Computers, Technology and the Law, 157; Note, Appropriate Foundation Requirements for Admitting Computer Printouts into Evidence, 1977 Washington University Law Quarterly, 59.

Prior Commission experience has shown the necessity of special foundation requirements in the context of formal administrative hearings, as well. The special foundation requirements that we propose generalize from that experience, and are intended to assure that computer-based evidentiary submissions will meet the requisite threshold level of reliability.

In the past, the parties and the Commission have had to devote an inordinate amount of their time and resources to disputes as to what supplementary material must be provided with computer-based submissions, and the form in which it

must be provided. The second principal purpose of these proposed foundation requirements is to minimize the area of dispute, and the time and resources that such disputes consume, by standardizing those requirements to the maximum feasible extent.

Both problems associated with computer-based evidentiary submissions—the need for special requirements that will assure a threshold level of reliability, and the propensity to engender procedural delay—are problems that occur in the hearing phase, rather than the decisionmaking phase of our proceedings. So long as the Commission does not submit and advocate its own evidence in its proceedings, there is no rationale for applying these proposed foundation requirements to the Commission.

When the Commission uses computer techniques to evaluate record evidence, it is, of course, on a different plane than an advocate in its proceedings. For sound public policy reasons, the Commission is obligated only to disclose the "reasons and basis" for its findings and conclusions (5 U.S.C. 557(c)), providing that they are based on record evidence. "United States v. Morgan," 313 U.S. 409, 422 (1941). Where the computer techniques employed by the Commission during the decisional phase are essentially computational aids, it is unlikely that the Commission would have to provide the supplementary material enumerated in proposed rule 31(k)(3) to meet the standard of section 557.

If, however, the rationale for the Commission's findings and conclusions cannot be fully explained apart from the computer techniques that apply it, the Commission will provide, with its decision, all documentation of its computer materials that might be necessary to do so. Whether it would be necessary for the Commission to provide the material enumerated in proposed rule 31(k)(3) to meet the standard of section 557 would depend on the circumstances of the case. The Commission's obligation as decisionmaker to provide supplementary materials is, however, distinct from that of a proponent of evidence in the hearing phase, and for that reason it would not be appropriate to apply proposed Rule 31(k)(3), *per se*, to the Commission.

We recognize that not only copyright, but patent, trade secret or contract rights might conflict with the subsection (k)(3) requirement to produce computer materials. (See comments filed by Time, Inc. and the OOC.) Subsection (k)(3)(iii)(c) establishes general

procedures for reconciling such a conflict. It requires a recipient of a request under subsection (k)(3) who asserts that compliance would conflict with legally cognizable rights protecting the requested material, to immediately notify the requestor and the presiding officer. It describes measures that a presiding officer may take to accommodate any such conflicting rights. These consist, generally, of fashioning protective orders and allocating the cost of any compensation that might be necessary to satisfy such rights.

Subsection (k)(3)(iii)(c) of the final rule also recognizes that it might not always be possible to reconcile the subsection (k)(3) requirement to produce computer materials with legally cognizable rights that protect them. When it is not possible to accommodate both, the presiding officer would have the discretion to enforce the general rule of subsection (k)(3) and exclude evidence that relies upon unobtainable supporting material, or to dispense with the full requirements of that rule if circumstances warrant. In exercising that discretion, it would be the presiding officer's responsibility to balance the importance of the evidence in establishing the requestee's case against the prejudice that receiving potentially unreliable evidence might cause to the cases of opposing parties.

To illustrate, a requestee might offer evidence that employs a standard "off the shelf" statistical software package. An opposing party might request the source code for that package under subsection (k)(3)(i). The third-party proprietor of that software package might, however, refuse to license or otherwise make available the requested source code. The presiding officer might, nevertheless, relieve the party of the normal foundation requirement of subsection (k)(3)(i) and receive the evidence offered by the requestee, if he were to find that the functions of the package are to perform standard mathematical manipulations of data, that the package's functions can be ascertained without examination of the source code, that the package has become widely accepted and relied upon by the automatic data processing industry to perform those functions, and therefore the software package may be presumed reliable.

With respect to the allocation of expenses associated with the production requirements of subsection (3), subsection (k)(3)(iii)(b) of the proposed rule required the requestor to pay the expense of providing machine-readable materials. Subsection (k)(3)(ii) of the

final rule requires the requestor to pay the expense of providing the referenced manuals, as well as machine-readable materials.

UPS requested that the rule provide for the requestee to pay the expense of providing machine-readable material upon a showing of good cause by the requestor. We believe that UPS's suggestion provides additional flexibility and we include it in subsection (k)(3)(iii) of the final rule.

ABA suggested that the Commission reimburse participants for the cost of preparing machine-readable format when it is provided at the Commission's request. The Commission sympathizes with the needs of participants to reduce costs whenever possible, but a participant willing and able to expend the resources needed to produce a computer copy study can reasonably be required to make one copy of the supporting materials available for inspection by the Commission. Whenever possible, the Commission will try to return materials to the requestee following a proceeding. We have, however, added language to subsection (k)(3)(iii) making it clear that the presiding officer or the Commission may assume the expense of production if equity appears to warrant it. For example, if providing machine-readable material requested by the presiding officer or the Commission would require the requestee to pay a substantial additional commercial license fee, it may be equitable for the Commission to defray or allocate that expense.

The OOC requested the addition of a provision permitting participants to gain access to the computer facilities of a participant introducing a computer study. While this procedure was successfully followed in Docket No. R80-1, we do not believe that it is one that should be mandatory for a participant offering or relying upon computer studies. We hope that participants in our proceedings will continue to cooperate in the future, but we do not believe there should be a requirement to make computer facilities available in every instance.

ABA suggested that the requirement of Rule 31(k)(2)(iv)(d) that "actual input data" be provided could create difficulties because there often arises a need to protect the confidentiality of survey participants. The Commission is aware of this problem and has been sensitive to it in past proceedings. However, the cited provision has been in force for several years without creating serious difficulties. Consequently, we believe it is preferable to continue our practice of addressing special needs for confidentiality when

they arise, rather than changing the general rule to meet the exceptional case.

UPS suggested that the phrase "which the presiding officer or the Commission determines" be deleted from proposed section (k)(3)(ii)(d) on the grounds that the additional information can always be requested through discovery. Since the final rule deletes the requirement stated in subsection (k)(3)(ii)(d), the concern expressed by UPS is no longer germane.

As noted above, the Postal Service is the only party that expressed concern over the general thrust of the proposed rule changes. It suggested that the new rules could require it to "produce data generated, compiled, and stored at different locations, but which are neither introduced into evidence nor relied upon, solely if they were considered at one time as an alternative to the data eventually presented into evidence." We do not believe the Service's statement is correct. Subsection (k)(3)(i) in both the proposed and final rules indicates that the applicability of the new provisions is limited to computer studies or analyses "which are being offered in evidence, or relied upon as support for other evidence." As such, the operation of this part of Rule 31 would be strictly limited to information required to support studies or analyses being employed for evidentiary purposes.

The Service also maintains that the use of the word "replicate" in proposed subsection (k)(3)(ii)(d) imposes too broad a standard. We do not agree with the Service's contention and apparently no other commenter believes this to be the case. The simplest, surest means of assuring that opposing parties have an adequate opportunity to examine and test the results of a study is to require the production of sufficient material to permit replication. We note that this is the approach already taken with respect to workpapers in section 54(p) and 64(g) of our Rules of Practice and Procedure. Consequently, although the term "replicate" no longer appears in the rule, its omission is due to the use of language that we believe more accurately conforms to the revised formulation of the foundation requirements in the final rule. We think it is clear—even without express use of this term—that the final rule allows a participant, upon proper request, to obtain materials that would allow him to replicate the results of computer-generated presentations.

The analysis in our Notice of Proposed Rulemaking that this rule does not constitute a major rule for purposes of E.O. 12291 still applies, and applies with equal force to the Regulatory

Flexibility Act, especially in light of the rule's procedural nature.

PART 3001—RULES OF PRACTICE AND PROCEDURE

§ 3001.31 [Amended]

Wherefore, it is ordered that § 3001.31(k) of our Rules of Practice and Procedure (39 CFR 3001.31) be revised to read as follows:

(k) *Introduction and reliance upon studies and analyses.*—(1) *General.* In the case of all studies and analyses offered in evidence in hearing proceedings or relied upon as support for other evidence, other than the kinds described in paragraphs (k)(2) and (k)(3) of this section, there shall be a clear statement of the study plan, all relevant assumptions and a description of the techniques of data collection, estimation and/or testing. In addition, there shall be a clear statement of the facts and judgments upon which conclusions are based, together with an indication of the alternative courses of action considered. Tabulations of input data shall be made available upon request at the offices of the Commission.

(2) *Statistical studies.* Upon proper request all statistical studies offered in evidence in hearing proceedings or relied upon as support for other evidence shall be described in a summary statement with supplementary details added in appendices so as to give a comprehensive description of the assumptions made, the study plan utilized and the procedures undertaken. For example, for each of the following types of statistical studies, the indicated information should be furnished:

(i) *Sample surveys.* (a) A clear description of the survey design, including the definition of the universe under study, the sampling frame and units, and the validity and confidence limits that can be placed on major estimates; and

(b) An explanation of the method of selecting the sample and the characteristics measured or counted.

(ii) *Econometric investigations.* (a) A complete description of the econometric model and the reasons for each assumption and statistical specification;

(b) A clear statement as to the effects on the final result of changes in the assumptions; and

(c) Upon request, make available alternative studies which may have been made, which employed alternative models and variables.

(iii) *Experimental analyses.* (a) A complete description of the experimental design, including a

specification of the controlled conditions and how the controls were realized;

(b) A complete description of the methods of making observations and the adjustments, if any, to observed data.

(iv) *All studies involving statistical methodology.* (a) The formula used for statistical estimates;

(b) The standard errors of each component estimated;

(c) Test statistics and the description of statistical tests and all related computations, and final results; and

(d) Summary descriptions of input data, and upon request the actual input data shall be made available at the offices of the Commission.

(e) Designation of a document as a library reference is a procedure for facilitating reference to the document in Commission proceedings and does not, by itself, confer any particular evidentiary status upon the document. The evidentiary status of the document is governed by the preceding paragraphs of this section.

(3) *Computer analyses.* (i) In the case of computer studies or analyses which are being offered in evidence, or relied upon as support for other evidence, a foundation for the reception of such materials must be laid by furnishing a general description of the program that includes the objectives of the program, the processing tasks performed, the methods and procedures employed, and a listing of the input and output data and source codes (or a showing pursuant to paragraph (k)(3)(iii) of this section as to why such codes cannot be so furnished) and such description shall be furnished in all cases. For the purpose of completing such foundation, the following additional matters shall be deemed presumptively necessary and shall be furnished upon request of a participant, the Commission, or the Presiding Officer, unless the presumption is overcome by an affirmative showing.

(a) For all input data, designations of all sources of such data, and explanations of any modifications to such data made for use in the program;

(b) Definitions of all input and output variables or sets of variables;

(c) A description of input and output data file organization;

(d) A machine-readable copy of all data bases;

(e) For all source codes, documentation sufficiently comprehensive and detailed to satisfy generally accepted software documentation standards¹ appropriate

to the type of program and to its intended use in the proceeding;

(f) The source program in machine-readable form;

(g) All pertinent operating system and programming language manuals; and

(h) If the requested program is user interactive, a representative sample run, together with any explanation necessary to illustrate the response sequence.

Paragraphs (k)(3)(i) (d) and (f) of this section shall be provided either in the form of magnetic tape or through access to a time-sharing service, at the option of the provider.

(ii) Upon timely and otherwise proper request of a participant, or sua sponte, the Commission or the Presiding Officer may rule that matters other than those listed in paragraph (i)(a)-(h) are necessary to establish the foundation for reception of the evidence concerned and must be furnished.

(iii) When the requestor is other than the Commission or the Presiding Officer, the cost of producing the material required in paragraph (k)(3) (i) (d), (f), and (g), shall be borne by the requesting party unless otherwise ordered, for good cause shown by the requestor. When the Commission or the Presiding Officer is the requestor, it may assume or equitably allocate such costs for good cause shown by the requestee.

(iv) If the recipient of a request for materials pursuant to this paragraph (k)(3) asserts that compliance with the request would conflict with patent, copyright, trade secret or contract rights applicable to the requested material, the recipient shall immediately notify the requestor and the Presiding Officer. If valid, the Presiding Officer shall devise means of accommodating such rights. Such means may include protective orders, including access under protective conditions to the computer facilities of the recipient of a request, making material available for inspection, compensation, or other procedures, according to the nature of the right affected by compliance with this paragraph (k)(3). If the Presiding Officer determines that compensation is necessary to accommodate the affected right, the cost of compensation shall be borne in the same manner that paragraph (k)(3)(iii) prescribes for bearing the costs referenced there. If such right cannot be accommodated by reasonable compensation, or by protective orders or other procedures, and, as a result, materials required by this paragraph (k)(3) cannot be

ADP Operating Standards, Handbook ADP-2, United States Postal Service, Management Information Systems Department, 1978; Computer Model Documentation Guide, NBS Special Publication 500-73, Sections II and III.

provided, the Presiding Officer shall determine, in his discretion, whether evidence that relies upon the materials not provided shall be admissible or afforded limited weight.

(4) *Expedition.* The offeror shall expedite responses to requests made pursuant to this section. Responses shall be served on the requesting party, and notice thereof filed with the Secretary in accordance with the provisions of § 3001.12, no later than 20 days after a request is made.

David F. Harris,

Secretary.

FR Doc. 82-7998 Filed 3-24-82; 8:45 am]

BILLING CODE 7715-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 85 and 1400

[AMS-FRL-2053-8]

Development of Low-Emission Vehicles; Rescission of Emission and Performance Standards Applicable to Low-Emission Vehicles

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Low Emissions Vehicle Certification Board was established to evaluate and certify low-emissions vehicles for procurement by the Federal government. The program was not a success and no vehicles were ever certified. Congress abolished the Board by Pub. L. 96-209. With the abolition of the Board, regulations which were promulgated for certifying low-emission vehicles have become unnecessary and superfluous. This action accordingly revokes those regulations.

EFFECTIVE DATE: April 26, 1982.

ADDRESS: U.S. Environmental Protection Agency, Office of Mobile Source Air Pollution Control (ANR-455), 401 M Street, SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT: George D. Kittredge, U.S. Environmental Protection Agency, Office of Mobile Source Air Pollution Control (ANR-455), 401 M Street, SW., Washington, D.C. 20460, Telephone: (202) 426-2514.

SUPPLEMENTARY INFORMATION:

I. Background

Section 212 of the Clean Air Act Amendments of 1970 established the Low-Emission Vehicle Certification Board, whose functions were to set up a system for evaluating and certifying low-emission vehicles which it

¹ Examples of such standards include Federal Information Processing Standards Publication 38;

determined were suitable substitutes for classes of vehicles currently being procured by the Federal government. In section 212(d)(3)(C) it is stated that "the Administrator and the Board shall make determinations for the purpose of this section in accordance with procedures prescribed by regulation by the Administrator and the Board, respectively."

Accordingly, regulations were promulgated by the Administrator to establish the emission criteria which candidate vehicles must meet in order to qualify as low-emission vehicles (39 FR 32613, Sept., 10, 1974) and by the Board to establish the other vehicle performance criteria which must be met (39 FR 2483, Jan., 22, 1974).

II. Discussion

This program was not a success and no vehicle was ever certified as a "low-emission vehicle." The only applications received were from manufacturers of electric vehicles which could not meet the Board's performance criteria. Therefore, a report was submitted to the Senate Subcommittee on Environmental Pollution on April 28, 1975 recommending that the program either be substantially modified or eliminated. Eventually the latter was done through Public Law 96-209, March 14, 1980, which provided that "the Low-Emission Vehicle Certification Board established by Act of December 31, 1970 (84 Stat. 1700; 42 U.S.C. 1857f-6c), is hereby abolished."

With the abolition of the Board, there is no longer any mechanism for certifying low-emission vehicles, even if an application were to be received. Therefore, the two regulations cited earlier have become unnecessary and superfluous. This action accordingly revokes those regulations.

III. Public Participation

The Agency finds that good cause exists for omitting as unnecessary and contrary to the public interest a notice of proposed rulemaking. This finding is based on the fact that the Low-Emission Vehicle Certification Board has been legislatively abolished and the regulations are now superfluous.

IV. Regulatory Analysis

Under Executive Order 12291, EPA must judge whether a regulation is "major" and therefore subject to the requirement for a Regulatory Analysis. This rulemaking action is not major because it will have no effect on the economy, it involves no negative cost impacts and has no significant effect on competition, productivity, investment, employment, or innovation. Therefore,

EPA has not prepared a formal Regulatory Impact Analysis. This regulation was submitted to the Office of Management and Budget for review as required by Executive Order 12291.

V. Impacts on Reporting Requirements

None.

VI. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., EPA is required to determine when a regulation will have a significant effect on a substantial number of small entities so as to require a regulatory analysis. This rulemaking action will have no effect on any entities, either small or large.

(Sec. 212, Clean Air Act Amendments of 1970, as amended)

Dated: March 16, 1982.

Anne M. Gorsuch,
Administrator.

For the reasons set forth in the preamble, EPA amends 40 CFR Chapter I, Part 85, and Chapter IV, Part 1400 as follows:

PART 85—CONTROL OF AIR POLLUTION FROM MOTOR VEHICLES AND MOTOR VEHICLE ENGINES

§§ 85.1601—85.1610 (Subpart Q—Low-Emission Vehicles) [Removed]

1. Subpart Q is removed.

PART 1400—PROCEDURES FOR CERTIFICATION OF LOW-EMISSION VEHICLES [REMOVED]

1. 40 CFR is amended in Chapter IV by removing Part 1400 and by removing and reserving Chapter IV as follows:

CHAPTER IV—LOW-EMISSION VEHICLE CERTIFICATION BOARD [RESERVED]

[FR Doc. 82-7947 Filed 3-24-82; 8:45 am]
BILLING CODE 6560-26-M

LOW EMISSION VEHICLE CERTIFICATION BOARD

40 CFR Ch. IV

Rescission of Emission and Performance Standards Applicable to Low-Emission Vehicles

Cross Reference: For a document issued by the Environmental Protection Agency removing and reserving 40 CFR Chapter IV, see FR Doc. 82-7947 elsewhere in the Rules and Regulations section of today's issue.

BILLING CODE 6560-26-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Public Land Order 6170

[C-28270, et al.]

Colorado; Revocation and Partial Revocation of National Forest Administrative and Recreation Site Withdrawals

Correction

In FR Doc. 82-4532, appearing at page 7414, in the issue of Friday, February 19, 1982, make the following changes:

On page 7419, in the first column, in the description for Indian Peaks Campground change the first line to read "T. 2N., R. 74W.,";

On page 7419, in the second column change the last description heading to read "Macey Creek Recreation Area".

BILLING CODE 1505-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6263]

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

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

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

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

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

FOR FURTHER INFORMATION CONTACT: Mr. Richard E. Sanderson, Chief, Natural Hazards Division (202) 287-0270, 500 C Street Southwest, Donohoe Building, Room 505, Washington, DC 20472.

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

In addition, the Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the

sixth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard area shown on the map.

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

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

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule, if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice stating the community's status in the NFIP and imposes no new requirements or regulations on participating communities.

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

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

§ 64.6 List of eligible communities.

State and County	Location	Community No.	Effective date of authorization of sale of flood insurance for area	Hazard area identified
Illinois: Sangamon County	Springfield, city of	170604	751128, emergency; 820202, regular	740607
Arizona:				
Navajo County	Show Low, city of	040069	750915, emergency; 820203, regular	740607
Do	Taylor, town of	040071	750805, emergency; 820203, regular	740517
California: Placer County	Lincoln, city of	060241	750606, emergency; 820203, regular	740524
Connecticut:				
Tolland County	Andover, town of	090161	751120, emergency; 820203, regular	750418
Litchfield County	New Hartford, town of	090048	750602, emergency; 820203, regular	740913
Windham County	Windham, town of	090119	750626, emergency; 820203, regular	740412
Florida: Osceola County	Osceola County*	120189	750904, emergency; 820203, regular	750131
Iowa: Linn County	Hiawatha, city of	190441	760803, emergency; 820203, regular	760423
Louisiana:				
Jefferson Davis Par	Elton, town of	220096	750506, emergency; 820203, regular	740315
Rapides Parish	Gienmora, town of	220149	750404, emergency; 820203, regular	740412
Calcasieu Parish	Westlake, town of	220043	750304, emergency; 820203, regular	740517
Massachusetts:				
Bristol County	Easton, town of	250053	740815, emergency; 820203, regular	740920
Middlesex County	Framingham, town of	250193	750121, emergency; 820203, regular	740802
North Dakota: Cass County	Pleasant, township of	380263	780321, emergency; 820203, regular	0
Nebraska:				
Lancaster County	Hickman, village	310136	750527, emergency; 820203, regular	741108
Do	Lancaster County*	310134	790216, emergency; 820203, regular	780228
New Jersey:				
Gloucester County	Franklin, township of	340202	760706, emergency; 820203, regular	740913
Passaic County	Ringwood, Borough of	340407	750618, emergency; 820203, regular	740628
New York:				
Tioga County	Newark Valley, town of	360835	730625, emergency; 820203, regular	740222
Do	Newark Valley, village of	360836	760902, emergency; 820203, regular	740607
Niagara County	Somerset, town of	360512	730524, emergency; 820203, regular	740315
Oregon: Linn County	Harrisburg, city of	410140	741231, emergency; 820203, regular	740301
Pennsylvania:				
Fayette County	Fayette city, Borough of	420464	750730, emergency; 820203, regular	740222
Delaware County	Landsdowne, Borough of	420418	750623, emergency; 820203, regular	740531
Montgomery County	Lower Salford, township of	421170	740430, emergency; 820203, regular	741101
Do	Perkiomen, township of	421915	741029, emergency; 820203, regular	741025
Allegheny County	Robinson, township of	421097	760317, emergency; 820203, regular	740920
Montgomery County	Salford, township of	422497	750829, emergency; 820203, regular	741206
Allegheny County	South Fayette, township of	421106	741030, emergency; 820203, regular	740913
Dauphin County	Swatara, township of	420398	730416, emergency; 820203, regular	740116
South Dakota: Lawrence County	Deadwood, city of	460045	741126, emergency; 820203, regular	750711
Utah: Weber County	Riverdale, city of	490190	741004, emergency; 820203, regular	740628
Virginia: Fairfax County	Vienna, town of	510053	740808, emergency; 820203, regular	740802
Washington: Pierce County	Fircrest, town of	530141	750604, emergency; 820203, regular	740628
Indiana: Clark County	Utica, town of	180487	820112, emergency; 820212, regular	0
Maryland: Caroline County	Hillsboro, town of	240111	750227, emergency; 820212, regular	770128
Michigan: Macomb County	Washington, township of	260447	820212, emergency; 820212, regular	761105
North Carolina: Union County	Wingate, town of	370365	820212, emergency; 820212, regular	751003
Ohio: Preble County	Preble County*	390460	820212, emergency; 820212, regular	770826
Pennsylvania: Northampton County	East Bangor, Borough of	422252	770215, emergency; 820212, regular	741115
Alabama: Jefferson County	Jefferson County*	010217	740501, emergency; 820217, regular	780707
Connecticut:				
Litchfield County	Barkhamsted, town of	090134	750328, emergency; 820217, regular	740830
Do	Harwinton, town of	090147	750723, emergency; 820217, regular	740628
New Haven County	Somers, town of	090112	750725, emergency; 820217, regular	740802
Idaho:				
Kootenai County	Fernan Lake, city of	160079	760511, emergency; 820217, regular	740906
Do	Post Falls, city of	160083	750616, emergency; 820217, regular	740109
Bonner County	Priest, city of	160026	750516, emergency; 820217, regular	740628
Do	Sandpoint, city of	160025	750326, emergency; 820217, regular	740621
Louisiana: Livingston Parish	Walker, town of	220121	750626, emergency; 820217, regular	761001

State and County	Location	Community No.	Effective date of authorization of sale of flood insurance for area	Hazard area identified
Massachusetts: Norfolk County	Franklin, town of	250240	750613, emergency; 820217, regular	740920
Maryland: Washington County	Hancock, town of	240109	750915, emergency; 820217, regular	740808
Michigan: Wayne County	Allen Park, city of	260217	730323, emergency; 820217, regular	740503
Minnesota: Hennepin County	Brooklyn Center, city of	270151	740729, emergency; 820217, regular	731109
North Carolina:				
Cumberland County	Cumberland County*	370076	751103, emergency; 820217, regular	741213
Wayne County	Mount Olive, town of	370369	750710, emergency; 820217, regular	770617
Do	Seven Springs, town of	370392	790904, emergency; 820217, regular	770715
New Jersey:				
Burlington County	Burlington, township of	340090	750729, emergency; 820217, regular	770114
Monmouth County	Spring Lake, Borough of	340329	720915, emergency; 820217, regular	730525
Bergen County	Tenafly, Borough of	340076	750421, emergency; 820217, regular	740116
New York:				
Onondaga County	Geddes, town of	360579	750519, emergency; 820217, regular	740517
Oswego County	New Haven, town of	360655	751223, emergency; 820217, regular	740719
Tioga County	Nichols, town of	360837	750806, emergency; 820217, regular	740628
Oswego County	Phoenix, village of	360658	750310, emergency; 820217, regular	740322
Onondaga County	Skaneateles, village of	360593	740807, emergency; 820217, regular	740531
Broome County	Windsor, village of	360060	750819, emergency; 820217, regular	750619
Oklahoma: Tulsa County	Jenks, city of	400209	741101, emergency; 820217, regular	740109
Oregon: Washington County	Tualatin, city of	410277	740703, emergency; 820217, regular	770520
Pennsylvania:				
Chester County	East Coventry, township of	421478	751203, emergency; 820217, regular	741018
Lycoming County	Hepburn, township of	420640	730619, emergency; 820217, regular	740510
Westmoreland County	Lower Burrell, city of	420885	740909, emergency; 820217, regular	740628
Do	Murrysville, Borough of	421207	740523, emergency; 820217, regular	761105
South Carolina: Berkeley County	Goose Creek, city of	450206	750418, emergency; 820217, regular	741220
Washington: Thurston County	Olympia, city of	530191	741003, emergency; 820217, regular	740628
Wisconsin:				
Brown County	Howard, village of	550023	760308, emergency; 820217, regular	731228
Kenosha County	Kenosha County*	550523	731212, emergency; 820217, regular	760416
North Dakota: Ward County	Burlington, township of	380650	820219, emergency; 820219, regular	0
Total is: 77.				

Key for reading 4th column (effective date):

First two digits designate the year; middle two digits designate the month; last two digits designate the day.

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

Issued: March 8, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-7966 Filed 3-24-82; 8:45 am]

BILLING CODE 6718-03-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

49 CFR Part 387

[BMCS Docket No. MC-94; Amdt. No. 81-2]

Minimum Levels of Financial Responsibility for Motor Carriers; Technical Corrections and Clarifications

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Technical corrections and clarifications to final rule.

SUMMARY: The final rule pertaining to minimum levels of financial responsibility for motor carriers was published on June 11, 1981 and amended on September 14, 1981, then reprinted on September 24, 1981. Four technical corrections and one clarification are being made to the final rule.

EFFECTIVE DATE: March 25, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Neill L. Thomas, Bureau of Motor Carrier Safety (BMCS), (202) 426-9767;

or Mr. Gerald M. Tierney, Office of the Chief Counsel, (202) 426-0346, Federal Highway Administration, Department of Transportation, Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m. ET, Monday through Friday.

SUPPLEMENTARY INFORMATION: The final rules pertaining to minimum levels of financial responsibility for motor carriers were published in the *Federal Register* on Thursday, June 11, 1981, at 46 FR 30974. Subsequently, insurance industry representatives requested that the definitions of the terms "Bodily Injury" and "Property Damage" be changed by deleting the word "means" from both definitions and replacing it with the word "includes." Those representatives contended that the change was necessary to have the regulations and industry practices consistent and compatible. It was felt that the request was reasonable and proper. The request was accomplished by publishing a technical correction in the *Federal Register* on September 14, 1981, at 46 FR 45612. Since the publication of that technical correction, a more thorough review of the regulatory language of 49 CFR 387 has

been completed by a large cross-section of the insurance industry. As a result of that review, the BMCS was advised that the original request for change was in error. The insurance industry has now requested that the changes made on September 14, 1981, be changed again to read as they did originally. Industry representatives now contend that the word "means" would cause the definitions referred to above to more closely coincide with that used and accepted by the entire insurance industry. The BMCS worked closely with the insurance industry for more than a year in an effort to promulgate the most comprehensive and understandable regulations possible. The BMCS is continuing that practice by amending the definitions of the terms "Bodily Injury" and "Property Damage" to read as they did when the final rule was originally published on June 11, 1981.

The insurance industry has also requested that the definition of the term "Motor Vehicle" be clarified. The BMCS is amending this definition, as it appears on the endorsement (Form MCS-90), to coincide with the definition of "Motor

Vehicle" as it appears in 49 CFR 390.1. This will make clear that, for purposes of this regulation, a "motor vehicle" includes a combination vehicle.

The insurance industry has further requested that the type of policies used to meet the minimum levels of financial responsibility for motor carriers be broadened to include split limit policies of insurance. The insurance industry contends that the use of split limit coverage of insurance for bodily injury and property damage is the historic approach. Thus, requiring combined single limit coverage places those companies offering only split limit coverage at a competitive disadvantage. The insurance industry further contends that whether a motor carrier utilizes a \$500,000 combined single limit of liability coverage for bodily injury, property damage and environmental restoration, or split limits of \$500,000 each person/\$500,000 each accident for bodily injury and \$500,000 for property damage and/or environmental restoration should not be a regulatory issue, but an insurance industry product development issue. Ultimately, the competition within the insurance industry will cause any pricing inequities with either approach to seek a level which is competitive. The insurance industry contends that the public will be protected through utilization of both approaches and the insurance industry will be given the opportunity to provide the public a product choice.

It was not the BMCS intent to cause unnecessary changes in the insurance industry when placing certain requirements on the motor carrier industry. The argument put forth by the insurance industry has merit. The BMCS agrees that the use of combined single limit and/or split limit policies of insurance is acceptable when used as primary, and/or in conjunction with excess policies of insurance of either combined single limit or split limit

coverage, provided, the levels of financial responsibility meet the required minimums.

Questions have arisen concerning the applicability of the rules to contract motor carriers of U.S. Mail. It is the intent of the rules to cover those for-hire motor carrier operations and no amendment to the rules is believed necessary to clarify this coverage.

The FHWA has determined that this document contains neither a major rule under Executive Order 12291 nor a significant regulation under the regulatory policies and procedures of the Department of Transportation. The economic impact, if any, anticipated as a result of this action is so minimal, a full regulatory evaluation is not required.

Under the criteria of the Regulatory Flexibility Act, it is certified that this rulemaking does not have a significant economic impact on a substantial number of small business entities.

Notice and opportunity for comment are not required under the regulatory policies and procedures of the DOT because it is not anticipated that such action would result in the receipt of useful information. Also, because the rule was effective on July 1, 1981, these technical corrections are effective upon issuance.

(Sec. 30, Pub. L. 96-296, 94 Stat. 793; sec. 108(b)(5), Pub. L. 96-510, 94 Stat. 3767; U.S.C. 315; 49 CFR 1.48 and 301.60)

(Catalog of Federal Domestic Assistance Program Number 20.217, Motor Carrier Safety)

Issued on: March 18, 1982.

Kenneth L. Pierson,
Director, Bureau of Motor Carrier Safety.

PART 387—MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS

Accordingly, the following corrections are made in FR Doc. 81-26482 appearing

on page 45612 in the issue of Monday, September 14, 1981, then reprinted on September 24, 1981, as set forth below.

§ 387.5 [Corrected]

1. On page 45612, column three, under § 387.5, Definitions, the definition of *Bodily injury* is corrected to read "means injury to the body, sickness, or disease including death resulting from any of these."

2. On page 45612, column three, under § 387.5, Definitions, the definition of *Property damage* is corrected to read "means damage to or loss of use of tangible property."

3. On page 45613, Illustration I is corrected as set forth below.

Column one, under Definitions as Used in This Endorsement, the definition of Motor Vehicle is corrected to read "Motor Vehicle means a land vehicle, machine, truck, tractor, trailer, or semitrailer with a gross vehicle weight rating of 10,000 pounds or more propelled or drawn by mechanical power and used on a highway for transporting property, or any combination thereof."

§ 387.9 [Corrected]

4. On page 45613, under § 387.9, Financial responsibility, minimum levels, the Schedule of Limits Public Liability is revised by removing the term "Combined single limit (CSL)" from the columnar titles.

5. To prevent any chance of misunderstanding in the language of the endorsement (Form MCS-90), it is being reproduced in its entirety.

6. Clarification as to the applicability of Part 387 to contract motor carriers of U.S. Mail is as follows:

Contract motor carriers of U.S. Mail are subject to the financial responsibility requirements of 49 CFR Part 387, regardless of their sphere of operation (interstate, intrastate, or foreign transportation).

BILLING CODE 4910-22-M

Form MCS - 90
(3/82)Expiration Date: 06/30/83
Form Approved
OMB No. 2125-0074

**ENDORSEMENT FOR
MOTOR CARRIER POLICIES OF INSURANCE FOR PUBLIC LIABILITY
UNDER SECTIONS 29 AND 30 OF THE MOTOR CARRIER ACT OF 1980**

Issued to _____ of _____

Dated at _____ this _____ day of _____, 19____

Amending Policy No. _____ Effective Date _____

Name of Insurance Company _____

Countersigned by _____
Authorized Company Representative

The policy to which this endorsement is attached provides primary or excess insurance, as indicated by "[X]", for the limits shown:

 This insurance is primary and the company shall not be liable for amounts in excess of \$ _____ for each accident. This insurance is excess and the company shall not be liable for amounts in excess of \$ _____ for each accident in excess of the underlying limit of \$ _____ for each accident.

Whenever required by the Bureau or the ICC the company agrees to furnish the Bureau or the ICC a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the Bureau or the ICC, to verify that the policy is in force as of a particular date. The telephone number to call is: _____

Cancellation of this endorsement may be effected by the company or the insured by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the ICC's jurisdiction, by providing thirty (30) days notice to the ICC (said 30 days notice to commence from the date the notice is received by the ICC at its office in Washington, D.C.).

DEFINITIONS AS USED IN THIS ENDORSEMENT**ACCIDENT** includes continuous or repeated exposure to conditions which results in bodily injury, property damage, or environmental damage which the insured neither expected nor intended.**MOTOR VEHICLE** means a land vehicle, machine, truck, tractor, trailer, or semitrailer with a gross vehicle weight rating of 10,000 pounds or more propelled or drawn by mechanical power and used on a highway for transporting property, or any combination thereof.**BODILY INJURY** means injury to the body, sickness, or disease to any person, including death resulting from any of these.**ENVIRONMENTAL RESTORATION** means restitution for the loss,

damage, or destruction of natural resources arising out of the accidental discharge, dispersal, release or escape into or upon the land, atmosphere, watercourse, or body of water, of any commodity transported by a motor carrier. This shall include the cost of removal and the cost of necessary measures taken to minimize or mitigate damage or potential for damage to human health, the natural environment, fish, shellfish, and wildlife.

PROPERTY DAMAGE means damage to or loss of use of tangible property.**PUBLIC LIABILITY** means liability for bodily injury, property damage, and environmental restoration.

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a motor carrier of property, with Sections 29 and 30 of the Motor Carrier Act of 1980 and the rules and regulations of the Federal Highway Administration's Bureau of Motor Carrier Safety (Bureau) and the Interstate Commerce Commission (ICC).

In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment recovered against the insured for public liability resulting from negligence in the operation, maintenance or use of motor vehicles subject to the financial responsibility requirements of Sections 29 and 30 of the Motor Carrier Act of 1980 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability, does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other endorsement thereon, or violation thereof,

shall relieve the company from liability or from the payment of any final judgment, within the limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured. However, all terms, conditions, and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgment recovered against the insured as provided herein, the judgment creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately to each accident and any payment under the policy because of any one accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

The Motor Carrier Act of 1980 requires limits of financial responsibility according to type of carriage and commodity transported by the motor carrier. It is the MOTOR CARRIER'S obligation to obtain the required limits of financial responsibility.

THE SCHEDULE OF LIMITS SHOWN ON THE REVERSE SIDE DOES NOT PROVIDE COVERAGE.

The limits shown in the schedule are for information purposes only.

SCHEDULE OF LIMITS**Public Liability****Freight Vehicles With Gross Vehicle Weight Rating of 10,000 Pounds or More**

Type of Carriage	Commodity Transported	Limits	
		July 1, 1981	July 1, 1983
(1) For-hire (in interstate or foreign commerce).	Property (nonhazardous).	\$ 500,000	\$ 750,000
(2) For-hire and Private (in interstate or intrastate commerce).	Hazardous substances, as defined in 49 CFR 171.8, transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Class A and B explosives, poison gas (Poison A), liquefied compressed gas, or compressed gas; or large quantity radioactive materials as defined in 49 CFR 173.389.	\$1,000,000	\$5,000,000
(3) For-hire and Private (in interstate commerce: in any quantity) or (in intrastate commerce: in bulk only).	Oil listed in 49 CFR 172.101; hazardous waste, hazardous materials and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101, but not mentioned in (2) above.	\$ 500,000	\$1,000,000

**INTERSTATE COMMERCE
COMMISSION**
49 CFR Parts 1005, 1008, and 1015
[Ex Parte 263 (Sub-3) and Ex Parte 406]
**Electronic Transmission of Loss and
Damage Claims and Freight Bills**
AGENCY: Interstate Commerce
Commission.

ACTION: Final rules.

SUMMARY: Rules are adopted to permit electronic transmission and disposition of: (1) Freight bills; and (2) loss and damage claims (as well as overcharge, duplicate payment, or overcollection claims), as an alternative to paper bills and claims, when agreed to by the parties (carriers and shippers/consignees). These rules will allow greater flexibility in processing this data.

EFFECTIVE DATE: April 24, 1982.

FOR FURTHER INFORMATION CONTACT:
Jane F. Mackall, (202) 275-7656.

SUPPLEMENTARY INFORMATION: By notice of proposed rulemaking published in the *Federal Register* on July 7, 1981 (46 FR 35134), we proposed [at the request of certain carriers¹ (motor and rail) and shippers] to revise the claims and billing rules to permit electronic transmission in place of paper claims and bills. Basically, an electronic transmission is an exchange of computer tapes, discs, or similar media, as distinguished from so-called computer "interfacing." For the most part, the specific changes proposed here consisted of adding the phrase "electronic communication" or "electronically transmitted" as an alternative, wherever written (paper) billing or claim filing was required.

The final rules are reproduced in the appendix. Copies of the decision may be obtained from the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

This decision does not significantly affect the quality of the human environment or energy consumption. Furthermore, we have previously certified that this decision will not have a significant economic impact on a substantial number of small entities. No party commented on this certification. As use of electronic transmission is voluntary, small entities need not be

¹The petition filed by the American Trucking Association (ATA) was originally docketed as No. 37488, and comments to it were received in response to our notice of October 20, 1980 (45 FR 69298). Those comments indicated that rule changes were necessary. Accordingly, Ex Parte No. 406 was instituted. The comments filed in No. 37488 have been considered in drafting these final rules.

affected by this decision.

(49 U.S.C. 10101, 10321, 10324(b), and 10521; and 5 U.S.C. 553 and 559)

Dated: March 18, 1982.

 By the Commission, Chairman Taylor, Vice
Chairman Gilliam, Commissioners Gresham,
Clapp, and Sterrett.

 Agatha L. Mergenovich,
Secretary.

Appendix

We adopt the rules set forth below:

**PART 1005—PRINCIPLES AND
PRACTICES FOR THE INVESTIGATION
AND VOLUNTARY DISPOSITION OF
LOSS AND DAMAGE CLAIMS AND
PROCESSING SALVAGE**

(1) 49 CFR 1005.2 is amended by revising the heading of paragraph (a), by removing the words "in writing," which precede the words "as provided" in paragraph (a), and by revising paragraph (b), as follows:

§ 1005.2 Filing of claims.
(a) Compliance with regulations.

(b) *Minimum filing requirements.* A written or electronic communication (when agreed to by the carrier and shipper or receiver involved) from a claimant, filed with a proper carrier within the time limits specified in the bill of lading or contract of carriage or transportation and: (1) Containing facts sufficient to identify the baggage or shipment (or shipments) of property, (2) asserting liability for alleged loss, damage, injury, or delay, and (3) making claim for the payment of a specified or determinable amount of money, shall be considered as sufficient compliance with the provisions for filing claims embraced in the bill of lading or other contract of carriage; provided, however, that where claims are electronically handled, procedures are established to ensure reasonable carrier access to supporting documents.

(2) 49 CFR 1005.3 is amended by eliminating the word "written" which precedes the word "acknowledgement" once in the first and once in the second sentence in paragraph (b) and by revising paragraph (a) as follows:

§ 1005.3 Acknowledgement of claims.

(a) Each carrier shall, upon receipt in writing or by electronic transmission of a proper claim in the manner and form described in the regulations, acknowledge the receipt of such claim in writing or electronically to the claimant within 30 days after the date of its receipt by the carrier unless the carrier

shall have paid or declined such claim in writing or electronically within 30 days of the receipt thereof. The carrier shall indicate in its acknowledgement to the claimant what, if any, additional documentary evidence or other pertinent information may be required by it further to process the claim as its preliminary examination of the claim, as filed, may have revealed.

(3) 49 CFR 1005.4(b) is revised to read as follows:

§ 1005.4 Investigation of claims.

(b) *Supporting documents.* When a necessary part of an investigation, each claim shall be supported by the original bill of lading, evidence of the freight charges, if any, and either the original invoice, a photographic copy of the original invoice, or an exact copy thereof or any extract made therefrom, certified by the claimant to be true and correct with respect to the property and value involved in the claim; or certification of prices or values, with trade or other discounts, allowance, or deductions, of any nature whatsoever and the terms thereof, or depreciation reflected thereon; Provided, however, that where property involved in a claim has not been invoiced to the consignee shown on the bill of lading or where an invoice does not show price or value, or where the property involved has been sold, or where the property has been transferred at bookkeeping values only, the carrier shall, before voluntarily paying a claim, require the claimant to establish the destination value in the quantity, shipped, transported, or involved; Provided, further, that when supporting documents are determined to be a necessary part of an investigation, the supporting documents are retained by the carriers for possible Commission inspection.

(4) 49 CFR 1005.5(a) is revised to read as follows:

§ 1005.5 Disposition of claims.

(a) Each carrier subject to the Interstate Commerce Act which receives a written or electronically transmitted claim for loss or damage to baggage or for loss, damage, injury, or delay to property transported shall pay, decline, or make a firm compromise settlement offer in writing or electronically to the claimant within 120 days after receipt of the claim by the carrier; Provided, however, That, if the claim cannot be processed and disposed of within 120 days after the receipt thereof, the carrier

shall at that time and at the expiration of each succeeding 60-day period while the claim remains pending, advise the claimant in writing or electronically of the status of the claim and the reason for the delay in making final disposition thereof and it shall retain a copy of such advice to the claimant in its claim file thereon.

PART 1008—PROCEDURES GOVERNING THE PROCESSING, INVESTIGATION, AND DISPOSITION OF OVERCHARGE, DUPLICATE PAYMENT, OR OVERCOLLECTION CLAIMS

§ 1008.3 [Amended]

(5) 49 CFR 1008.3(a) is amended by inserting the phrase "or electronically communicated (when agreed to by the carrier and shipper or receiver involved)" to follow the words "in writing" in the first sentence.

§ 1008.4 [Amended]

(6) 49 CFR 1008.4(b) is amended by inserting the phrase "Except when the original freight bill is not a paper document but is electronically transmitted," at the beginning of the first sentence.

(7) 49 CFR 1008.4(c) is revised to read as follows:

§ 1008.4 Documentation of claims.

(c) Claims for duplicate payment and overcollection shall be accompanied by the original freight bill(s) for which charges were paid (except when the original freight bill is not a paper document but is electronically transmitted) and by freight bill payment information.

(8) 49 CFR 1008.5(c) is revised to read as follows:

§ 1008.5 Investigation of claims.

(c) In the event the carrier processing the claim requires information or documents in addition to that submitted with the claim, the carrier shall promptly notify the claimant and request the information required. This includes notifying the claimant that a written or electronically transmitted claim must be filed before the carrier

becomes subject to the time limits for settling such a claim under § 1008.8.

(9) 49 CFR 1008.6 is revised to read as follows:

§ 1008.6 Claim records.

At the time a claim is received the carrier shall create a separate file and assign it a successive claim file number and note that number on all documents filed in support of the claim and all records and correspondence with respect to the claim, including the written or electronic acknowledgment of receipt required under § 1008.7. If pertinent to the disposition of the claim, the carrier shall also note that number on the shipping order and delivery receipt, if any, covering the shipment involved.

(10) 49 CFR 1008.7 is revised to read as follows:

§ 1008.7 Acknowledgment of claims.

Upon receipt of a written or electronically transmitted claim, the carrier shall acknowledge its receipt in writing or electronically to the claimant within 30 days after the date of receipt except when the carrier shall have paid or declined in writing or electronically within that period. The carrier shall include the date of receipt in its written or electronic claim which shall be placed in the file for that claim.

(11) 49 CFR 1008.8 is revised to read as follows:

§ 1008.8 Disposition of claims.

The processing carrier shall pay, decline to pay, or settle each written or electronically communicated claim within 60 days after its receipt by that carrier, except where the claimant and the carrier agree in writing or electronically to a specific extension based upon extenuating circumstances. If the carrier declines to pay a claim or makes settlement in an amount different from that sought, the carrier shall notify the claimant in writing or electronically, of the reason(s) for its action, citing tariff authority or other pertinent information developed as a result of its investigation.

PART 1051—INFORMATION REQUIRED ON RECEIPTS AND BILLS

(12) 49 CFR 1051.1(b) is revised to read as follows:

§ 1051.1 Information to be shown.

(b) Every common carrier by motor vehicle subject to the jurisdiction of this Commission shall, when collecting transportation charges, issue a freight or expense bill covering each shipment, except when the original is not a paper document but is electronically transmitted (when agreed to by the carrier and the shipper or receiver involved), the original of such freight or expense bill shall be receipted on payment of the transportation charges. The original (or a copy if electronically transmitted) of the freight or expense bill shall be furnished to the shipper or receiver, whichever may pay the charges; and shall cause to be shown on the face thereof the names of the consignor and consignee (except that as to reconsigned shipments the freight or expense bill shall not show the name of the original consignor); the date of shipment; the points of origin and destination (except that as to reconsigned shipments the freight or expense bill shall not show the original shipping point unless the final consignee pays charges from such original point); the number of packages, description of articles, and weight, volume or measurement of the property transported (if the lawfully applicable rates or charges are published to apply per unit of weight, volume or measurement); the exact rate or rates assessed; the total charges to be collected including a statement of the nature and amount of any charges for special service and the points to which such service was rendered; the route of movement indicating each carrier participating in the transportation service, and the transfer point or points through which the shipment moved; either the address where remittance must be made or the address of the principal place of business of the issuer of the freight or expense bill, or both, at the issuer's option; and a record of this information shall be kept by the preservation of a copy of such freight or expense bill.

[FR Doc. 82-8024 Filed 3-24-82; 8:45 am]

BILLING CODE 7035-01-M

Proposed Rules

Federal Register

Vol. 47, No. 58

Thursday, March 25, 1982

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

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 51

United States Standards for Grades of Cantaloups¹

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This rule would revise the voluntary U.S. Standards for Grades of Cantaloups effective April 15, 1961, amended June 30, 1968. This action is being taken at the request of the Texas Citrus and Vegetable Growers and Shippers Association. This revision would provide industry with standards reflecting needs due to changing cultural and marketing practices.

DATE: Comments must be received on or before August 31, 1982.

ADDRESS: Interested persons are invited to submit written comments concerning this proposal. Comments must be sent in duplicate to the Hearing Clerk, U.S. Department of Agriculture, Rm. 1077, South Building, Washington, D.C. 20250. Comments should reference the date and page number of this issue of the Federal Register and will be made available for public inspection in the Office of the Hearing Clerk during regular business hours.

FOR FURTHER INFORMATION CONTACT: Francis J. O'Sullivan, Fresh Products Branch, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 447-2188.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

This action has been reviewed under USDA guidelines implementing Executive Order 12291 and Secretary's

¹ Compliance with the provisions of these standards shall not excuse failure to comply with provisions of applicable Federal or State laws.

Memorandum 1512-1 and has been classified as a non-major rule.

Effect on Small Entities

William T. Manley, Deputy Administrator, Agriculture Marketing Service, has determined this proposed rule would not have a significant economic impact on a substantial number of small entities, as defined by the Regulatory Flexibility Act, Pub. L. 96-354 (5 U.S.C. 601), because it reflects current marketing practices.

Background

These voluntary U.S. grade standards which establish quality requirements for fresh cantaloupe became effective in 1961 and were last amended in 1968. These standards provide allowances in the form of tolerances for various categories of defects. The Texas Citrus and Vegetable Growers and Shippers Association formally requested in March 1980 that these standards be revised to change the definition of decay.

The definition for decay in the present standards is as follows: "Decay means breakdown, disintegration or fermentation of the flesh or rind of the cantaloupe caused by bacteria or fungi." The present tolerances are one-half of one percent at shipping point for cantaloupes affected by decay or mold and two percent en route or at destination for cantaloupes affected by decay. The Association is particularly concerned with the disorder, Fusarium Rot, which may occur either as a soft or dry type decay. Currently, these restrictive tolerances are applied to both types of Fusarium Rot.

The Association contends that dry type decays, dry type Fusarium Rot specifically, affecting the rind of the melon when marketed under normal conditions progresses at a very slow rate and has not caused any significant marketing problems. They are not suggesting that dry type Fusarium Rot be ignored as it is recognized that, under certain circumstances, this disorder has the potential of becoming a significant marketing factor. However, in their opinion, this disorder should be covered under less restrictive tolerances which would permit the shipment of more marketable melons and reduce the possibility of unjustified rejections. Therefore, they are requesting that the definition for decay be revised in such a

manner that would permit dry type Fusarium Rot to be covered under less restrictive tolerances.

The proposed revised definition for decay would read as follows:

"Soft rot" means any rot that is soft, mushy or is in a leaking condition.

"Dry rot" means any rot that is dry and the tissue is hard or firm.

This proposed revision would cause:

(1) Fusarium Rot (soft type), as well as similar decays, to be scored under the present tolerances of one-half of one percent at shipping point and two percent en route or at destination.

(2) Fusarium Rot (dry type) to be scored under the serious damage defects tolerance of four percent at shipping point and six percent en route or at destination.

This proposed revision would retain the current grade nomenclature: U.S. Fancy, U.S. No. 1, U.S. Commercial and U.S. No. 2. The U.S. Commercial grade is extensively used in marketing of melons by industry and deletion of the grade to conform with the Department's Uniform Grade Nomenclature Policy would cause significant marketing problems. Currently this grade provides the basis for quality requirements under a federal marketing order regulating the interstate shipment of cantaloups produced in South Texas.

PART 51—FRESH FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION CERTIFICATION AND STANDARDS)¹

Accordingly the provisions of §§ 51.475, 51.476, 51.477, 51.478 and 51.490, U.S. Standards for Grades of Cantaloups, 7 CFR (26 FR 2217, §§ 51.475-51.494C) would be amended as follows:

1. In § 51.475, (a)(1) and (a)(2)(ii) are revised to read:

§ 51.475 U.S. Fancy.

* * * * *

(a) * * *

(1) At shipping point.² 8 percent for cantaloups in any lot which fail to meet the requirements of this grade: Provided, that included in this amount not more than 4 percent shall be allowed for

² Shipping point, as used in these standards, means the point of origin of the shipment in the producing area or at port of loading for ship stores or overseas shipment, or in the case of shipments from outside the continental United States, the port of entry into the United States.

defects causing serious damage including dry rot, included in this latter amount not more than one-half of 1 percent for cantaloups which are affected by soft rot or mold.

(2) * * *

(ii) 6 percent for cantaloups which are seriously damaged including dry rot, included therein not more than 4 percent for cantaloups which are seriously damaged by permanent defects and not more than 2 percent for cantaloups which are affected by soft rot. (See § 51.480.)

2. In § 51.476, the introductory text, (a)(1) and (a)(2)(ii) are revised to read:

§ 51.476 U.S. No. 1.

"U.S. No. 1" consists of cantaloups of one type which are mature and have good internal quality but are not overripe or soft or wilted, which are well formed, well netted, and free from soft rot, dry rot, wet slip and sunscald, and free from damage caused by liquid in the seed cavity, sunburn, hail, dirt, surface mold or other disease, aphid or other insects, scars, cracks, sunken areas, ground spot, bruises, or mechanical or other means.

(a) * * *

(1) At shipping point,² 8 percent for cantaloups in any lot which fail to meet the requirements of this grade: Provided, that included in this amount not more than 4 percent shall be allowed for defects causing serious damage including dry rot, included in this latter amount not more than one-half of 1 percent for cantaloups which are affected by soft rot or mold.

(2) * * *

(ii) 6 percent for cantaloups which are seriously damaged including dry rot, included therein not more than 4 percent for cantaloups which are seriously damaged by permanent defects and not more than 2 percent for cantaloups which are affected by soft rot. (See § 51.480.)

3. In § 51.477, the introductory text, (a)(1)(ii), and (a)(2)(iii) are revised to read:

§ 51.477 U.S. Commercial.

"U.S. Commercial" consists of cantaloups of one type which are mature but not overripe or soft or wilted, which are well formed and fairly well netted, and free from soft rot, dry rot, wet slip and sunscald, and free from damage caused by liquid in the seed cavity, sunburn, hail, dirt, surface mold or other disease, aphid or other insects, scars, cracks, sunken areas, ground spot, bruises, or mechanical or other means.

(a) * * *

(1) * * *

(ii) 4 percent for cantaloups which are seriously damaged including dry rot, included therein not more than one-half of 1 percent for cantaloups affected by soft rot or mold.

(2) * * *

(iii) 8 percent for cantaloups which are seriously damaged including dry rot, included therein not more than 4 percent for cantaloups which are seriously damaged by permanent defects and not more than 2 percent for cantaloups which are affected by soft rot. (See § 51.480.)

4. In § 51.478, the introductory text, (a)(1) and (a)(2)(ii) are revised to read:

§ 51.478 U.S. No. 2.

"U.S. No. 2" consists of cantaloups of one type which are mature but not overripe or soft or wilted, which are fairly well formed and fairly well netted, which are free from soft rot, dry rot, wet slip and sunscald, and free from serious damage caused by liquid in the seed cavity, sunburn, hail, dirt, surface mold or other disease, aphid or other insects, scars, cracks, sunken areas, bruise, or mechanical or other means.

(a) * * *

(1) At shipping point,² 8 percent for cantaloups in any lot which fail to meet the requirements of this grade including therein not more than one-half of 1 percent for cantaloups affected by soft rot or mold.

(2) * * *

(ii) 2 percent for cantaloups which are affected by soft rot. (See § 51.480.)

5. Section 51.490 is revised to read:

§ 51.490 Decay.

"Decay" means:

Soft rot—any rot that is soft, mushy or is in a leaking condition.

Dry rot—any rot that is dry and the tissue is hard or firm.

(Agricultural Marketing Act of 1946, Sec. 203, 205, 60 Stat. 1087, as amended, 1090, as amended 7 U.S.C. 1622, 1624.)

Done at Washington, D.C. on March 22, 1982.

William T. Manley,

Deputy Administrator, Marketing Program Operations.

[FR Doc. 82-8073 Filed 3-24-82; 8:45 am]

BILLING CODE 3410-02-M

FARM CREDIT ADMINISTRATION

12 CFR Part 618

General Provisions; Insurance

AGENCY: Farm Credit Administration.

ACTION: Proposed rule.

SUMMARY: The Farm Credit Administration, by its Federal Farm Credit Board, has under consideration a new regulation which would provide for specific limitations on the types of and conditions under which insurance can be sold by Farm Credit institutions. Prior to 1980, the sale of insurance to members by Farm Credit System institutions was authorized under a general authority to offer financially related services to members. The Farm Credit Act Amendments of 1980 (Pub. L. 96-592) added to the Farm Credit Act of 1971 a new Part E, § 4.29, "Sale of Insurance," which expressly recognizes the authority of FCA to authorize, as a financially related service, the sale of insurance, but limits the types of insurance that may be sold and establishes the conditions under which the authority may be exercised. Current regulations set forth general guidelines for all technical assistance and financially related services. In the proposed regulation, these existing guidelines are designated Subpart A of § 618.8030 and a new Subpart B, Member Insurance, is added to govern the sale of insurance.

DATE: Written comments must be received on or before May 25, 1982.

ADDRESSES: Submit any comments or suggestions in writing to Donald E. Wilkinson, Governor, Farm Credit Administration, Washington, DC 20578. Copies of all communications received will be available for examination by interested persons in the Office of Director, Congressional and Public Affairs Division, Office of Administration, Farm Credit Administration.

FOR FURTHER INFORMATION CONTACT: Larry H. Bacon, Deputy Governor, Office of Administration, 490 L'Enfant Plaza, SW., Washington, D.C. 20578, (202-755-2181).

SUPPLEMENTARY INFORMATION: For the convenience of the reader, a redesignation table showing the former subparts of Part 618 and the new subparts is shown below.

PART 618—GENERAL PROVISIONS

Subparts and sections	Previous subparts and sections
Subpart A—Technical Assistance and Financially Related Services:	
618.8000 Authorization.....	Same.
618.8010 District board policies.	Same.
618.8020 Farm Credit Administration approval.	Same.
Subpart B—Member Insurance.....	New.
618.8030 Sale of insurance.....	New.
Subpart C—Leasings.....	Subpart B—Leasings.

PART 618—GENERAL PROVISIONS—Continued

Subparts and sections	Previous subparts and sections
618.8050 Leasing authority....	Same.
618.8060 Leasing limitations.	Same.
Subpart D—Procedures and Guidelines.	Subpart C—Procedures and Guidelines.
618.8100 Farm Credit Administration.	Same.
Subpart E—Nominations and Elections of Directors.	Subpart D—Nominations and Elections of Directors.
618.8150 Federal Farm Credit Board.	Same.
618.8160 District boards of directors.	Same.
Subpart F—Miscellaneous Provisions.	Subpart E—Miscellaneous Provisions.
618.8200 Publication of reports.	Same.
618.8210 Conducting information programs.	Same.
618.8220 Contributions to and memberships in other organizations.	Same.
618.8230 Allocation of expenses for administrative services.	Same.
618.8240 Quarters and facilities for the Farm Credit Administration.	Same.
618.8250 Purchases and sales of personal property.	Same.
618.8260 Purchase of automobiles through General Services Administration.	Same.
618.8270 Travel.....	Same.
Subpart G—Releasing Information.	Subpart F—Releasing Information.
618.8300 General regulation.	Same.
618.8310 Lists of borrowers.	Same.
618.8320 Data regarding borrowers and loan applicants.	Same.
618.8330 Director, officer or employee summoned as witness.	Same.
618.8340 Information regarding personnel.	Same.
618.8350 Authority reserved to release information.	Same.
Subpart H—Disposition of Obsolete Records.	Subpart G—Disposition of Obsolete Records.
618.8360 Authorization.....	Same.
618.8370 Records disposal	Same.
Subpart I—Federal Records.....	Subpart H—Federal Records.
618.8380 Record material.....	Same.
618.8390 Federal records in the districts.	Same.
618.8400 General Services Administration Regulations.	Same.
618.8410 Transfers to Federal Records Center.	Same.
618.8420 Requests for additional disposal authority.	Same.
Subpart J—Internal Controls.....	Subpart I—Internal Controls.
618.8430 Internal controls.....	Same.

Therefore, it is proposed to amend 12 CFR, Chapter VI, as follows:

PART 618—GENERAL PROVISIONS

1. Section 618.8030 is added under a new Subpart B—Member Insurance—to read as follows:

Subpart B—Member Insurance**§ 618.8030 Authorization.**

(a) Banks and associations may sell to any Farm Credit system borrowing member, on an optional basis, credit or term life and credit disability insurance

appropriate to protect the loan commitment. The sale of other insurance necessary to protect a member's farm or aquatic unit is permitted, but limited to hail and multiple peril crop insurance, title insurance, and insurance necessary to protect the facilities and equipment of aquatic borrowers.

(b) District board policies. District board policies governing the provision of member insurance programs require approval of the Farm Credit Administration. The policies shall be established with the following general guidelines:

(1) There must be a debtor-creditor relationship with a Farm Credit institution for a member to be eligible for authorized member insurance services. Coverage may continue after the loan has been repaid provided the member can reasonably be expected to borrow again within 2 years, provided such continuation of insurance is not contrary to state law. For hail and multiple peril crop insurance only, eligibility extends to landlords of tenants and tenants of landlords having a debtor-creditor relationship.

(2) Member insurance services may be offered only if:

(i) The bank or association has the capacity to render authorized insurance services.

(ii) There exists the probability that the service will generate sufficient revenue to cover all costs.

(iii) Rendering the insurance service will not have an adverse effect on the credit or other operations of the bank or association.

(3) All costs to members for insurance services provided shall be disclosed separately from interest charges.

(4) Bank or association personnel shall not benefit, directly or indirectly, from insurance sales by receipt of commissions, gifts, or incentive awards.

(5) Term insurance may be written for the amount of coverage desired by the member, but in no case may the amount of term insurance, credit life insurance, or a combination of the two, be in excess of total System loan commitments to the member.

(6) The banks shall prescribe reasonable standards for financial condition and quality of service to be met by private insurers.

(7) In making insurance available through private insurers, the Federal intermediate credit banks shall approve at least two insurers and insurance programs for the district. The banks may provide comparative information relative to costs and quality of approved

programs and financial condition of approved companies.

(8) The banks may, only by agreement with an insurer, offer services traditionally furnished by insurers to the Farm Credit System. The banks shall not underwrite insurance applications, adjust claim payment or settlements, or train and school or service adjusters or insurance agents.

(9) No bank or association shall, directly or indirectly, condition the extension of credit or provision of other service on the purchase of insurance sold or endorsed by a bank or association. At the time insurance sold or endorsed by a bank or association is offered to a borrower, a bank or association shall present a written notice that the service is optional. The notice shall be in prominent type and separately signed by the borrower, the bank or association shall explain to the borrower that the insurance is optional and that the borrower will not be discriminated against for obtaining the insurance elsewhere.

(10) No bank or association shall, directly or indirectly, discriminate in any manner against any agent, broker, or insurer that is not affiliated with such bank or association, or against any party who purchases insurance through any such nonaffiliated insurance agent, broker, or insurer.

(11) The bank shall review annually, or more frequently if necessary, the individual association member insurance services which have been approved by the bank to ascertain that the regulatory guidelines and bank policies are being followed. Results of these reviews shall be incorporated in the review and evaluation of the bank's program. The bank's evaluation of the program shall be presented to the bank board annually.

(12) Bank supervision shall ensure that insurance services offered by approved insurers consistently provide association borrowers with a high quality and cost-effective service as prescribed by policies of the bank's board of directors, but such supervision shall be without any coercion or suasion from any bank in favor of any agent or insurer.

(13) Records must be maintained by banks and associations in sufficient detail to facilitate the review and supervision required herein.

(14) The associations must be left to choose from among the two or more approved insurers and insurance programs.

(Secs. 5.9, 5.12, 5.18, Pub. L. 92-181, 85 Stat. 619, 620, 621, 12 U.S.C. 2243, 2246 and 2252)

Donald E. Wilkinson,
Governor.

[FR Doc. 82-8015 Filed 3-24-82; 8:45 am]

BILLING CODE 6705-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 82-ACE-07]

Transition Area; Smith Center, Kansas; Proposed Designation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This Notice proposes to designate a 700-foot transition area at Smith Center, Kansas, to provide controlled airspace for aircraft executing a new instrument approach procedure to the Smith Center Municipal Airport, Smith Center, Kansas, utilizing the Mankato VOR/DME as a navigational aid. This proposed action will change the airport status from Visual Flight Rules (VFR) to Instrument Flight Rules (IFR).

DATE: Comments must be received on or before April 30, 1982.

ADDRESSES: Send comments on the proposal to: Federal Aviation Administration, Chief, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-530, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

The official docket may be examined at the Office of the Regional Counsel, Central Region, Federal Aviation Administration, Room 1558, 601 East 12th Street, Kansas City, Missouri.

An informal docket may be examined at the Office of the Chief, Operations, Procedures and Airspace Branch, Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Don A. Peterson, Airspace Specialist, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-532, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106, Telephone (816) 374-3408.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number, and be submitted in duplicate

to the Operations, Procedures and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106. All communications received on or before the closing date for comments will be considered before action is taken on the proposed amendment. The proposal contained in this Notice may be changed in light of the comments received. All comments received will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Operations, Procedures and Airspace Branch, 601 East 12th Street, Kansas City, Missouri 64106 or by calling (816) 374-3408.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for further NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

The Proposal

The FAA is considering an amendment to Subpart G, § 71.181, of the Federal Aviation Regulations (14 CFR 71.181) by designating a 700-foot transition area at Smith Center, Kansas. To enhance airport usage, a new instrument approach procedure is being developed for the Smith Center, Kansas, Municipal Airport utilizing the Mankato VOR/DME as a navigational aid. This radio facility will provide new navigational guidance for aircraft utilizing the airport. The establishment of a new instrument approach procedure based on this navigational aid entails designation of a transition area at Smith Center, Kansas, at and above 700 feet above ground level (AGL) within which aircraft are provided air traffic control service. Transition areas are designed to contain IFR operations in controlled airspace during portions of the terminal operation and while transiting between the terminal and en route environment. The intended effect of this action is to ensure segregation of aircraft using the approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR). This action will change the airport status from VFR to IFR.

The Proposed Amendment

Accordingly, Federal Aviation Administration proposes to amend Subpart G, § 71.181 of the Federal

Aviation Regulations (14 CFR 71.181) as republished on January 2, 1981 (46 FR 540), by adding the following new transition area:

Smith Center, Kansas

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Smith Center Municipal Airport (Latitude 39°45'41.5" N, Longitude 98°47'31.5" W).

(Sec. 307(a), Federal Aviation Act of 1958 as amended (49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); sec. 11.65 of the Federal Aviation Regulations (14 CFR 11.65))

Note.—The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; (4) is appropriate to have a comment period of less than 45 days; and (5) is certified that at promulgation, it will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Kansas City, Missouri, on March 11, 1982.

Murray E. Smith,
Director, Central Region.

[FR Doc. 82-8080 Filed 3-25-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 82-ASO-5]

Proposed Alteration of Transition Area, Jackson, Mississippi

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed rule will alter the Jackson, Mississippi, transition area by lowering the base of controlled airspace from 1,200 feet to 700 feet above the surface in the vicinity of the John Bell Williams Airport. An instrument approach procedure has been developed to serve the airport and additional controlled airspace is required to protect Instrument Flight Rules (IFR) operations.

DATES: Comments must be received on or before: April 30, 1982.

ADDRESSES: Send comments on the proposal to: Federal Aviation Administration, Attn.: Chief, Airspace and Procedures Branch, ASO-530, P.O. Box 20636, Atlanta, Georgia 30320.

The official public docket will be available for examination in the Office of the Regional Counsel, Room 652, 3400 Norman Berry Drive, East Point, Georgia 30344, telephone: (404) 763-7646.

FOR FURTHER INFORMATION CONTACT:

Donald Ross, Airspace and Procedures Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone: (404) 763-7646.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Chief, Airspace and Procedures Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320. All communications received on or before April 30, 1982, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each public contact with FAA personnel concerned with this rulemaking will be filed in the public, regulatory docket.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Chief, Airspace and Procedures Branch (ASO-530), Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320, or by calling (404) 763-7646. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2 which describes the application procedures.

The Proposal

The FAA is considering an amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the Jackson, Mississippi, 700-foot transition area. This action will provide controlled airspace protection for aircraft executing the NDB Runway 12 instrument approach procedures at the John Bell Williams Airport. A nondirectional radio beacon, which will support the approach procedure, is

proposed for establishment in conjunction with the alteration of the transition area. If the proposed alteration of the transition area is acceptable, the airport operating status will be changed from VFR to IFR.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend Subpart G, § 71.181 (46 FR 540), of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by adding the following to the end of the text in the present description as follows:

Jackson, Mississippi

" * * * within an 8.5-mile radius of John Bell Williams Airport (Lat. 32°18'12" N., Long. 90°24'30" W.) * * * "

(Sec. 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)) and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Note.—The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a major rule under Executive Order 12291; (2) is not a significant rule under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal; (4) is appropriate to have a comment period of less than 45 days; and (5) it is certified that the rule, if promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

This proposed amendment involves only a small alteration of navigable airspace and air traffic control procedures over a limited area.

Issued in East Point, Georgia, on March 15, 1982.

George R. LaCaille,

Acting Director, Southern Region.

[FR Doc. 82-6010 Filed 3-24-82; 8:45 am]

BILLING CODE 4910-13-M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[File No. 811 0194]

Broward County Medical Association; Proposed Consent Agreements; Correction

AGENCY: Federal Trade Commission.

ACTION: Correction.

SUMMARY: This document corrects a proposed consent agreement between the Commission and the Broward County Medical Association previously

published in the Federal Register on Tuesday, March 16, 1982 (47 FR 11285). The document misstated the date of the end of the comment period, and contained some minor typographical errors.

DATE: The corrections are effective March 25, 1982.

FOR FURTHER INFORMATION CONTACT:

FTC/CS-8, Arthur N. Lerner, Washington, D.C. 20580, (202) 724-1303.

In FR Doc. 82-7000, appearing in the Federal Register issue for Tuesday, March 16, 1982, 47 FR 11285, the correct date for comments to be received on or before should be May 17, 1982.

Also, on page 11286, middle column, the first line in paragraph II A. change "impending" to "impeding" and in the first line of paragraph II B. change "impending" to "impeding".

Carol M. Thomas,

Secretary.

[FR Doc. 82-7999 Filed 3-24-82; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 271

[Docket No. RM79-76 (Louisiana-7)]

High-Cost Gas Produced From Tight Formations; Louisiana

March 22, 1982.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of proposed rulemaking.

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

DATE: Comments on the proposed rule are due on April 21, 1982.

Public Hearing: No public hearing is scheduled in this docket as yet. Written requests for a public hearing are due on April 6, 1982.

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) 357-8511, or Walter W. Lawson, (202) 357-8556.

SUPPLEMENTARY INFORMATION:

I. Background

On February 16, 1982, the State of Louisiana Office of Conservation (Louisiana) submitted to the Commission a recommendation, in accordance with § 271.703 of the Commission's regulations (45 FR 56034, August 22, 1980), that the Hosston Formation in north Louisiana be designated as a tight formation in the Commission's regulations. Pursuant to § 271.703(c)(4) of the regulations, this Notice of Proposed Rulemaking is hereby issued to determine whether Louisiana's recommendation that the Hosston Formation be designated a tight formation should be adopted. Louisiana's recommendation and supporting data are on file with the Commission and are available for public inspection.

II. Description of Recommendation

Louisiana recommends that the Hosston Formation underlying a geographical area comprising all of Winn Parish and parts of Bienville, Red River, and Natchitoches Parishes be designated a tight formation. It is defined as that formation occurring between the measured depths of 7,320 feet and 10,090 feet on the induction electrical log of the Amerada Hess Corporation—Placid Oil Company—Charles Beach, Jr. No. 1 well. The recommended formation underlies the following areas:

All of Winn Parish.

Bienville Parish: Township 14 North, Range 7 West; and that portion of Township 14 North, Range 8 West, being in Bienville Parish.

Red River Parish: Those portions of Township 11 North, Range 9 West; Township 12 North, Range 7 West; and Townships 12, 13, and 14 North, Range 8 West, being in Red River Parish; and all of Townships 12, 13, and 14 North, Range 9 West.

Natchitoches Parish: Those portions of Townships 10, 11, 12, and 13 North, Range 5 West; Townships 9 and 10 North, Range 6 West; Township 12 North, Range 7 West; Townships 12, 13, and 14 North, Range 8 West; and Township 11 North, Range 9 West, being in Natchitoches Parish; and all of

Townships 11, 12, and 13 North, Range 6 West; Townships 9, 10, 11, and 13 North, Range 7 West; Townships 9, 10, and 11 North, Range 8 West; and Township 10 North, Range 9 West.

III. Discussion of Recommendation

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

Louisiana further asserts that existing Statewide Order No. 29-B will assure that development of the Hosston Formation will not adversely affect any fresh water aquifer that is or is expected to be used as domestic or agricultural water supply. In addition, Louisiana states that it is in the process of establishing rules and regulations in accordance with the Environmental Protection Agency's Underground Injection Control guidelines which it believes will further prevent the contamination of any fresh water aquifer.

Accordingly, pursuant to the authority delegated to the Director of the Office of Pipeline and Producer Regulation by Commission Order No. 97, issued in Docket No. RM80-68 (45 FR 53456, August 12, 1980), notice is hereby given of the proposal submitted by Louisiana that the Hosston Formation as described and delineated in Louisiana'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 the 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 April 21, 1982. Each person submitting a comment should indicate that the comment is being submitted in Docket No. RM79-76 (Louisiana-7), 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 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 April 6, 1982.

(Natural Gas Policy Act of 1978, 15 U.S.C. 3301-3432)

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 Louisiana's recommendation is adopted.

Kenneth A. Williams,
Director, Office of Pipeline and Producer Regulation.

Section 271.703(d) is amended by adding new subparagraph (82) to read as follows. The introductory text of paragraph (d) is shown for user convenience.

§ 271.703 Tight formations.

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

(74) through (81) [Reserved]

(82) *Hosston Formation in Louisiana.* RM79-76 (Louisiana-7). (i) *Delineation of formation.* The Hosston Formation is located in the following portions of Winn, Bienville, Red River, and Natchitoches Parishes, north Louisiana: *All of Winn Parish. Bienville Parish:* Township 14 North, Range 7 West; and that portion of Township 14 North, Range 8 West, being in Bienville Parish. *Red River Parish:* Those portions of Township 11 North, Range 9 West; Township 12 North, Range 7 West; and

Townships 12, 13, and 14 North, Range 8 West, being in Red River Parish; and all of Townships 12, 13, and 14 North, Range 9 West. *Natchitoches Parish:* Those portions of Townships 10, 11, 12, and 13 North, Range 5 West; Townships 9 and 10 North, Range 6 West; Township 12 North, Range 7 West; Townships 12, 13, and 14 North, Range 8 West; and Township 11 North, Range 9 West, being in Natchitoches Parish; and all of Townships 11, 12, and 13 North, Range 6 West; Townships 9, 10, 11, and 13 North, Range 7 West; Townships 9, 10, and 11 North, Range 8 West; and Township 10 North, Range 9 West.

(ii) *Depth.* The Hosston Formation is defined as that formation occurring between the measured depths of 7,320 feet and 10,900 feet on the induction electrical log of the Amerada Hess Corporation—Placid Oil Company—Charles Beach, Jr. No. 1 well, located in Section 34, Township 12 North, Range 8 West, Red River Parish.

[FR Doc. 82-8019 Filed 3-24-82; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

23 CFR Part 740

[FHWA Docket No. 82-7]

Priority Review of Relocation Assistance Requirements

AGENCY: Federal Highway Administration, DOT.

ACTION: Review of regulations, meeting notice and request for public comments.

SUMMARY: The FHWA is reviewing the relocation assistance requirements that apply when a person is displaced as a result of a Federal or federally assisted highway project. These requirements are being reviewed because they are considered to be costly and/or controversial. This notice is being issued to advise the public of the review, announce a public meeting to be held on April 26-28, and invite comments and suggestions from interested parties.

DATES: Meeting—April 26-28, 1982. Comments to the docket must be received by June 11, 1982.

Time: Meeting—April 26, 1:00 p.m.—5:00 p.m.; April 27 and 28, 8:30 a.m.—5:00 p.m.

ADDRESS: Meeting—Holiday Inn West, Interstate 40 and Meridian, Oklahoma City, Oklahoma 73108.

For docket comments:—Comments and suggestions should be sent, preferably in triplicate, to FHWA Docket No. 82-7, Federal Highway

Administration, Room 4205, HCC-10, 400 Seventh Street, SW., Washington, D.C. 20590. All comments and suggestions received will be available for examination at the above address between 7:45 a.m. and 4:15 p.m. ET, Monday through Friday. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard.

FOR FURTHER INFORMATION CONTACT:

Mr. Gerald L. Starkweather, Office of Right-of-Way (HRW-22), 202-426-0117, Mr. Erwin J. Zelasko, Office of Right-of-Way (HRW-10), 202-426-0142, or Mr. S. Reid Alsop, Office of Chief Counsel (HCC-40), 202-426-0800, Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m. ET, Monday through Friday.

SUPPLEMENTARY INFORMATION: The FHWA is conducting a review of the relocation assistance requirements that apply when a person is displaced as a result of a project on which Federal-aid highway funds or other funds administered by the FHWA are or will be utilized. These requirements are contained in regulations (23 CFR 740) issued by the FHWA under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601 et. seq., on November 4, 1976 (41 FR 48682). The regulations include provisions for relocation services, moving payments, replacement housing payments, mobile homes and last resort housing.

One of the primary objectives of this review is to determine whether burdens imposed on the States by the relocation assistance requirements can be reduced. Accordingly, the FHWA will meet with representatives of the State highway agencies in order to discuss problems associated with the current requirements and proposed revisions to those requirements.

All interested parties are invited to attend this relocation meeting. Those interested in attending the meeting are requested to contact the FHWA in advance in order to allow for sufficient meeting accommodations.

The meeting will be held on April 26 through 28, 1982, in Oklahoma City, Oklahoma, in conjunction with a previously scheduled conference between representatives of FHWA and the American Association of State Highway Transportation Officials (AASHTO). The conference was organized for the purpose of discussing right-of-way acquisition and relocation matters affecting the States and FHWA.

Minutes of the relocation meeting will be kept and placed in the public docket

(No. 82-7) along with copies of all documents which are made available at or prepared for the meeting. Those who are unable to attend the meeting or visit the docket room may contact the program officials at the address provided above under the heading "For Further Information Contact."

In addition to attendance at the relocation meeting, interested persons may also submit written statements, comments and suggestions to the public docket (No. 82-7) both before and after the meeting date. However, all submissions must be received by June 11, 1982. Comments and suggestions made at the public meeting as well as those submitted to the public docket will be considered by the FHWA in the development of a notice of proposed rulemaking concerning the relocation regulations.

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

Issued on: March 15, 1982.

L. P. Lamm,
Executive Director, Federal Highway Administration.

[FR Doc. 82-7694 Filed 3-24-82; 8:45 am]

BILLING CODE 4910-22-M

Coast Guard

33 CFR Part 117

[CGD7 82-05]

Drawbridge Operation Regulations: Hillsboro River, Atlantic Intracoastal Waterway, Broward County, Florida

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: At the request of the city of Deerfield Beach, Broward County, Florida, the Coast Guard is considering special drawbridge regulations governing the operation of the Butler Bridge across Hillsboro River, Atlantic Intracoastal Waterway, mile 1050.0, Deerfield Beach, Broward County, Florida, by permitting the number of openings to be limited on Saturdays, Sundays, and legal holidays from November 1 through May 31 during peak traffic hours. The draw of the bridge presently opens on signal during this time frame.

DATE: Comments must be received on or before May 10, 1982.

ADDRESS: Comments should be submitted and are available for

examination and copying from 7:30 a.m. to 4 p.m., Monday through Friday at the office of the Commander (oan), Seventh Coast District, 51 SW. 1st Avenue, Miami, Florida 33130.

FOR FURTHER INFORMATION CONTACT:

James R. Kretschmer, Bridge Administrator, Bridge Section (oan), Room 1006, Federal Building, 51 Southwest First Avenue, Miami, Florida 33130, telephone (305) 350-4108.

SUPPLEMENTARY INFORMATION:

Interested persons are invited to participate in this proposed rulemaking by submitting written views, comments, data or arguments. Persons submitting comments should include their name and address, identify the bridge and give reasons for concurrence with or any recommended change in the proposal. Persons desiring acknowledgement that their comments have been received should enclose a stamped self-addressed envelope or post card.

The Commander, Seventh Coast Guard District, will evaluate all communications received and determine a course of final action on the proposal. The proposed regulations may be changed in the light of comments received.

Drafting Information

The principal persons involved in drafting this proposal are: James Davis, Bridge Administration Specialist, Office of Aids to Navigation, Bridge Section and Lieutenant William J. Petersen, Office of Commander, Seventh Coast Guard District, Legal Office.

Discussion of the Proposed Regulations

The restrictions are being considered in an effort to relieve the increased vehicular traffic on Saturdays, Sundays and legal holidays on the Butler Bridge. This change would allow limited openings and provide a more even flow of vehicular traffic from 11 a.m. to 5 p.m. This action may accommodate the needs of vehicular traffic and may still provide for the reasonable needs of navigation.

Regulatory Evaluation

The proposed regulation has been reviewed under the provisions of E.O. 12291 and has been determined not to be a major rule. In addition, the proposed regulation is considered to be nonsignificant in accordance with guidelines set out in the Policies and Procedures for Simplification, Analysis and Review of Regulations (Department of Transportation Order 2100.5 of May 22, 1980). An economic evaluation has not been conducted since, for the reasons discussed above, the impact is expected to be minimal. In accordance

with 605(b) of the Regulatory Flexibility Act (94 Stat. 1184), it is also certified that this rule, (if promulgated), will not have a significant economic impact on a substantial number of small entities.

PART 117—DRAWBRIDGE OPERATION REGULATIONS

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations be amended by adding a new § 117.441b to read as follows:

§ 117.441b Hillsboro River, AIWW, mile 1050.0 State Road 810, Deerfield Beach, Florida.

From November 1 through May 31, from 11 a.m. to 5 p.m., on Saturdays, Sundays, and legal holidays, the draw need not open except on the hour, quarter-hour, half-hour, and three-quarter hour, to allow any accumulated vessels to pass. At all other times, the draw shall open on signal.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; (33 U.S.C. 499, 49 U.S.C. 1655(g)(2)); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(g)(3))

Dated: March 5, 1982.

B. L. Stabile,

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

[FR Doc. 82-7986 Filed 3-24-82; 8:45 am]

BILLING CODE 4910-14-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-6121]

National Flood Insurance Program; Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Proposed rule; revision.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Grand Junction, Colorado.

Due to recent engineering analysis, this proposed rule revises the proposed determinations of base (100-year) flood elevations published in 46 FR 39615 on August 4, 1982 and in the *Daily Sentinel*, published on or about November 5, 1981, and November 12, 1981, and hence supersedes those previously published rules for the areas cited below.

DATES: The period for comment will be ninety (90) days following the second publication of this notice in a newspaper

of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at the Engineering Department, 250 N. 5th Street, Grand Junction, Colorado. Send comments to: the Honorable Louis Brach, 250 N. 5th Street, Grand Junction, Colorado 81501.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert G. Chappell, National Flood Insurance Program, (202) 287-0230, Federal Emergency Management Agency, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: Proposed base (100-year) flood elevations are listed below for selected locations in the City of Grand Junction, Colorado, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR 67.4(a)).

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that the proposed flood elevation determinations, if promulgated, will not have a significant economic impact on a substantial number of small entities. A flood elevation determination under section 1363 forms the basis for new local ordinances, which, if adopted by a local community, will govern future construction within the floodplain area. The elevation determinations, however, impose no restriction unless and until the local community voluntarily adopts floodplain ordinances in accord with these elevations. Even if ordinances are adopted in compliance with Federal standards, the elevations prescribe how high to build in the floodplain and do not proscribe development. Thus, this action only forms the basis for future local actions. It imposes no new

requirement; of itself it has no economic impact.

The proposed base (100-year) flood elevations are:

Source of flooding	Location	#Depth in feet above ground. Elevation in feet (NGVD)
Colorado River	At intersection of Chuluota Avenue and Fairview Avenue.	*4556
Indian Wash	At the southwest corner of the intersection of Orchard Avenue and 29 1/2 Road.	*4633
Leach Creek	At intersection of Leach Creek and upstream side of Patterson Road.	*4545
	Approximately 500 feet upstream of 25 Road.	*4590
Horizon Drive Channel.	At intersection of Horizon Drive Channel and 25 1/2 Road.	*4573
	Approximately 1280 feet upstream of intersection with 25 1/2 Road.	*4583
	Approximately 1850 feet downstream of 25 1/2 Road.	*4567

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

Issued: March 12, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-7814 Filed 3-24-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

[Docket No. FEMA-5757]

National Flood Insurance Program; Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Proposed rule; revision.

SUMMARY: Technical information or comments are solicited on the proposed base (100-year) flood elevations listed below for selected locations in the City of Missoula, Montana.

Due to recent engineering analysis, this proposed rule revises the proposed determinations of base (100-year) flood elevations published in 44 FR 76324 on December 28, 1979 and in *The Missoulian*, published on or about

December 12, 1979, and December 19, 1979, and hence supersedes those previously published rules for the areas cited below.

DATES: The period for comment will be ninety (90) days following the second publication of this notice in a newspaper of local circulation in the above-named community.

ADDRESSES: Maps and other information showing the detailed outlines of the flood-prone areas and the proposed flood elevations are available for review at the Office of the Building Inspector, City Hall, 201 West Spruce Street, Missoula, Montana. Send comments to: the Honorable Bill Gregg, 201 West Spruce Street, Missoula, Montana 59801.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, National Flood Insurance Program, (202) 287-0230, Federal Emergency Management Agency, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: Proposed base (100-year) flood elevations are listed below for selected locations in the City of Missoula, Montana, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR 67.4(a)).

These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that the proposed flood elevation determinations, if promulgated, will not have a significant economic impact on a substantial number of small entities. A flood elevation determination under section 1363 forms the basis for new local ordinances, which, if adopted by a local community, will govern future construction within the floodplain area. The elevation determinations, however, impose no restriction unless and until the local community voluntarily adopts floodplain ordinances in accord with

these elevations. Even if ordinances are adopted in compliance with Federal standards, the elevations prescribe how high to build in the floodplain and do not proscribe development. Thus, this action only forms the basis for future local actions. It imposes no new requirement; of itself it has no economic impact.

The proposed base (100-year) flood elevations are:

Source of flooding	Location	#Depth in feet above ground. Elevation in feet (NGVD)
Clark Fork River	Crossing of Russell Street over channel.	*3166
	Crossing of U.S. Highway 12 and 93.	*3179
	Crossing of Madison Street Bridge.	*3185
Pattee Creek	South Higgins Avenue crossing—20 feet upstream of centerline.	*3223
	Pattee Canyon Road	*3314
Rattlesnake Creek	Crossing of East Front Street over channel.	*3186
	Private road crossing	*3260
Bitterroot River	Westernmost corner of community approximately 3,000 feet west of intersection of Fort Road and Post Siding Road.	*3123
Sheetflow	Southern edge of southern I-90 exit ramp approximately 700 feet southeast from crossing of I-90 over Rattlesnake Creek..	#1
	100 feet northeast of intersection of Russell Street and 39th Street.	#1
	South side of Whitaker Street from Crestline to Pineridge.	#1
	Westernmost intersection of Arlington and Cyprus.	#1
	300 feet south of intersection of 39th Street and Reserve Street.	#1
	South side of U.S. Highway 12 and 93 approximately 500 feet southwest from its intersection with Dora Lane.	#1
	Bancroft Road between Benton and Livingston.	#2
	100 feet south of intersection of Russell Street and 39th Street.	#2
	Southern side of Southwest Higgins Avenue between Northview and Stephens.	#2
	750 feet south of intersection of 39th and Reserve Street.	#2
	Old Childrens Fishpond	#3

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

Issued: March 12, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-7815 Filed 3-24-82; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 67

[Docket No. FEMA-6262]

National Flood Insurance Program; Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed base(100-year) flood elevations listed below for selected locations in the nation. These base (100-year) flood elevations are the basis for the flood plain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The period for comment will be ninety (90) days following the second publication of this proposed rule in a

newspaper of local circulation in each community.

ADDRESSES: See table below.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, P.E., National Flood Insurance Program, (202) 287-0230, Federal Emergency Management Agency, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency gives notice of the proposed determinations of base (100-year) flood elevations for selected locations in the nation, in accordance with Section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added Section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR 67.4 (a).

These elevations, together with the flood plain management measures required by § 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean the community must change any existing ordinances that are more stringent in their flood plain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or Regional entities.

These proposed elevations will also be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for the second layer of insurance on existing buildings and their contents.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that the proposed flood elevation determinations, if promulgated, will not have a significant economic impact on a substantial number of small entities. A flood elevation determination under section 1363 forms the basis for new local ordinances, which, if adopted by a local community, will govern future construction within the floodplain area. The elevation determinations, however, impose no restriction unless and until the local community voluntarily adopts floodplain ordinances in accord with these elevations. Even if ordinances are adopted in compliance with Federal standards, the elevations prescribe how high to build in the floodplain and do not proscribe development. Thus, this action only forms the basis for future local actions. It imposes no new requirement; of itself it has no economic impact.

The proposed base (100-year) flood elevations for selected locations are:

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
Arkansas	City of Mountain Home, Baxter County	Hicks Creek	Just upstream of Russell Street	*780
			Just downstream of U.S. Highway 62	*793
		Tributary A	Just downstream of College Street	*805
			Just downstream of Langston Street	*790
		Indian Creek	Just downstream of U.S. Highway 62	*805
			Just downstream of Cedar Street extended Approximately 100 feet upstream of Buzzard Roost Road	*775 *780
		Just downstream of U.S. Highway 62	*821	
Maps available for inspection at City Hall, 720 South Hickory Street, Mountain Home, Arkansas 72153. Send comments to Mayor Ronald Pierce or Mr. Arthur Wilcox, City Engineer, City Hall, 720 South Hickory Street, Mountain Home, Arkansas 72153.				
Colorado	Manitou Springs (city), El Paso County	Fountain Creek	Intersection of Beckers Lane and El Paso Boulevard	*6,198
			Intersection of Manitou Avenue and Waltham Avenue	*6,378
		Sutherland Creek	Intersection of Sutherland Road and Crystal Park Place	*6,320
			Williams Canyon	Intersection of Canon Avenue and Grand Avenue	*6,359
Ruxton Creek	Intersection of creek and Ruxton Avenue	*6,539		
Maps available for inspection at Town Hall, 606 Manitou Avenue, Manitou Springs, Colorado. Send comments to the Honorable Russ Lewis, 606 Manitou Avenue, Manitou Springs, Colorado 80829.				
Colorado	Morrison (town), Jefferson County	Bear Creek	Intersection of Canon Avenue and South Park Avenue	*5,780
			85 feet upstream from the center of State Highway 8	*5,770
			35 feet downstream from the center of State Highway 74	*5,815
Maps available for inspection at Town Office, 110½ Stone Street, Morrison, Colorado. Send comments to the Honorable Roll Paul, P.O. Box 95, Morrison, Colorado 80465.				
Florida	Broward County (unincorporated areas)	Atlantic Ocean—Open coast	Approximately 550 feet east of the intersection of South Ocean Boulevard and SE 19th Street	*11
			Atlantic Ocean—Intra-coastal waterway	Intersection of Fiesta Way and Terra Mar Drive East	*8

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Inland flooding	Intersection of SE 17th Street and SE 19th Avenue..... Intersection of Andrews Avenue and NW 67th Street..... Approximately 500 feet north along U.S. Highway 441 from its intersection with NW 76th Place.	*7 *8 #1
Maps available for inspection at Building & Zoning Department, 201 SE 6th Street, Fort Lauderdale, Florida. Send comments to the Honorable Marcia Beach, 201 SE 6th Street, Room 248, Fort Lauderdale, Florida 33301.				
Florida	Deerfield Beach (city), Broward County	Atlantic Ocean—Open coast	Eastern end of SE 6th Street..... Eastern end of NE 2nd Street.....	*11 *9
		Inland flooding	SW 36th Avenue over Hillsboro Canal..... Seaboard Coast Line Railroad over Hillsboro Canal.....	#1 *8
Maps available for inspection at Building Department, 150 NE Avenue, Deerfield Beach, Florida. Send comments to the Honorable Jean M. Robb, P.O. Drawer AH, Deerfield Beach, Florida 33441.				
Florida	Fort Lauderdale (city), Broward County	Atlantic Ocean—open coast	Approximately 300 feet east along Oakland Park Boulevard from its intersection with North Atlantic Boulevard.	*11
			Eastern end of NE 21st Street.....	*9
			Eastern side of the intersection of East Sunrise Boulevard and North Atlantic Boulevard.	*9
		Atlantic Ocean—Port Everglades	Southern side of the intersection of SE 25th Avenue and SE 21st Street.	*8
		Atlantic Ocean—intracoastal waterway.	Intersection of Bay View Drive and NE 26th Place.....	*6
		Atlantic Ocean—Sunrise Bay/Coral Bay.	Intersection of Yacht Club Boulevard and Seminole Drive.	*6
		Atlantic Ocean—Middle River/New River.	Approximately 150 feet east of the intersection of NE 7th Street and NE 20th Avenue.	*8
		Atlantic Ocean—Lake Sylvia/New River/Stranahan River/New River Sound.	Intersection of Poinciana Drive and Idlewyld Drive..... Intersection of West Lake Drive and Mercedes Drive..... Intersection of SE 33rd Street and SE 6th Avenue..... Eastern end of SE 14th Street.....	*9 *9 *8 *9
		Inland flooding	Northeast side of intersection of West Broward Boulevard and NW 24th Avenue.	*7
Maps available for inspection at Building Department, 100 N. Andrews Avenue, Fort Lauderdale, Florida. Send comments to the Honorable Virginia S. Young, P.O. Drawer 14250, Ft. Lauderdale, Florida 33302.				
Florida	Hillsboro Beach (town), Broward County	Atlantic Ocean—open coast	Along the shoreline within the corporate limits.....	*11
		Atlantic Ocean—Hillsboro Inlet	Approximately 200 feet east of the point where State Highway A1A crosses the eastern shore of Hillsboro Inlet.	*8
		Atlantic Ocean—intracoastal waterway.	Approximately 500 feet west of the State Road A1A at northern corporate limits.	*6
Maps available for inspection at City Hall, 1210 Hillsboro Beach, Pompano Beach, Florida. Send comments to the Honorable John W. Erickson, 1210 Hillsboro Beach, Pompano Beach, Florida 33062.				
Florida	Lauderdale by the Sea (city), Broward County	Atlantic Ocean—open coast	Approximately 250 feet east along Washingtonia Avenue from its intersection with El Mar Drive.	*11
			Eastern end of Hibiscus Avenue.....	*9
		Atlantic Ocean—intracoastal waterway.	Allenwood Drive..... Intersection of Tradewinds Avenue West and Oceanic Avenue.	*6 *6
Maps available for inspection at City Hall, 4501 Ocean Drive, Lauderdale by the Sea, Florida. Send comments to the Honorable John R. Forrest, 4501 Ocean Drive, Lauderdale by the Sea, Florida 33301.				
Florida	Pompano Beach (city), Broward County	Atlantic Ocean—open coast/Hillsboro Inlet.	Approximately 400 feet northeast along North Ocean Boulevard from its intersection with Bay Drive.	*8
			Eastern end of NE 16 Street.....	*1
		Atlantic Ocean—intracoastal waterway.	Eastern end of SE 2 Street.....	*9
		Atlantic Ocean—Lake Santa Barbara.	Dixie Highway East over Cypress Creek Canal.....	*8
		Ponding	Approximately 150 feet south of the intersection of SE 7 Drive with SE 25 Avenue. Approximately 850 feet south along NW 15 Avenue from its intersection with NW 17 Court.	*9 *1
Maps available for inspection at Planning Department, 101 SW 1st Avenue, Pompano Beach, Florida. Send comments to the Honorable Emma Lou Olson, P.O. Drawer 1300, Pompano Beach, Florida 33061.				
Florida	Sea Ranch Lakes (village), Broward County	Atlantic Ocean—open coast	Approximately 600 feet east of the intersection of State Highway A1A with Gate House Road.	*9
Maps available for inspection at Village Hall, 1 Gatehouse Road, Sea Ranch Lakes, Florida. Send comments to the Honorable Neal M. Bidwell, 1 Gatehouse Road, Sea Ranch Lakes, Florida 33308.				
Georgia	City of Columbus, Muscogee County	Chattahoochee River	Just downstream of U.S. Highway 80..... Just upstream of Southern Railway..... Just upstream of Oliver Dam..... Approximately 500 feet downstream of Goat Rock Dam.	*230 *239 *337 *348
		Upper Bull Creek	At Chattsworth Road.....	*333
		Lower Bull Creek	Just upstream of Beaver Run Road..... Just downstream of Buena Vista Road.....	*353 *241

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			Just upstream of Lindsey Creek bypass	*250
			Just upstream of Forrest Road	*265
			Approximately 400 feet upstream of Cargo Drive	*291
		Cooper Creek	Just upstream of Forrest Road	*262
			Just downstream of Fairview Drive	*300
			Just upstream of Columbus-Manchester Expressway	*336
		Cooper Branch	Just upstream of Warm Springs Road	*379
			Just upstream of Warm Springs Road	*359
			Just upstream of Randall Drive	*377
		Dram Branch	Just downstream of Lindsey Creek bypass	*255
			Just downstream of Reynolds Drive	*285
		Flatrock Creek	Just upstream of Macon Drive	*302
			Just upstream of Gateway Road	*365
			Just upstream of Warm Springs Road	*424
		Lindsey Creek	Just upstream of Macon Road	*271
			Just upstream of Columbus-Manchester Expressway	*327
			Just upstream of Runway of Muskogee County Airport	*367
			Just upstream of Vultee Drive	*388
		Lindsey Branch	Just upstream of Peachtree Mall	*329
		Mill Branch	Just downstream of Floyd Road	*280
			Just upstream of Amber Drive	*320
		Roaring Branch	Just upstream of New River Road	*350
			Just upstream of Whitesville Road	*415
			Just upstream of Whittlesey Road	*426
		Tributary to Roaring Branch	Just upstream of Bradley Park Road	*350
		St. Marys Branch	Just upstream of Claradon Drive	*262
			Just upstream of Lindsey creek bypass	*275
			Just upstream of McCartha Drive	*305
		Weracoba Creek	Just upstream of 17th Street	*280
			Just upstream of Southern Railway	*310
			Approximately 100 feet upstream of Warm Springs Road	*323

Maps available for inspection at Department of Engineering, Government Center, East Wing, Columbus, Georgia 31993.

Send comments to Mayor Harry Jackson or Mr. Larry Becknell, City Engineer, Government Center, Columbus, Georgia 31993.

Iowa	(C), Cedar Rapids, Linn County	Cedar River	About 1.1 miles downstream of confluence of Indian Creek	*710
			About 3.3 miles upstream of Edgewood Road	*736
		Dry Creek	At downstream corporate limit (about 1.4 miles downstream of C Avenue)	*791
			Just downstream of Northbrook Drive	*820
			Just upstream of Boyson Road	*826
			About 1.1 miles upstream of Boyson Road	*830
		Indian Creek	Just upstream of East Post Road	*735
			Just upstream of Cottage Grove Avenue	*745
			Just upstream of 29th Street	*758
			About 1.4 miles upstream of 30th Street Drive	*768
		Prairie Creek	At mouth	*719
			Just upstream of 6th Street	*727
			About 3,000 feet upstream of Edgewood Road	*740

Maps available for inspection at the City Engineer's Office, City Hall, Cedar Rapids, Iowa.

Send comments to Honorable Don J. Kanney, Mayor, City of Cedar Rapids, City Hall, Cedar Rapids, Iowa 52461.

Iowa	(C) Central City, Linn County	Wapsipicon River	About 1,900 feet downstream of Illinois Central Gulf Railroad	*828
			Just downstream of dam	*830
			Just upstream of dam	*838
			Just downstream of State Highway 13	*836

Maps available for inspection at the City Hall, Central City, Iowa.

Send comments to Honorable Jimmie D. Mollinger, Mayor, City of Central City, City Hall, Central City, Iowa 52214.

Iowa	(Uninc.) Linn County	Cedar River	About 2,000 feet upstream of confluence of Clear Creek	*693
			About 2.4 miles upstream of confluence of Indian Creek	*716
			About 2.8 miles downstream of confluence of Morgan Creek	*730
			At western county boundary	*759
		Big Creek	At mouth at Cedar River	*707
			Just upstream of County Highway E48	*728
			About 1.4 miles upstream of confluence of Crabapple Creek	*784
		Indian Creek	Just upstream of Chicago and North Western Railroad	*712
			About 0.7 mile upstream of Cottage Grove Avenue	*747
			About 1.3 miles downstream of confluence of Berries Run	*793
			At confluence of East Indian Creek	*833
			Just downstream of County Highway E28	*882
			About 400 feet upstream of County Highway E28	*887
			About 1.4 miles upstream of County Highway E28 (just downstream of County Road)	*905
		Squaw Creek	At mouth at Indian Creek	*712
			Just upstream of County Road (about 1,500 feet downstream of County Highway E44)	*750
			About 1.0 mile upstream of County Highway E45	*789

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
Iowa		Morgan Creek	At mouth at Cedar River	*735	
			Just downstream of County Highway E40	*802	
		Otter Creek	At mouth at Cedar River	*740	
			At confluence of East Otter Creek	*776	
		West Otter Creek		About 400 feet upstream of County Highway E16	*863
			About 2,200 feet downstream of County Highway D66	*891	
		East Otter Creek		Just upstream of State Highway 150	*786
			Just downstream of Illinois Central Gulf Railroad	*829	
			About 500 feet upstream of Illinois Central Gulf Railroad.	*835	
			About 0.5 mile downstream of County Highway E16	*893	
		Blue Creek	At mouth at Cedar River	*759	
			At confluence of East Blue Creek	*765	
		East Blue Creek	Just downstream of Illinois Central Gulf Railroad	*778	
			About 1,500 feet downstream of County Highway W35 (downstream crossing).	*823	
			About 2,000 feet upstream of County Highway W35 (upstream crossing).	*849	
		Wapsipinicon River	At eastern county boundary	*805	
			About 0.7 mile downstream of State Highway 13	*828	
			Just upstream of State Highway 13	*836	
			At northern county boundary	*860	
		East Indian Creek	About 0.5 mile upstream of mouth	*835	
			Just downstream of State Highway 13	*849	
			Just upstream of State Highway 13	*854	
			About 2.5 miles upstream of State Highway 13	*876	
		Simmons Creek	At mouth at Big Creek	*760	
			Just upstream of County Highway E45	*771	
			Just downstream of Chicago, Milwaukee, St. Paul and Pacific Railroad (upstream crossing).	*825	
		Martins Creek	At mouth at Big Creek	*737	
			Just downstream of Chicago, Milwaukee, St. Paul and Pacific Railroad.	*791	
			Just upstream of Chicago, Milwaukee, St. Paul and Pacific Railroad.	*800	
		Buffalo Creek	At eastern county boundary	*823	
			Just downstream of County Highway E16	*854	
			About 0.8 mile downstream of confluence of Nugents Creek.	*882	
			Just downstream of State Highway 13	*894	
			At northern county boundary	*911	
		Hoosier Creek	At southern county boundary	*710	
			Just downstream of County Highway W54	*789	
South Hoosier Creek	At mouth at Hoosier Creek	*734			
	About 1,200 feet downstream of Interstate 380	*791			
Prairie Creek	Just upstream of Edgewood Road	*740			
	About 400 feet upstream of Chicago and North Western Railroad.	*749			
	About 1.4 miles upstream of Chicago and North Western Railroad.	*755			
	Just downstream of County Highway E40 (at western county boundary).	*766			
Tissel Hollow	At mouth at Prairie Creek	*743			
	About 300 feet downstream of County Highway E86	*764			
	About 400 feet upstream of County Highway E66	*772			
	About 2,900 feet upstream of County Highway E66	*779			
Dry Creek	About 3.9 miles downstream of Boyson Road	*795			
	About 2.3 miles downstream of Boyson Road	*807			
	About 1.8 miles upstream of Illinois Central Gulf Railroad.	*836			
	About 0.8 mile downstream of County Highway W56	*846			
	About 1.4 miles upstream of County Highway W58	*880			

Maps available for inspection at the County Building and Zoning Department, Linn County Administrative Building, 930 First Street, S.W., Cedar Rapids, Iowa.

Send comments to Honorable Kenneth A. Schriener, Chairman of the County Board of Supervisors, Linn County, Linn County Administrative Building, 930 First Street, S.W., Cedar Rapids, Iowa 52404.

Iowa	(C) West Branch Cedar County	West branch Wapsinonoc Creek	About 2,100 feet downstream of sewage treatment plant road.	*707
			Just upstream of Main Street	*713
			About 0.8 mile upstream of College Street	*724
		Tributary A	Just downstream of Parkside Drive	*713
			About 220 feet upstream of Downey Street footbridge	*716

Maps available for inspection at the City Office, box 218, West Branch, Iowa.

Send comments to Honorable Maxine Maher, Mayor, City of West Branch, City Office, Box 218, West Branch, Iowa 52358.

Kansas	(C) Moundridge, McPherson County	Black Kettle Creek	About 560 feet downstream of Missouri Pacific Railroad.	*1,471
			Just upstream of Missouri Pacific Railroad	*1,473
			Just upstream of Cole Street	*1,474
			About 1,600 feet upstream of Durst Street	*1,475
		Black Kettle Creek tributary No. 1	At confluence with Black Kettle Creek	*1,475
			About 1,200 feet upstream of confluence with Black Kettle Creek.	*1,475

Maps available for inspection at the City Hall, 216 South Christian, Moundridge, Kansas.

Send comments to Honorable Willice Wollman, Mayor, City of Moundridge, City Hall, 216 South Christian, Moundridge, Kansas 67107.

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
Massachusetts	Littleton, town, Middlesex County	Beaver Brook	Downstream corporate limits	*209	
			At Mill Pond	*217	
		Great Road tributary	Upstream corporate limits	*227	
			At confluence with Beaver Brook	*210	
		King Street tributary	Approximately 1,500 feet upstream of I-495	*217	
			At confluence with Beaver Brook	*215	
Mill Pond tributary	Approximately 2,400' upstream confluence with Beaver Brook	*219			
	At confluence with Beaver Brook	*217			
		Bennetts Brook	Approximately 6,200 feet upstream confluence with Beaver Brook	*219	
			Upstream corporate limits	*227	
Maps available for inspection at the Office of the Town Clerk, Town Hall, Foster Street, Littleton, Massachusetts. Send comments to the Honorable Bruce Bayuk, Chairman of the Town of Littleton Board of Selectmen, Town Hall, Foster Street, Littleton, Massachusetts 01460.					
Massachusetts	Royalston, town, Worcester County	Millers River	Downstream corporate limits	*770	
			Upstream State Route 68	*816	
			Approximately 5,830 feet upstream of State Route 68	*821	
Maps available for inspection at the Royalston Town Hall, Royalston, Massachusetts. Send comments to the Honorable Larry Simington, Chairman of the Royalston Board of Selectmen, Town Hall, Royalston, Massachusetts 01368.					
Michigan	(Twp.) Bloomfield, Oakland County	Franklin branch—River Rouge	About 100 feet upstream of 14 Mile Road	*763	
			Just upstream of Franklin Road	*767	
			About 1.3 miles upstream of Franklin Road	*792	
		Amy drain	About 1,700 feet downstream of Great Oaks Drive	*847	
			About 1,600 feet upstream of Square Lake Road	*860	
		Hamlin drain	About 800 feet upstream of subdivision road	*868	
			About 1,350 feet upstream of subdivision road	*872	
		Murphy drain	About 100 feet upstream of West Hickory Grove Road	*886	
			Just upstream of private drive (about 530 feet upstream of Lahser Road)	*902	
		Long Lake—Forest Lake drain	Just downstream of Wilshire Drive	*922	
			Just upstream of Lahser Road	*858	
			Just downstream of Pine Valley Way	*874	
			Just upstream of Pine Valley Way	*882	
			Just downstream of West Long Lake Road	*882	
			Just upstream of West Long Lake Road	*890	
		River Rouge	Just downstream of Club Drive	*911	
			Just upstream of Hunter Boulevard	*748	
			Just downstream of 16 Mile Road	*749	
			Just downstream of Grand Trunk Western railroad	*751	
		Sodon Lake drain	Just upstream of Grand Trunk Western railroad	*757	
			Just downstream of Adams Road	*765	
			Just upstream of Lahser Road	*832	
			Just upstream of Oakleigh Road	*833	
		Walnut Lake	About 400 feet upstream of Ardmore Court	*848	
			Just downstream of Sunningdale Drive	*851	
			About 100 feet upstream of Sunningdale Drive	*855	
			Just downstream of old sound barrier	*856	
Hammond Lake	Shoreline	*883			
Upper Long Lake	Shoreline	*921			
	Shoreline	*914			
Maps available for inspection at the the Town Hall, P.O. Box 489, Bloomfield Hills, Michigan. Send comments to Honorable Fred Corzon, Supervisor, Township of Bloomfield, Town Hall, P.O. Box 489, Bloomfield Hills, Michigan 48013.					
Michigan	(C) Keego Harbor, Oakland County	Sylvan Lake	Within the community	*931	
			Cass Lake	Within the community	*932
			Dollar Lake	Within the community	*932
			Clinton River	Just downstream of Cass Lake Road	*931
				Just upstream of Cass Lake Road	*932
Maps available for inspection at the City Hall, 2025 Beechmont, Keego Harbor, Michigan. Send comments to Honorable John J. Nicol, Jr., Mayor, City of Keego Harbor, City Hall, 2025 Beechmont, Keego Harbor, Michigan 48033.					
Michigan	(Twp.) Milan, Monroe County	Saline River	About 1.4 miles downstream of U.S. Highway 23	*678	
			About 2,800 feet upstream of U.S. Highway 23	*686	
Maps available for inspection at the Town Hall, Milan, Michigan. Send comments to Honorable Boyd Canitz, Supervisor, Township of Milan, 10572 Far Road, Milan, Michigan 48160.					
Michigan	(Twp.) Oakland, Oakland County	Paint Creek	Just upstream of Dutton Road	*797	
			Just upstream of Orion Road (near Snell Road)	*829	
			About 80 feet upstream of Gunn Road	*849	
			About 100 feet upstream of Adams Road	*883	
			About 975 feet upstream of Conrail (near upstream corporate limit)	*928	
		West branch Stony Creek	About 500 feet downstream of Park Drive	*807	
			Just downstream of Snell Road	*847	
			Just upstream of Snell Road	*853	
			Just downstream of Gunn Road	*890	
			Just upstream of Gunn Road	*898	

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		McClure drain.....	Just upstream of Stony Creek Road..... About 1.1 miles upstream of Tamarack Lane..... About 600 feet downstream of Park Drive..... Just upstream of Gunn Road..... About 400 feet downstream of Hixon Road..... About 600 feet upstream of Hixon Road..... About 1,800 feet upstream of Inwood Road.....	*938 *942 *806 *841 *888 *895 *899

Maps available for inspection at the Town Hall, 4393 Collins Road, Rochester, Michigan.

Send comments to Honorable Stuart Braid, Supervisor, Township of Oakland, Town Hall, 4393 Collins Road, Rochester, Michigan 48063.

Michigan.....	(C) Saline, Washtenaw County.....	Saline River.....	About 2,300 feet downstream of Monroe Street..... Just downstream of Michigan Avenue..... Just upstream of Saline River Dam.....	*737 *750 *759
		Wood outlet drain.....	Mouth at Saline River..... About 600 feet downstream of Saline Water Works Road..... Just upstream of North Ann Arbor Street..... About 4,800 feet upstream of North Maple Street.....	*759 *790 *800 *812

Maps available for inspection at the City Hall, 100 Harris Street, Saline, Michigan.

Send comments to Honorable Donald Shelton, Mayor, City of Saline, City Hall, 100 Harris Street, Saline, Michigan 48176.

Michigan.....	(C) Traverse City, Grand Traverse County.....	Kid's Creek.....	Mouth at Boardman River..... Just upstream of Front Street (at Oak Street)..... About 100 feet upstream of Division Street..... Confluence of Tributary A.....	*585 *591 *597 *604
		Tributary A.....	Just upstream of Elmwood Avenue..... About 280 feet downstream of Madison Street..... About 320 feet upstream of Madison Street.....	*607 *616 *626
		Boardman River.....	Mouth at West Arm Grand Traverse Bay..... Just downstream of Boardman Lake Dam.....	*584 *586
		West arm Grand Traverse Bay.....	Shoreline.....	*584
		East arm Grand Traverse Bay.....	Shoreline.....	*584
		Boardman Lake.....	Shoreline.....	*592

Maps available for inspection at the City Hall, 400 Boardman Avenue, Traverse City, Michigan.

Send comments to Honorable Lawrence Muzzarelli, Mayor, City of Traverse City, City Hall, 400 Boardman Avenue, Traverse City, Michigan 49684.

Montana.....	Fergus County (unincorporated areas).....	Big Spring Creek.....	100 feet upstream from center of Joyland Road..... 75 feet upstream from center of U.S. Highway 91 (Kendal Road).	*3,638 *3,896
		Boyd Creek.....	Intersection of creek and the upstream (northeast) side of Elm Street.	*3,919
		Little Casino Creek.....	Intersection of creek and the upstream side of Casino Creek Drive.	*3,941
		Big Casino Creek.....	80 feet upstream from confluence with Big Spring Creek.	*3,952
		East Fork of Big Spring Creek.....	150 feet upstream from center of State Highway 466 (Hatchery Road).	*4,066
		Castle Creek.....	Intersection of creek and the upstream side of State Highway 466 (Hatchery Road).	*4,166
		Hansen Creek.....	Intersection of creek and the upstream side of State Highway 466 (Hansen Creek Road).	*4,176

Maps available for inspection at Fergus County Planning Office, Fergus County Courthouse, Lewistown, Montana.

Send comments to the Honorable Bob Phillips, Fergus County Courthouse, Lewistown, Montana 59457.

Montana.....	Gallatin County (unincorporated areas).....	Bozeman Creek.....	Intersection of creek and center of Nash Road.....	*5,166
		Bridger Creek.....	Upstream side of an irrigation drop structure located approximately 150 feet upstream from the center of State Highway 293.	*4,797
		East Gallatin River.....	Intersection of creek and center of Airport Road.....	*4,461
		Buster Gulch.....	100 feet upstream from center of the most downstream crossing of Nelson Road.	*4,478
		West Gallatin River.....	Intersection of the river and the upstream side of State Highway 347 (Amsterdam Road).	*4,432
		Baker Creek area.....	The area along Axtell Gateway Road, approximately 200 feet south of the intersection of McReynolds Road and Axtell Gateway Road.	*4,852
		Camp Creek.....	100 feet upstream from center of drainage line crossing of Linney Road.	*4,430
		Baker Creek west overflow.....	Area just on the upstream (south) side of Interstate Highway 90.	*4,263
		Jefferson River.....	Intersection of overflow and center of Veltkamp Road.....	*4,435
		Madison River.....	Intersection of Front Road and Sebena Road..... Intersection of river and center of U.S. Highway 10/ County Route 205.	*4,080 *4,065

Maps available for inspection at County Surveyor's Office, Gallatin County Courthouse, Bozeman, Montana.

Send comments to the Honorable John Buttleman, Gallatin County Courthouse, Bozeman, Montana 59715.

Montana.....	Grass Range (town), Fergus County.....	South fork McDonald Creek.....	South side of the intersection of Main Street and 1st Street.	*3,490
		Cruse irrigation ditch.....	Area along 3rd Street at the western corporate limits..... Intersection of ditch and center of 2nd Street.....	#1 *3,492

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Unnamed tributary.....	Area along the east side of Kenna Avenue from approximately 50 feet to 300 feet south of 4th Street.	*3,493
		Overflow area.....	Intersection of Main Street and 4th Street.....	*3,481
			Intersection of Main Street and 7th Street.....	*3,479
Maps available for inspection at Town Clerk's Office, Grass Range, Montana.				
Send comments to the Honorable George A. Dengel, Mayor, Town of Grass Range, Grass Range, Montana 59032.				
New Hampshire	Wentworth, Town, Grafton County	Baker River	At downstream corporate limits.....	*532
			Approximately 5,000 feet upstream of confluence of South Branch Baker River.....	*549
			Approximately 100 feet upstream State Routes 25 and 118.....	*555
			Upstream Sanders Hill Road.....	*565
			At confluence of Pond Brook.....	*579
			Upstream Main Street.....	*594
			Approximately 5,000' upstream Main Street.....	*613
			Approximately 10,000' upstream Main Street.....	*642
			At upstream corporate limits.....	*671
		South Branch Baker River	At confluence with Baker River.....	*540
			Approximately 40' upstream Dufour Road.....	*554
			Downstream State Routes 25 and 118.....	*564
Maps available for inspection at the Office of the Selectman, Wentworth Town Hall, Wentworth, New Hampshire.				
Send comments to the Honorable John Brown, Chairman of the Town of Wentworth Board of Selectmen, Town Hall, Wentworth, New Hampshire 03282.				
New Jersey	Commercial, Township, Cumberland County	Delaware Bay	Entire shoreline of Maurice River.....	*9
Maps available for inspection at the Commercial Township Hall, 101 East Main Street, Port Norris, New Jersey.				
Send comments to Honorable Beverly Webster, Mayor of Commercial Township, Township Hall, 101 East Main Street, Port Norris, New Jersey 08349.				
New Jersey	East Greenwich, Township, Gloucester County	Mantua Creek	Entire shoreline within the community.....	*10
		Edwards Run	At confluence with Mantua Creek.....	*10
			Approximately 760' upstream New Jersey Turnpike.....	*11
Maps available for inspection at the Municipal Building, 21 East Cohawkin Road, Clarksboro, New Jersey.				
Send comments to Honorable John F. Haegle, Mayor of East Greenwich Township, Municipal Building, 21 East Cohawkin Road, Clarksboro, New Jersey 08020.				
New Jersey	Hackensack Meadows District, Bergen and Hudson Counties	Newark Bay	Newark Avenue over the Hackensack River (downstream side).....	*10
			New Jersey Turnpike over the Hackensack River (downstream crossing, downstream side).....	*9
			New Jersey Turnpike over the Hackensack River (upstream crossing, downstream side).....	*9
			Upstream corporate limits over the Hackensack River.....	*9
		Hackensack River	Penhorn Creek confluence with the Hackensack River.....	*9
			County Road over Penhorn Creek (downstream side).....	*6
			Secaucus Road over Penhorn Creek (upstream side).....	*5
			Entire shoreline of Sawmill Creek.....	*9
			New Jersey Turnpike over Kingsland Creek (upstream side).....	*9
			Valley Brook Avenue over Kingsland Creek (upstream side).....	*8
			New Jersey Turnpike over Berrys Creek (upstream side).....	*9
			U. S. Route 3 over Berrys Creek (upstream side).....	*8
			Patterson Plank Road over Berrys Creek (upstream side).....	*8
			Moonachie Avenue over Berrys Creek (upstream side).....	*5
			Entire shoreline of Berrys Creek Canal.....	*9
			Entire shoreline of Peach Island Creek.....	*8
			New Jersey Turnpike over Moonachie Creek (upstream side).....	*9
			Meadow Lane (extended) next to Moonachie Creek.....	*8
			Washington Avenue over Moonachie Creek (upstream side).....	*5
			Entire shoreline of Mill Creek.....	*9
			Entire shoreline of Bellmans Creek.....	*9
			Entire shoreline of Cromackill Creek.....	*9
			Entire shoreline of Losen Slole.....	*9
			Entire shoreline of Overpeck Creek.....	*9
Maps available for inspection at the District Office, 200 Murray Hill Road, East Rutherford, New Jersey.				
Send comments to Honorable Anthony Scardino, Jr., Executive Director of the Hackensack Meadows Development Commission, District Office, 200 Murray Hill Road, East Rutherford, New Jersey 07073.				
New Jersey	Hazlet, township, Monmouth County	Waackaack Creek	Downstream corporate limits.....	*5
			Upstream corporate limits.....	*10
		East Creek	Downstream corporate limits.....	*12
			Virginia Avenue (upstream side).....	*16
			Approximately 1,555 feet upstream of Middle Road.....	*27
		Fiat Creek	Downstream corporate limits.....	*12
			Middle Road (upstream side).....	*23
			Upstream corporate limits.....	*44
		Monascunk Creek	Confluence with Fiat Creek.....	*17
			State Route 35 (upstream side).....	*44
			Upstream corporate limits.....	*61
Maps available for inspection at the Municipal Building, 319 Middle Road, Hazlet, New Jersey.				
Send comments to Honorable Carmine Coppola, Mayor of Hazlet, Municipal Building, 319 Middle Road, Hazlet, New Jersey 07730.				

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
New Jersey	Lakehurst, borough, Ocean County	Union Branch	Confluence of Manapaqua Brook/downstream corporate limits	*50
			State Route 37 (upstream side)	*51
			Wranglebrook Road (upstream side)	*53
			Brook Street (upstream side)	*58
			Lake Street (upstream side)	*64
			Entire shoreline within community	*64
		Blacks Branch	Confluence with Union Branch	*50
			Corporate limits, approximately 250 feet downstream of State Route 70.	*53
			Corporate limits, approximately 1,100 feet upstream of State Route 70.	*57
		Manapaqua Brook	Conrail (upstream side)	*58
			Center Street	*60
			Approximately 1,500 feet upstream of Center Street	*64
Old Hurricane Brook	Entire shoreline within community	*64		
Maps available for inspection at the Municipal Building, Five Union Avenue, Lakehurst, New Jersey. Send comments to Honorable Michael Fuccile, Mayor of Lakehurst, Municipal Building, Five Union Avenue, Lakehurst, New Jersey 08733.				
New Jersey	Pennsville, township, Salem County	Delaware River	Entire shoreline within corporate limits	*9
		Salem River	Entire shoreline within corporate limits	*9
Maps available for inspection at the Municipal Building, 90 North Broadway, Pennsville, New Jersey. Send comments to Honorable Donald W. Sparks, Mayor of Pennsville, Municipal Building, 90 North Broadway, Pennsville, New Jersey 08070.				
New York	Chatham, Town, Columbia County	Stony Kill	Downstream corporate limits	*439
			Upstream of Conrail	*502
			Upstream of Columbia Corp Drive	*529
			Upstream of Percy Hill Road	*592
			Upstream of Rock City Road	*628
		Valatie Kill	Upstream corporate limits	*654
			Downstream corporate limits	*299
			Upstream of Dorn Road	*331
			Upstream corporate limits	*352
Maps available for inspection at the Chatham Town Hall, Valatie, New York. Send comments to Honorable Betsy Palladino, Supervisor of Chatham, Town Hall, R.D. 2, Valatie, New York 12184.				
New York	Chatham, Village, Columbia County	Stony Kill	Downstream corporate limits	*382
			Upstream of State Route 66	*407
			Upstream of Dam	*433
			Upstream corporate limits	*439
Maps available for inspection at the Village Hall, 77 Main Street, Chatham, New York. Send comments to the Honorable Joan Diskin, Mayor of the Village of Chatham, Village Hall, 77 Main Street, Chatham, New York 12037.				
New York	Cobleskill, town, Schoharie County	Cobleskill Creek	Downstream corporate limits	*719
			Upstream of Howes Cave Road	*754
			Upstream of Barnerville Road	*824
			Approximately 3,200' upstream of Barnerville Road	*851
			Approximately 20,000' downstream of upstream corporate limits	*879
			Upstream corporate limits	*919
Maps available for inspection at the Town Office, Union Street, Cobleskill, New York. Send comments to Honorable Daniel Larkin, Supervisor of Cobleskill, Box 14, Lawersville, New York 12113.				
New York	Fort Edward, town, Washington County	Hudson River	Downstream corporate limits	*112
			Upstream of Crocker Reef Dam	*128
		Tributary A	Upstream corporate limits	*141
			Confluence with Champlain Canal	*112
		Tributary B	Approximately 400' upstream of Blodgett Road	*140
			Confluence with Tributary A	*122
		Tributary C	Approximately 270' upstream of Blodgett Road	*127
			Confluence with Tributary B	*122
Approximately 150' upstream of Blodgett Road	*129			
Maps available for inspection at the Town Hall, 118 Broadway, Fort Edward, New York. Send comments to Honorable William Montgomery, Supervisor of Fort Edward, Town Hall, 118 Broadway, Fort Edward, New York 12828.				
New York	Hunter, town, Greene County	Schoharie Creek	Downstream corporate limits	*1,544
			Approximately 3,800' upstream corporate limits	*1,570
			Approximately 12,000' upstream corporate limits	*1,620
			Confluence of tributary to Schoharie Creek	*1,670
			Abandoned railroad abutments (upstream)	*1,717
			Confluence with Gooseberry Creek	*1,729
		Stony Clove Creek	Approximately 2,900' upstream confluence with Gooseberry Creek	*1,742
			Downstream corporate limits	*1,167
		Stony Clove Creek	Approximately 5,000' upstream of downstream corporate limits	*1,240
			Lanesville Road (upstream)	*1,290
		Wright Pond (upstream)	*1,403	
		Benjamin Road (downstream)	*1,500	

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
		Gooseberry Creek	Approximately 7,100' upstream Benjamin Road.....	*1,752
			Confluence of Schoharie Creek	*1,729
			Bloomer Road (upstream)	*1,767
		Sawmill Creek	Approximately 3,400' upstream Bloomer Road	*1,820
			Downstream corporate limits.....	*1,909
			Approximately 3,500' downstream of upstream corporate limits.....	*1,940
Maps available for inspection at the Town House, Route 23A, Tannersville, New York.				
Send comments to Honorable Phillip E. Thorpe, Supervisor of the Town of Hunter, Town House, Route 23A, Tannersville, New York 12485.				
New York.....	Hunter, village, Greene County.....	Schoharie Creek.....	Downstream corporate limits.....	*1,544
			Bridge Street bridge (upstream).....	*1,589
			Greene County Route 83 (upstream).....	*1,612
			Upstream corporate limits.....	*1,620
			Approximately 1,600' upstream corporate limits.....	*1,629
Maps available for inspection at the Village Hall, Main Street, Hunter, New York.				
Send comments to Honorable Sandra Marino, Mayor of the Village of Hunter, P.O. Box 343, Hunter, New York 12442.				
New York.....	Kinderhook, town, Columbia County.....	Kinderhook Creek.....	Approximately 5,900' upstream of the downstream corporate limits.....	*191
			Approximately 3,200' upstream of State Route 9H.....	*212
		Valatie Kill.....	Corporate limits with the Village of Valatie.....	*248
			Upstream corporate limits.....	*299
Maps available for inspection at the Kinderhook Town Hall, Church Street, Niaverville, New York.				
Send comments to Honorable John Scheriff, Supervisor of the Town of Kinderhook, Town Hall, Church Street, Niaverville, New York 12130.				
New York.....	Kinderhook, village, Columbia County.....	Kinderhook Creek.....	Downstream corporate limits.....	*192
			Upstream corporate limits.....	*207
Maps available for inspection at the Village Hall, Chatham Street, Kinderhook, New York.				
Send comments to Honorable Howard W. Wheeler, Mayor of the Village of Kinderhook, Village Hall, Chatham Street, Kinderhook, New York 12106.				
New York.....	McGraw, village, Cortland County.....	Trout Brook.....	Downstream corporate limits.....	*1,125
			Hollow Road.....	*1,154
			Upstream corporate limits.....	*1,159
		Mosquito Creek.....	At confluence with Trout Brook.....	*1,149
			Upstream Highlane Avenue.....	*1,178
			Upstream corporate limits.....	*1,206
		Smith Brook.....	At confluence with Trout Brook.....	*1,153
			Upstream corporate limits.....	*1,172
Maps available for inspection at the Village Office, Cemetery Street, McGraw, New York.				
Send comments to Honorable Donald Niver, Mayor of McGraw, Village Office, Cemetery Street, McGraw, New York 13101.				
New York.....	New Scotland, town, Albany County.....	Normans Kill.....	Downstream corporate limits.....	*120
			Upstream corporate limits.....	*127
		Onesquethaw Creek.....	Approximately 1,900' downstream of Powell Hill Road.....	*597
			Upstream of Powell Hill Road.....	*628
			Upstream of Clarksville South Road.....	*764
			Approximately 375' upstream of Wolf Hill Road.....	*933
		Vly Creek.....	Downstream corporate limits.....	*127
			Upstream of Abandoned Dam.....	*146
			Upstream of Krum Kill Road.....	*296
			Upstream of 1st Private Drive.....	*342
			Downstream of Picard Road.....	*365
Maps available for inspection at the Town Hall, New Scotland Road, Slingerlands, New York.				
Send comments to Honorable Stephen Wallace, Supervisor of New Scotland, Town Hall, New Scotland Road, Slingerlands, New York 12159.				
New York.....	Northumberland, town, Saratoga County.....	Hudson River.....	At downstream corporate limits.....	*96
			Downstream of Fort Miller Dam.....	*112
			At upstream corporate limits.....	*129
Maps available for inspection at the Town Hall, Ballstonspa, New York.				
Send comments to Honorable Ann Eastman, Catherine Street, Gansevoort, New York 12831.				
New York.....	Orchard Park, Town, Erie County.....	South Branch, Smokes Creek.....	Downstream corporate limits.....	*646
			Approximately 400' upstream of Milestrip Road.....	*661
			Upstream of West Webster Road.....	*689
			Confluence of South Tributary to South Branch Smokes Creek.....	*720
			Upstream of California Road.....	*747
			Downstream of U.S. Route 219.....	*776
			Upstream of Duerr Road.....	*802
			Downstream of Jewett Holmwood Road.....	*861

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			Downstream of Dennis Road.....	*904
			Upstream of Freeman Road.....	*918
			Approximately 2,000' upstream of Freeman Road.....	*940
			Approximately 3,800' upstream of Freeman Road.....	*965
			Approximately 100' upstream of State Route 240.....	*1,009
		Tributary to South Branch Smokes Creek.	Confluence with South Branch Smokes Creek.....	*704
			Downstream of California Road.....	*750
			Upstream of U.S. Route 219.....	*775
			Approximately 100' downstream of New Taylor Road.....	*779
		South Tributary to South Branch Smokes Creek.	Confluence with South Branch Smokes Creek.....	*720
			Upstream of access road.....	*749
			Upstream of spillway.....	*760
			Approximately 4,000' downstream of Armor Duells Corner Road.....	*790
			Upstream of Murphy Road.....	*832
			Upstream of U.S. Route 219.....	*851
		Northwest Branch Smokes Creek.....	Downstream corporate limits.....	*680
			Approximately 220' upstream of Berg Road.....	*690
			Upstream of Lake Avenue.....	*725
			Confluence of Northeast Branch Smokes Creek.....	*740
			Downstream of Milestrip Road.....	*775
			Downstream of Baker Road.....	*812
			Downstream of East Quaker Street.....	*840
			Upstream of Freeman Road.....	*877
			Upstream of Jewett Holmwood Road.....	*896
			Downstream of Chessie System.....	*941
			Approximately 1,400' upstream of Chessie System.....	*960
			Approximately 3,800' upstream of Chessie System.....	*1,000
		Northeast Branch Smokes Creek.....	Approximately 700' upstream of footbridge.....	*1,023
			Confluence with Northwest Branch Smokes Creek.....	*740
			Downstream of access road.....	*779
			Approximately 3,200' upstream of Baker Road.....	*821
			Upstream of East Quaker Street.....	*859
			Upstream of Dam.....	*872
			Downstream of Transit Road.....	*892

Maps available for inspection at the Town Engineering Department, Municipal Building Annex, 6524 East Quaker Road, Orchard Park, New York.
Send comments to Honorable Eugene B. Woodard, Supervisor of Orchard Park, 4295 South Buffalo Street, Orchard Park, New York 14127.

New York.....	Riverhead, town, Suffolk County.....	Long Island Sound.....	Shoreline from the confluence of Wading River to eastern corporate limits (approximately 0.83 mile northeast of Herricks Lane (extended)).	*15
		Great Peconic Bay.....	Shoreline from Bay Avenue to Indian Point.....	*8
		Peconic River.....	Shoreline from Indian Point to a point 0.06 mile west of Riverside Drive (extended).	*8
			Shoreline from a point 0.06 mile west of Riverside Drive (extended) to a point 0.04 mile west of Millie Road (extended).	*9

Maps available for inspection at the Town Hall, 200 Howell Avenue, Riverhead, New York.
Send comments to Honorable Joseph F. Janoski, Town Supervisor of Riverhead, Town Hall, 200 Howell Avenue, Riverhead, New York 11901.

New York.....	Saltire, village, Suffolk County.....	Atlantic Ocean.....	Entire shoreline within community.....	*14
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Maps available for inspection at the Village Hall, Saltire, New York
Send comments to Honorable Jonathan Leigh, Mayor of Saltire, P.O. Box P226, Bay Shore, New York 11706.

New York.....	Shelter Island, town, Suffolk County.....	Gardiners Bay.....	Shoreline from Hay Beach Point to Cornelius Point.....	*12
			Shoreline from Cornelius Point to Reel Point.....	*13
			Shoreline from Reel Point to a point 0.02 mile northwest of Little Ram Island Drive (extended).	*12
			Shoreline from a point 0.02 mile northwest of Little Ram Island Drive (extended) to a point 0.1 mile northwest of Little Ram Island Drive (extended).	*11
			Shoreline from a point 0.1 mile northwest of Little Ram Island Drive (extended) to a point 0.5 mile northwest of Little Ram Island Drive (extended).	*10
			Shoreline from a point 0.5 mile northwest of Little Ram Island Drive (extended) to a point 0.6 mile northwest of Little Ram Island Drive (extended).	*11
			Shoreline from a point 0.6 mile northwest of Little Ram Island Drive (extended) to a point 0.9 mile east of Cobbetts Lane (extended).	*10
			Shoreline from 0.9 mile east of Cobbetts Lane (extended) to Burns Road (extended).	*11
			Shoreline from Burns Road (extended) to a point 0.59 mile east of Emerson Lane (extended).	*12
			Shoreline from a point 0.59 mile east of Emerson Lane (extended) to a point 0.31 mile southeast of Emerson Lane (extended).	*10
			Shoreline from a point 0.31 mile southeast of Emerson Lane (extended) to 0.46 mile east of Congdon Road (extended).	*12
			Shoreline from a point 0.46 mile east of Congdon Road (extended) to a point 0.31 mile east of Jupiters Lane (extended).	*10

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			Shoreline from a point 0.31 mile east of Jupiters Lane (extended) to a point 0.5 mile southeast of Jupiters Lane (extended).	*12
			Shoreline from a point 0.5 mile southeast of Jupiters Lane extended to a point 0.86 mile southeast of Jupiters Lane (extended).	*10
			Shoreline from a point 0.86 mile southeast of Jupiters Lane (extended) to a point 0.18 mile southeast of Sungic Point.	*12
			Shoreline from a point 0.18 mile southeast of Sungic Point to Nichols Point.	*13
		Shelter Island Sound	Shoreline from Nichols Point to Mashomack Point	*12
			Shoreline from Mashomack Point to a point 0.19 mile northwest of Mashomack Point.	*12
			Shoreline from a point 0.19 mile northwest of Mashomack Point to a point 0.03 mile northeast of South Ferry Road (extended).	*10
			Shoreline from a point 0.03 mile northeast of South Ferry Road (extended) to Gracies Lane (extended).	*11
			Shoreline from Gracies Lane (extended) to a point 0.11 mile west of Tarkettle Road (extended).	*10
			Shoreline from a point 0.11 mile west of Tarkettle Road (extended) to a point 0.15 mile northwest of Tarkettle Road (extended).	*9
			Shoreline from a point 0.15 mile northwest of Tarkettle Road (extended) to a point 0.09 mile northeast of Simpson Road (extended).	*8
			Shoreline from a point 0.09 mile northeast of Simpson Road (extended) to a point 0.09 mile southeast of Simpson Road (extended).	*9
			Shoreline from a point 0.09 mile southeast of Simpson Road extended to a point 0.06 mile northwest of Montclair Road (extended).	*10
			Shoreline from a point 0.06 mile northwest of Montclair Road (extended) to a point 0.73 mile northwest of Montclair Road (extended).	*9
			Shoreline from a point 0.73 mile northwest of Montclair Road (extended) to a point 0.26 mile northwest of Petticoat Lane (extended).	*8
			Shoreline from a point 0.26 mile northwest of Petticoat Lane (extended) to a point 0.12 mile south of Wheeler Drive (extended).	*9
			Shoreline from a point 0.12 mile south of Wheeler Drive (extended) to a point 0.03 mile northeast of Bayview Road (extended).	*8
			Shoreline from a point 0.03 miles northeast of Bayview Road (extended) to North Brand Drive (extended).	*9
			Shoreline from North Brand Drive (extended) to a point 0.9 mile northeast of South Silver Beach.	*10
			Shoreline from a point 0.9 mile northeast of South Silver Beach to Crab Creek Point.	*11
			Shoreline from Crab Creek Point to Hay Beach Point	*10

Maps available for inspection at the Town Hall, 44 North Ferry Road, Shelter Island, New York.

Send comments to Honorable Barbara Keyser, Town Supervisor of Shelter Island, Town Hall, 44 North Ferry Road, Shelter Island, New York 11964.

New York	Valatie, village, Columbia County	Kinderhook Creek	Downstream corporate limits	*207
			Upstream of downstream dam	*236
		Valatie Kill	Upstream corporate limits	*251
			Confluence with Kinderhook Creek	*215
			Upstream corporate limits	*248

Maps available for inspection at the Village Hall, Valatie, New York.

Send comments to Honorable Angelo M. Nero, Mayor of Valatie, Merchant Street, Valatie, New York 12184.

New York	Voorheesville, village, Albany County	Vly Creek	Downstream corporate limits	*307
			Upstream Conrail (1st crossing)	*318
			Upstream corporate limits	*339

Maps available for inspection at the Village Hall, 29 Voorheesville Avenue, Voorheesville, New York.

Send comments to Honorable Milton Bates, Mayor of Voorheesville, Village Hall, 29 Voorheesville Avenue, Voorheesville, New York 12186.

Ohio	(V) Hebron, Licking County	Hebron Tributary	About 1,225 feet downstream of Greenbriar Village entrance.	*878
			Just downstream of Broadway	*882
			About 160 feet downstream of Fifth Street	*884
			Just upstream of State Route 79	*887
		South Fork Licking River	About 1,550 feet upstream of State Route 79	*888
			About 1,300 feet upstream of State Route 79	*884
			About 1,900 feet upstream of State Route 79	*884

Maps available for inspection at the Mayor's Office, Town Hall, 116 West Main Street, Hebron, Ohio.

Send comments to Honorable Henry Porter, Mayor, Village of Hebron, Town Hall, 116 West Main Street, P.O. Box 898, Hebron, Ohio 43025.

Ohio	(V) Utica, Licking and Knox Counties	North Fork Licking River	About 1,700 feet downstream of State Route 13	*946
			Just upstream of Torrens Road	*959

Maps available for inspection at the Mayor's Office, Town Hall, Spring Street, Utica, Ohio.

Send comments to Honorable Alva Shoemaker, Mayor, Village of Utica, Town Hall, Spring Street, Utica, Ohio 43080.

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
Oregon	McMinnville (city), Yamhill County	South Yamhill River	25 feet upstream from center of McMinnville Spur Highway.	*119
		North Yamhill River	100 feet upstream from center of U.S. Highway 99	*113
		Baker Creek	At the intersection of creek and downstream corporate limit.	*116
		Cozine Creek	25 feet upstream from center of Hilary Street	*120
		North Fork Cozine Creek	150 feet upstream from center of Eleventh Street	*130

Maps available for inspection at City Hall, 230 2nd Street, McMinnville, Oregon.

Send comments to the Honorable Donald D. Porter, 230 2nd Street, McMinnville, Oregon 97128.

Pennsylvania	East Fallowfield, township, Chester County	West Branch of Brandywine Creek	Downstream corporate limits	*250
			Upstream of Strasburg Road	*253
			Approximately 4,600' upstream of Strasburg Road	*266
		Buck Run	Upstream corporate limits	*270
			Upstream of State Route 82	*326
			Corporate limits (1st crossing)	*337
			Corporate limits (2nd crossing)	*344
			Upstream of Conrail (downstream crossing)	*358
			Upstream of Buck Run Road	*364
			Upstream of Conrail (3rd crossing)	*391
			Upstream of West Glenrose Road	*404
			Upstream of Timacula Road	*413
			Upstream of Conrail (7th crossing)	*427
			Upstream of Conrail (9th crossing)	*446

Maps available for inspection at the East Fallowfield Township Municipal Building, R.D. 1, Coatesville, Pennsylvania.

Send comments to Honorable James Hook, Chairman of the East Fallowfield Board of Supervisors, R.D. 1, Box 387-A, Coatesville, Pennsylvania 19320.

Pennsylvania	Exeter, township, Luzerne County	Susquehanna River	Downstream corporate limits	*560
			Confluence of Sutton Creek	*570
			Confluence of Dymond Creek	*574
			Upstream of corporate limits	*575
		Sutton Creek	Confluence with Susquehanna River	*570
			Approximately 1,285 feet upstream of State Route 92	*600
			Approximately 1,920 feet upstream of State Route 92	*630

Maps available for inspection at the Exeter Municipal Building, Pittston, Pennsylvania.

Send comments to Honorable Donald Hoffman, Chairman of the Exeter Board of Supervisors, R.D. 1, Box 191, Pittston, Pennsylvania 18643.

Pennsylvania	Lower Windsor, Township, York County	Susquehanna River	Downstream corporate limits	*230
			Approximately 6,100' upstream of confluence of Canadochly Creek	*234
			Kreutz Creek	Upstream corporate limits	*239
		At downstream Meadow Road		*468
		Fishing Creek	At upstream corporate limits	*487
			Downstream of upstream side State Route 624	*544
		Cabin Creek	Downstream of Winters Road	*566
			At upstream corporate limits	*574
			Approximately 2,200' downstream of Forge Hill Road	*299
			Upstream of State Route 124	*314
		Cabin Creek Tributary No. 1	Upstream of Meisenhelder Road	*328
			Upstream of Prayer Mission Road	*352
			Approximately 100' upstream of Furance Road	*382
		Cabin Creek Tributary No. 2	Confluence with Cabin Creek	*349
			Downstream of State Route 124	*367
		Canadochly Creek	Approximately 70' upstream of Cabin Creek Road	*367
			Confluence with Cabin Creek	*386
		Canadochly Creek	Approximately 1,750' upstream of Manor Road	*404
			Confluence with Susquehanna River	*233
			Upstream of Bank Hill Road	*272
			Approximately 1,600' downstream of Water Street	*312
				Approximately 200' upstream of Road T-774	*348

Maps available for inspection at the Lower Windsor Township Office, R.D. 1, Wrightsville, Pennsylvania.

Send comments to Honorable Samuel Graham, Chairman of the Lower Windsor Board of Supervisors, Township Office, R.D. 1, Wrightsville, Pennsylvania 17345.

Pennsylvania	Warrington, township, York County	Conewago Creek	2.63 miles downstream of Harmony Grove Road	*361
			Upstream of Harmony Grove Road	*371
			Upstream corporate limits	*372
		Conewago Creek Tributary	Confluence with Conewago Creek	*369
			Upstream of Dettlers Mill Road	*375
			Upstream of New York Road	*388

Maps available for inspection at the Warrington Township Building, Russville, Pennsylvania.

Send comments to Honorable Vernon W. Dutrey, Chairman of the Warrington Board of Supervisors, Box 38, Russville, Pennsylvania 17358.

Pennsylvania	Washington, township, York County	Conewago Creek	Downstream corporate limits and confluence of Bermudian Creek	*372
			Downstream Davidsburg Road	*378
			Approximately 2,500' downstream of Big Mount Road	*385
		Bermudian Creek	Approximately 10,200' upstream of Big Mount Road	*392
			Downstream corporate limits and confluence with Conewago Creek	*372

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			Approximately 500' upstream of Bermudian Church Road.	*373
		North Branch.....	Approximately 900' downstream of Bentz Mill Road.....	*445
		Bermudian Creek.....	Upstream State Route 194.....	*474
			Upstream corporate limits.....	*491
		Tributary No. 1.....	Confluence with North Branch Bermudian Creek.....	*458
			Approximately 500' upstream of Mount Top Road.....	*462
		Tributary No. 2.....	Confluence with North Branch Bermudian Creek.....	*459
			Approximately 50' upstream of Barren Church Road.....	*461

Maps available for inspection at the Washington Township Building.

Send comments to Honorable Lynn L. Slough, Jr., Chairman of the Washington Board of Supervisors, R. D. 1, East Berlin, Pennsylvania 17316.

Pennsylvania.....	West Manheim, township, York County.....	West Branch Codorus Creek.....	Confluence with Lake Marburg.....	*623
			Upstream of Black Rock Road.....	*634
			Upstream of private road.....	*647
			Upstream of Fuhrman Mill Road.....	*663
			Upstream of private road.....	*676
			Approximately 500 feet upstream of private road.....	*684
			Approximately 600 feet downstream of Musselman Road.	*694
		South Branch Conewago Creek.....	Approximately 200 feet upstream of Musselman Road.....	*706
			At downstream corporate limits.....	*593
			Upstream of Westminster Avenue.....	*604
			Upstream of Beck Mill Road.....	*615
			Upstream of Sunset Drive.....	*626
			Upstream of Shorbs Hill Road.....	*644
			Downstream of Lawrence Drive.....	*664
			Upstream of Lawrence Drive.....	*667
			Upstream of Park Entrance.....	*677
		Furnace Creek.....	At confluence with Lake Marburg.....	*623
			Upstream of private road.....	*635
			Upstream of farm road.....	*637
			Upstream of Pumping Station Road.....	*649
			Downstream of Fuhrman Mill Road.....	*708
			Approximately 150 feet upstream of Fuhrman Mill Road.	*711

Maps available for inspection at the Township Building, West Manheim, Pennsylvania.

Send comments to Honorable John Vernon Scott, Chairman of the West Manheim Board of Supervisors, R. D. 1, Box 368, Hanover, Pennsylvania 17331.

Pennsylvania.....	West Pikeland, township, Chester County.....	Pickering Creek.....	Upstream of Pikeland Road.....	*245
			Upstream of Chester Springs Road.....	*262
			Upstream of 2nd private road.....	*280
			Upstream of Conestoga Road.....	*311
			Upstream of private road.....	*324
			At upstream corporate limits.....	*337
		Pine Creek.....	Downstream of Conestoga Road.....	*346
			Approximately 1,845' upstream of Conestoga Road.....	*359
			Approximately 400' upstream of downstream corporate limits.	*386

Maps available for inspection at the residence of the Township Secretary, Routes 113, and 401, Chester Springs, Pennsylvania. Please call (215) 827-9218.

Send comments to Honorable Alfred Brady Chairman of the West Pikeland Board of Supervisors, Tally Ho Lane, Chester Springs, Pennsylvania 19425.

Tennessee.....	Town of Smyrna, Rutherford County.....	Stewart Creek.....	Just downstream of Louisville and Nashville Railroad (abandoned).	*513
			Just upstream of Enon Springs Road.....	*523
			Just downstream of U.S. Highways 41 and 705.....	*524
		Harts Branch.....	Approximately 200 feet upstream of Maple View Street..	*519
			Just upstream of U.S. Highways 41 and 705.....	*525
		Rock Spring Branch.....	Just downstream of Old Nashville Pike.....	*544

Maps available for inspection at Town Hall, 311 Lowry Street, Smyrna, Tennessee 37167.

Send comments to Mayor J. Sam Ridley or Mr. J. Michael Woods, City Clerk, Town Hall, P.O. Box 876, Smyrna, Tennessee 37167.

Texas.....	City of Burkburnett, Wichita County.....	Gilbert Creek.....	Approximately 220 feet upstream of Sheppard Road (State Highway 240).	*988
			Just downstream of Highways 277-281 4 Bridges (First bridge from the left side).	*994

Maps available for inspection at City Hall, 415 Avenue C, Burkburnett, Texas 76354.

Send comments to Mayor Pat Norris or Mr. Gary Bean, City Manager, City Hall, 415 Avenue C, Burkburnett, Texas 76354.

	City of Iowa Park, Wichita County.....	Buffalo Creek Tributary.....	Just downstream of West Smith Avenue.....	*1,013
		Gordon Creek.....	Just upstream of North Atlantic Street.....	*1,016
			Approximately 200 feet downstream of North Penn Street (extended).	*1,020

Maps available for inspection at City Hall, 103 North Wall Street, Iowa Park, Texas 76367.

Send comments to Mayor Johnny Crawford or Mr. Steve Morath, City Administrator, City Hall, P.O. Box 190, Iowa Park, Texas 76367.

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
Texas	City of Mont Belvieu, Chambers County	Smith Gully	Just downstream of State Road 207 Approximately 100 feet upstream of Winfree Road	*24 *54

Maps available for inspection at City Hall, 1111 Avenue A, Mont Belvieu, Texas 77580.

Send comments to Mayor Fred Miller, Sr., City Hall, 1111 Avenue A, Mont Belvieu, Texas 77580.

Texas	City of Sweeny, Brazoria County	Stevenson Slough	Just upstream of Stevenson Street Just downstream of Elm Street Just downstream of Ashley Wilson Road Just upstream of Ashley Wilson Road	*27 *30 *33 *37
		Shallow Flooding	At the intersection of McKinney Street and Brockman Street	*1

Maps available for inspection at City Hall, 111 West Third Street, Sweeny, Texas 77480.

Send comments to Mayor A. M. Anderson, or Mr. Kenneth Lott, Director of Public Services, City Hall, P.O. Box 248, Sweeny, Texas 77480.

¹ Average depth 1 foot.

Virginia	Cape Charles, town, Northampton County	Chesapeake Bay	Entire shoreline within community	*7
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Maps available for inspection at the Municipal Building, Cape Charles, Virginia.

Send comments to Honorable Charles Saddler, Town Manager of Cape Charles, P.O. Box 391, Cape Charles, Virginia 23310.

Virginia	Northampton County	Atlantic Ocean	From northern corporate limits to a point 0.16 mile south of corporate limits.	*13
			From a point 0.16 mile south of corporate limits to a point 9.26 miles south of corporate limits.	*14
			From a point 9.26 miles south of corporate limits to the Chesapeake Bay Bridge/Tunnel at Fishermans Island.	*13
		Chesapeake Bay	From Chesapeake Bay Bridge/Tunnel at Fishermans Island to confluence of Old Plantation Creek.	*11
			Old Plantation Creek from confluence to Hunts Point	*10
			Old Plantation Creek from Hunts Point to a point 5,500 feet upstream of Hunts Point.	*9
			Old Plantation Creek upstream from a point 5,500 feet upstream of Hunts Point.	*8
			From confluence of Old Plantation Creek to confluence of Cherrystone Inlet.	*11
			Cherrystone Inlet from confluence to confluence of Old Castle Creek.	*10
			Cherrystone Inlet from confluence of Old Castle Creek to a point 8,700 feet upstream of Old Castle Creek.	*9
			Cherrystone Inlet upstream of a point 8,700 feet upstream of Old Castle Creek.	*8
			From confluence of Cherrystone Inlet to confluence of the Gulf.	*11
			The Gulf from confluence to a point 3,450 feet upstream of confluence.	*9
			The Gulf upstream of a point 3,450 feet upstream of confluence.	*8
			From confluence of the Gulf to confluence of Barlow Creek.	*11
			Barlow Creek from confluence to a point 4,975 feet upstream of confluence.	*9
			Barlow Creek upstream of a point 4,975 feet upstream of confluence.	*8
			From confluence of Barlow Creek to confluence of Mattawoman Creek.	*11
			Mattawoman Creek from confluence to a point 6,750 feet upstream of confluence.	*9
			Mattawoman Creek upstream from a point 6,750 feet upstream of confluence.	*8
			From confluence of Mattawoman Creek to confluence of Hungars Creek.	*11
			Hungars Creek from confluence to a point 13,225 feet upstream of confluence.	*9
			Hungars Creek upstream from a point 13,225 feet upstream of confluence.	*8
			From confluence of Hungars Creek to confluence of Nassawaddox Creek.	*11
			Nassawaddox Creek from confluence to a point 3,650 feet upstream of confluence.	*10
			Nassawaddox Creek from a point 3,650 feet upstream of confluence to confluence of Church Creek.	*9
			Church Creek upstream from confluence with Nassawaddox Creek.	*8
			Nassawaddox Creek from confluence of Church Creek to a point 4,350 feet upstream of confluence of Church Creek.	*9
			Nassawaddox Creek upstream from a point 4,350 feet upstream of confluence of Church Creek.	*8
			Holly Grove Cove	*8
			Warehouse Creek	*8
			From confluence of Nassawaddox Creek to confluence of Occohannock Creek at northern corporate limits.	*11
			Occohannock Creek from confluence to confluence of Johnson Cove.	*10
			Occohannock Creek from confluence of Johnson Cove to Concord Point.	*9

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)
			Ocohanock Creek upstream from Concord Point.....	*8

Maps available for inspection at the Department of Planning and Zoning, Northampton County Courthouse, Eastville, Virginia.

Send comments to Honorable R. Keith Bull, Northampton County Administrator, P.O. Box 66, Eastville, Virginia 23347.

Virginia.....	Southampton County.....	Nottoway River.....	Downstream corporate limits.....	*11
			Approximately 7,000 feet downstream of U.S. Route 258.	*12
			Approximately 2,300 feet downstream of Seaboard Coast Line Railroad.	*17
			State Route 671 (upstream).....	*19
			Approximately 5,800 feet downstream of U.S. Route 58 bypass (under construction).	*21
			U.S. Route 58 bypass (under construction) (upstream).....	*23
			Norfolk, Franklin, and Danville Railway (upstream).....	*25
			Approximately 11,600 feet upstream of Norfolk, Franklin, and Danville Railway.	*27
		Blackwater River.....	State Route 189 (upstream).....	*13
			Approximately 2,000 feet upstream of U.S. Route 58 bypass (under construction).	*14
			Approximately 5,750 feet downstream of State Route 619.	*22
		Tarrara Creek.....	Approximately 3,980 feet upstream of State Route 619.	*23
			Approximately 3,570 feet downstream of Seaboard Coast Line Railroad.	*31
			Seaboard Coast Line Railroad (downstream).....	*33
			State Route 35 (downstream).....	*36
			Approximately 4,100 feet upstream of State Route 35.....	*40

Maps available for inspection at the Southampton County Courthouse, Courtland, Virginia.

Send comments to Honorable Joseph E. Johnson, Southampton County Administrator, P.O. Box 406, Courtland, Virginia 23837.

Washington.....	Thurston County (unincorporated areas).....	Deschutes River.....	100 feet upstream of intersection of Deschutes River and Henderson Boulevard.	*118
			150 feet upstream of intersection of Deschutes River and Vail Road Southeast.	*416
		Skookumchuck River.....	200 feet downstream of intersection of Skookumchuck River and Tyrrell Road.	*280
		Scatter Creek.....	40 feet downstream of intersection of Scatter Creek and Morningside Drive.	*257
		Scatter Creek Tributary.....	Intersection of Scatter Creek and Mull Street Southeast.	*282
		Chehalis River.....	200 feet upstream of intersection of Chehalis River and Prather Road Southwest.	*143
		Black River.....	100 feet upstream, of intersection of Black River and 128th Avenue.	*128
		Outlet of Black Lake.....	25 feet downstream of intersection of Outlet of Black Lake and Black Lake Road.	*129
		Percival Creek.....	50 feet downstream of intersection of Percival Creek and 54th Avenue Southwest.	*157
		Woodland Creek.....	75 feet downstream of intersection of Woodland Creek and Draham Street Northeast.	*63
		Nisqually River.....	Intersection of Nisqually River and Old Pacific Highway.	*20
			25 feet downstream of intersection of Nisqually River and State Highway 507.	*901
		Long Lake.....	Intersection of Long Lake outlet and Burlington Northern and Union Pacific Railroad.	*153
		Capitol Lake.....	At Interstate Highway 5.....	*11
		Budd Inlet.....	At entrance to Puget Sound.....	*11
		Nisqually Beach.....	At mouth of Nisqually River.....	*10

Maps available for inspection at Public Works Department, 2000 Lake Ridge Drive, SW., Building No. 1, 2nd Floor, Olympia, Washington.

Send comments to the Honorable Karen Fraser, 2000 Lake Ridge Drive, SW., Building No. 1, Room 269, Olympia, Washington 98502.

Wisconsin.....	(V), East Troy, Walworth County.....	Honey Creek Lake.....	Shoreline.....	*834
		Honey Creek.....	About 1.0 mile downstream of Church Street.....	*824
			Just upstream of Church Street.....	*827

Maps available for inspection at the Village Hall, 2106 Church Street, East Troy, Wisconsin.

Send comments to Honorable Kenneth Pluess, Village President, Village of East Troy, Village Hall, 2106 Church Street, East Troy, Wisconsin 53120.

Wisconsin.....	(C), Muskego, Waukesha County.....	Little Muskego Lake.....	Shoreline.....	*794
		Muskego Lake.....	Shoreline.....	*774
		Lake Denoon.....	Shoreline.....	*781
		Jewel Creek.....	Mouth at Little Muskego Lake.....	*794
			Just downstream of College Avenue.....	*810
		Muskego Canal.....	About 1000 feet downstream of State Highway 36.....	*774
			Just upstream of Riese Road.....	*779
			Just downstream of Little Muskego Lake Dam.....	*787
		Unnamed Tributary of Muskego Canal.....	Mouth at Muskego Canal.....	*777
			Just upstream of North Racine Avenue.....	786
			About 1.1 miles upstream of North Racine Avenue.....	*800
		Lake Denoon Tributary.....	Mouth at Lake Denoon.....	*781
			Just upstream of Kelsey Drive.....	*804
		Tess Corners Creek.....	About 1500 feet downstream of confluence of Tess Corners Creek Tributary South.	*772
			About 200 feet upstream of Woods Road.....	*780

PROPOSED BASE (100-YEAR) FLOOD ELEVATIONS—Continued

State	City/town/county	Source of flooding	Location	# Depth in feet above ground. *Elevation in feet (NGVD)
			Just upstream of Tess Corners Drive near Belmont Drive.	*794
			Just downstream of College Avenue	*815
		Tess Corners Creek Tributary North.	Just upstream of Janesville Road Culvert	*806
			About 1700 feet upstream of Janesville Road Culvert	*829
		Unnamed Tributary to Wind Lake	About 7000 feet upstream of mouth at Wind Lake	*775

Maps available for inspection at the Office of the Building Inspector, City Hall, Box 25, Muskego, Wisconsin.

Send comments to Honorable Jerome Gottfried, Mayor, City of Muskego, City Hall, Box 25, Muskego, Wisconsin 53510.

Wisconsin	(V), West Salem, La Crosse County	La Crosse River	About 250 feet upstream of County Highway M (near downstream corporate limits).	*689
		Lake Nashonoc	At upstream corporate limits	*692
			Shoreline	*702

Maps available for inspection at the Office of the Village Clerk, Village Hall, 902 E. Garland, West Salem, Wisconsin.

Send comments to Honorable Marlin Hass, Village President, Village of West Salem, Village Hall, 902 E. Garland, West Salem, Wisconsin 54669.

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

Issued: March 1, 1982.

Lee M. Thomas,

Associate Director, State and Local Programs and Support.

[FR Doc. 82-7816 Filed 3-24-82; 8:45 am.]

BILLING CODE 6718-03-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Ch. I, Subchapters D and O and Parts 30, 32, and 35

[CGD 75-083 and CGD 75-083a]

Withdrawal of Proposals for Prevention of Oil Pollution for New and Existing Tank Barges

AGENCY: Coast Guard, DOT.

ACTION: Withdrawal of proposed rule and advance notice of proposed rulemaking.

SUMMARY: This notice withdraws the Proposals for Prevention of Oil Pollution for New and Existing Tank Barges that were published in the June 14, 1979 (44 FR 34440 and 34443) issue of the Federal Register. The proposals were based upon a series of studies by the Coast Guard and the withdrawals derive from review by the National Academy of Sciences. The Coast Guard will continue to pursue other alternatives in an effort to achieve an approach that will minimize the cost and maximize the net benefits.

ADDRESSES: Materials related to the rulemaking proposals, CGD 75-083 and CGD 75-083a, are available for examination at: Commandant (G-CMC-44), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, D.C. 20593. The National Academy of Sciences' report "Reducing Tankbarge Pollution" (NTIS AD No. A102118) is

available from: The National Technical Information Service, (NTIS), U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161, (703) 487-4650.

The proceedings of the "Workshop on Reducing Tankbarge Pollution" (NTIS AD No. A096126) are available from the NTIS at the preceding address, a limited number are also available from Commandant (G-MMT-1/12), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, D.C. 20593.

FOR FURTHER INFORMATION CONTACT:

Lieutenant Commander Alan E. Spackman, Merchant Marine Technical Division (G-MMT-1/12), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, D.C. 20593, (202) 426-2188.

SUPPLEMENTARY INFORMATION: A Notice of Proposed Rulemaking (NPRM) (CGD 75-083) proposing a double hull construction standard for new tank barges designated to carry oil in bulk and an Advance Notice of Proposed Rulemaking (ANPRM) (CGD75-083a) proposing the phase out of certain existing single hull tank barges were published in the Federal Register on Thursday, June 14, 1979 (44 FR 34440). Public hearings on these proposals were held in Washington, DC; Seattle, WA; New Orleans, LA; and St. Louis, MO.

Drafting Information: The principal persons involved in the drafting of this notice are: Lieutenant Commander Alan E. Spackman, Project Manager, Office of

Merchant Marine Safety, and Mr. Stanley M. Colby, Project Attorney, Office of the Chief Counsel.

Background

Considerable information was received concerning the proposals, both at the public hearings and in the written comments. Comments from financial institutions provided considerable insight as to the possible consequences of large scale retirement or costly redesign of existing single hull tank barges. These commenters voiced the opinion that a forced early retirement of single hull tank barges would have deleterious effects on the ability of barge owners to secure new financing for either barge redesign or new construction and that this would lead to the demise of many small companies.

Comments from the barge industry were overwhelmingly in opposition to the proposals. The comments provided good insight into industry's concerns; however, no alternatives were offered for existing barges that would approach the same degree of pollution preventive effectiveness expected for double hulls. Some commenters questioned the scope of the proposals for new barges, indicating areas where unique trades had developed that had safety records which do not warrant corrective actions. Two studies commissioned by the American Waterways Operators, Inc., a trade association, were also submitted

to the docket in opposition to the proposals.

Other comments varied. Some advocated more stringent phase out measures and some fully supported the Coast Guard proposal.

National Academy of Sciences Study

As a result of the controversy over the proposals and because the Coast Guard views oil pollution from tank barges as a national concern, it asked the Maritime Transportation Research Board (MTRB) of the National Academy of Sciences (NAS) to study the tank barge oil pollution problem and recommend alternatives for solving the problem. On March 13, 1980, the Coast Guard published a notice in the *Federal Register* (45 FR 16438) deferring further rulemaking on these regulatory proposals until the report of the NAS study was issued and considered. Subsequently, the MTRB created the Committee on Reducing Tankbarge Pollution to conduct the study. The Committee membership was chosen by the NAS to provide a balance of interests while providing expertise in all major facets of the tank barge industry. The Committee was aided in its study by liaison representatives from the Coast Guard and the Maritime Administration.

A two-day workshop was held in April 1980 to gather information and ideas for the Committee's consideration. Participants from industry, labor, government and environmental groups were invited to present papers and join in the discussions. The Coast Guard presented a study of in-service effectiveness of double hulls on tank barges as a pollution prevention measure. The two studies commissioned by the American Waterways Operators, Inc., as well as position papers by members of the tank barge industry were presented. Proceedings of the workshop were distributed to the participants.

The Committee's primary task was to examine the issues involved and evaluate methods for reducing tank barge oil pollution. The Committee was also asked to review the two regulatory proposals and to make related recommendations to the Coast Guard. The Committee was not limited to using the material, conclusions and recommendations from the workshop. All materials submitted to the Coast Guard for consideration in its rulemaking proposals were made available to the Committee. Further information, pertinent to the study, was contributed by both the Committee members and liaison members.

In its report, "Reducing Tankbarge Pollution," the Committee makes several conclusions which relate directly to the Coast Guard's proposals for tank barges:

- Accidental releases of oil from tank barges into U.S. rivers, lakes and coastal waters are frequent events and efforts to eliminate them are a proper matter of concern for both the Coast Guard and the tank barge operating companies.

- The retirement of usable single hull tank barges proposed in the ANPRM would be wasteful and would create unnecessary demands for new capital investment. The financial burdens could be of sufficient magnitude to bankrupt some barge operating companies.

- The proposed standards for new barges are too broad and all-encompassing. Operating conditions on inland rivers, intercoastal waterways, the Great Lakes and ocean waters are so different that the mere substitution of double hulls for single hulls is too simplistic a way of dealing with the problem of oil spills from tank barges. It is unlikely that a single regulation covering the entire tank barge industry would be a cost effective way of significantly reducing the amount of oil lost from tank barges.

- Much of the oil pollution from tank barges is the result of a relatively small number of catastrophic accidents.

- Double hulls would appear to provide better protection against oil spills in minor, low energy accidents than single hull tank barges but would appear to provide only marginally better protective in accidents resulting in large spills.

- The substitution of double hull tank barges for single hull tank barges could reduce the volume of oil spilled annually by approximately 690,000 gallons. This substitution would not prevent approximately 360,000 gallons annually in operational (transfer) spills nor the annual loss of approximately 910,000 gallons in catastrophic accidents.

Discussion

The Coast Guard has reviewed the report of the NAS' study and does not take issue with its conclusions regarding the June 14, 1979 NPRM and ANPRM. The Coast Guard does not agree with the conclusions and recommendations of the report in some areas not directly relating to those proposals.

The Coast Guard is committed by law to reduce pollution of the navigable waters of the U.S., wherever practicable. In this regard, the Coast Guard continues to believe that the frequency of accidental oil spills is too high. Continued efforts by both the Coast Guard and the tank barge industry are necessary to reduce the rate of polluting

incidents. Each year there is an average of 875 tank barge oil pollution incidents in U.S. waters, with about 2.4 million gallons of oil per year being spilled. Sixty-five percent of these incidents are operational in nature, that is, they result from personnel errors or equipment failures during transfer operations. The remaining 35 percent can be characterized as being casualty related, primarily the result of collisions, rammings and groundings. While they are the smallest in number, these 300 or so casualty related spills contribute 85 percent of the average volume of oil spilled (approximately 2 million gallons). In an average year, fewer than thirty of these casualty related incidents will result in spills of greater than 500 gallons. A small number of these will result in spills so large, 200,000 gallons or more, that the average size of all oil spills involving tank barges is in excess of 2,500 gallons. As a result of this highly skewed distribution, it is possible that a single action taken to reduce tank barge pollution may substantially reduce the number of polluting incidents while resulting in a seemingly insubstantial reduction in the volume of oil spilled.

Having examined the material submitted to the docket, as well as the NAS' report, the Coast Guard concurs with the NAS Committee's conclusion that the NPRM to require double hulls on new tank barges was too broad and all encompassing. Instances were identified where the proposed standards would have placed a severe burden on barge owners while being of little demonstrable benefit. The pollution reducing potential of a double hull standard, which according to the NAS' study, could prevent nearly 80 percent of the casualty related incidents and over 25 percent of the volume of oil spilled due to accidents, is higher than the potential which can be demonstrated for any other single alternative identified thus far. Targeting the rulemaking to those geographic areas where the maximum benefit could be demonstrated would appear logical. This action would limit the double hull standards to portions of the western rivers and the intercoastal waterways. Unfortunately, such targeting is potentially very disruptive, drastically altering the potential, if not actual, trading patterns of tank barges. It would also be difficult to enforce. While, from a regulatory standpoint, the geographic targeting of the requirements may not be feasible, the fact remains (in spite of some controversy as to the rate at which it is occurring and the final percentage of vessels involved) that since 1971 a steadily increasing percentage of new

tank barges built for use on these waterways is double hulled. The Coast Guard believes this is a desirable trend and is encouraging the continued construction of double hull barges by establishing inspection standards which appropriately recognize the differences between the maintenance characteristics of inland tank barges with double hull and single hull construction.

The ANPRM proposing the forced attrition of existing single hull tank barges was put forward by the Coast Guard as a means: (1) of being able to accelerate the benefits which would be provided by the construction of new tank barges with double hulls; and (2) to stimulate the identification of alternative means of achieving the same goal. Without a requirement for double hulls on new barges, the accelerated retirement of existing single hull barges is not a substantive issue. The Coast Guard agrees with the NAS Committee's finding that the forced retirement of serviceable single hull tank barges would be wasteful and place undue financial burdens on the tank barge industry. The NAS Committee suggested that improved inspection be considered as an alternative measure for existing tank barges. The Coast Guard has already taken actions to re-enforce its inspection standards for tank barges. This effort will continue within the limits of the resources available.

The Coast Guard has many on-going projects, many non-regulatory in nature, which parallel the actions recommended by the NAS' Committee. While these actions do not relate directly to the tank barge proposals, the NAS Committee believes such actions would offer alternatives to the double hull proposals. The most significant of these projects include:

- Attempts to better understand the cause and nature of maneuvering accidents through the use of the Coast Guard's maneuvering simulator to model specific waterway segments and evaluate maneuvering conditions.
- Continued efforts to improve aids to navigation. This is being accomplished through the addition of new visual aids on bridges, replacement of aged river tenders, assignment of additional vessels to certain problem areas, and basic design research to improve the reliability and performance of aids to navigation.
- Continued work, through the Towing

Safety Advisory Committee (TSAC) and the regulatory process to improve the regulations for Qualifications of Persons in charge of Oil Transfer Operations and for Tankerman Requirements (45 FR 83268) and 83290: CGD 80-16 and 80-116a).

• In response to the recommendations of the NAS' Committee the Coast Guard is initiating the following additional actions:

• The Coast Guard will ask TSAC to: (1) consider the improved structural design items recommended by the NAS' Committee; (2) comment on the feasibility and economic impact of incorporating these items into new barge construction; and (3) provide guidance as to the best means to encourage the inclusions of worthwhile design concepts in the construction of new barges.

• The Coast Guard will work with the American Bureau of Shipping (ABS) and TSAC to determine if there exists a quantifiable difference between the ABS standards for barge construction and the nominal standards for new barges, as required by their owners. If a difference does exist, attempts will be made to determine its effect on reducing oil pollution.

• The Coast Guard will, as resources permit, investigate the damaged survivability of existing inland oil barges in an effort to determine if a subdivision or damaged survivability standard would be worthy of consideration as a pollution prevention method. TSAC will be asked to determine what standard, if any, is currently being applied on a voluntary basis by the towing industry when contracting for new barges.

Withdrawal of Proposals

In accordance with the preceding, the notice of proposed rulemaking, CGD 75-083 (44 FR 34440), and the advance notice of proposed rulemaking, CGD 75-083a (44 FR 34443), are hereby withdrawn.

(R. S. 4417a (46 U.S.C. 391a, as amended by Pub. L. 95-474, Port and Tanker Safety Act of 1978); 49 CFR 1.46(n)(4))

March 11, 1982.

J. B. Hayes,
Admiral, Coast Guard Commandant.

[FR Doc. 82-7965 Filed 3-24-82; 8:45 am]

BILLING CODE 4910-14-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[BC Docket No. 81-854; RM-3898]

FM Broadcast Station in Sebewaing and Tawas City, Michigan; Order Extending Time for Filing Reply Comments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of reply comment period.

SUMMARY: Action taken herein extends the time for filing reply comments in the proceeding involving the proposed assignment of an FM channel to Sebewaing, Michigan, and the substitution of one FM channel for another at Tawas City, Michigan. Petitioner, Gaeth/Hofmeister, Inc., requests the additional time to submit a response to comments submitted by Carroll Enterprises, Inc.

DATE: Reply comment must be filed on or before March 23, 1982.

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

FOR FURTHER INFORMATION CONTACT: Montrose H. Tyree, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION: In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Sebewaing and Tawas City, Michigan); Order extending time for filing reply comments.

Adopted: March 10, 1982.

Released: March 15, 1982.

1. On September 8, 1981, the Commission adopted a *Notice of Proposed Rule Making*, 46 FR 61677, December 18, 1981, proposing the assignment of Channel 280A to Sebewaing, Michigan, and the substitution of Channel 257A for Channel 280A at Tawas City, Michigan. The date for filing reply comments was February 16, 1982.

2. Gaeth/Hofmeister, Inc. (petitioner) has filed a request for a 14 day extension of time stating that the additional time is needed to reply to the opposition of Carroll Enterprises, Inc. It adds that it received the comments of Carroll Enterprises too late to file a timely response and that it requested an extension immediately upon receipt of

the comments but that request was not received by the Commission.

3. Although the request of the petitioner did not meet the filing deadline as specified in § 1.46 of the Commission's Rules, it appears that the circumstances noted in the above paragraph justify the extension. We feel that the petitioner should be given an opportunity to submit reply comments and we note that no other party should be adversely affected by the extension.

4. Accordingly, it is ordered, that the date for filing reply comments in BC Docket No. 81-854 (RM-3898) is extended to and including March 23, 1982.

5. This action is taken pursuant to Sections 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and §§ 0.204(b) and 0.281 of the Commission's Rules.

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 82-8025 Filed 3-24-82; 8:45 am]

BILLING CODE 6712-01-M

Notices

Federal Register

Vol. 47, No. 58

Thursday, March 25, 1982

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

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Agreement Regarding Coal Mining Operations Authorized Pursuant to the Surface Mining Control and Reclamation Act of 1977

AGENCY: Advisory Council on Historic Preservation.

ACTION: Notice.

SUMMARY: This notice provides information about and invites comments on a proposed Programmatic Memorandum of Agreement providing for the identification and protection of historic and cultural properties that may be affected by coal mining operations authorized pursuant to the Surface Mining Control and Reclamation Act of 1977 (SMCRA).

DATE: Comments must be submitted on or before April 26, 1982.

ADDRESS: Executive Director, Advisory Council on Historic Preservation, 1522 K Street NW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Dr. Thomas F. King, Director, Office of Cultural Resource Preservation, Advisory Council on Historic Preservation, 1522 K Street, NW., Washington, D.C. 20005. Telephone: 202-254-3974.

SUPPLEMENTARY INFORMATION: The Council proposes to execute a Programmatic Memorandum of Agreement pursuant to § 800.8 of its regulations "Protection of Historic and Cultural Properties" (36 CFR Part 800), with the Office of Surface Mining (OSM), Department of the Interior, and the National Conference of State Historic Preservation Officers concerning coal mining operations authorized in accordance with SMCRA. The proposed Programmatic Memorandum of Agreement will establish standards for a comprehensive system by which historic properties will

be identified, evaluated, and treated in mine areas to meet the requirements of Section 106 of the National Historic Preservation Act (16 U.S.C. 470f). The intent of this system is to make the protection of historic properties uniform under SMCRA and to reduce the time and expense of treating historic properties as they are encountered during mining. Interested parties are encouraged to obtain a copy of the proposed Programmatic Memorandum of Agreement from the Council and submit comments.

Dated: March 19, 1982.

Robert R. Garvey, Jr.,
Executive Director.

[FR Doc. 82-7923 Filed 3-24-82; 8:45 am]

BILLING CODE 4310-10-M

Agreement Regarding Exchange of Lands Between the Bureau of Land Management and the State of Oregon

AGENCY: Advisory Council on Historic Preservation.

ACTION: Notice.

SUMMARY: The notice provides information about and invites comments on a proposed Programmatic Memorandum of Agreement providing for historic properties that may be affected by land exchanges between the Bureau of Land Management (BLM), U.S. Department of the Interior and the State of Oregon.

DATE: Comments must be submitted on or before April 26, 1982.

ADDRESS: Executive Director, Advisory Council on Historic Preservation, 44 Union Boulevard, Suite 616, Lakewood, Colorado 80228.

FOR FURTHER INFORMATION CONTACT: Brit Allan Storey, Western Division of Project Review, Advisory Council on Historic Preservation, 44 Union Boulevard, Suite 616, Lakewood, Colorado 80228. Telephone: 303-234-4946.

SUPPLEMENTARY INFORMATION: The Advisory Council on Historic Preservation proposes to execute a Programmatic Memorandum of Agreement pursuant to § 800.8 of its regulations, "Protection of Historic and Cultural Properties" (36 CFR Part 800), with BLM and the Oregon State Historic Preservation Officer concerning the exchange of Federal lands with lands of

similar value owned by the State of Oregon. The proposed Programmatic Memorandum of Agreement will establish a system to ensure adequate consideration of historic properties during such exchanges and thereafter, in order to meet the requirements of section 106 of the National Historic Preservation Act (16 U.S.C. 470f). Interested parties are encouraged to obtain a copy of the proposed Agreement from the Council and submit comments.

Dated: March 18, 1982.

Robert R. Garvey, Jr.,
Executive Director.

[FR Doc. 82-7922 Filed 3-24-82; 8:45 am]

BILLING CODE 4310-10-M

COMMISSION ON CIVIL RIGHTS

Alabama Advisory Committee; Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Alabama Advisory Committee to the Commission will convene at 1:00 p.m., and will end at 3:00 p.m., on April 22, 1982, at the Sheraton Riverfront, 200 Coosa Street, in Rooms L and N, Montgomery, Alabama, 36104. The purpose of this meeting is to conduct a press conference to release the report on Voting Rights from 1:00-1:30, and from 1:30-3:00 the Committee members will discuss the civil rights issues in Alabama.

Persons desiring additional information or planning a presentation to the Committee, should contact the Chairperson, Marie Jemison, 3328 Dell Road, Birmingham, Alabama, 35223, (205) 872-0283 or the Southern Regional Office, Citizens Trust Bank Building, 75 Piedmont Avenue, N.E., Room 362, Atlanta, Georgia, 30303, (404) 221-4391.

The meeting will be conducted pursuant to the provisions of the Rules and Regulations of the Commission.

Dated at Washington, D.C., March 22, 1982.

John I. Binkley,
Advisory Committee Management Officer.

[FR Doc. 82-8037 Filed 3-24-82; 8:45 am]

BILLING CODE 5335-01-M

DEPARTMENT OF COMMERCE

Minority Business Development Agency

Financial Assistance Application Announcement; Business Development Center (BDC) Program; Gary, Ind., SMSA

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice.

SUMMARY: The Minority Business Development Agency (MBDA) announces that it is soliciting applications for a cooperative agreement under its Business Development Center (BDC) program to operate a pilot project for a 12-month period beginning October 1, 1982 in the Gary SMSA. The cost of the project is estimated to be \$170,000. The maximum federal participation amount is \$153,000. The minimum amount required for non-federal participation is \$17,000. The project number is 05-10-82008-01.

Applicants shall be required to contribute at least 10% of the total program costs through non-federal funds. Cost sharing contributions can be in the form of cash contribution, fee for services or in-kind contributions.

CLOSING DATE: June 1, 1982.

ADDRESS: Chicago Regional Office, Minority Business Development Agency, 55 East Monroe Street, Suite 1440, Chicago, Illinois 60603.

FOR FURTHER INFORMATION CONTACT: John Kammerer, Special Projects Officer, Program Analyst, telephone 312/353-0192.

SUPPLEMENTARY INFORMATION:**A. Scope and Purpose of this Announcement**

Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to eligible clients in areas related to the establishment and operation of businesses. The BDC program is specifically designed to assist those minority businesses that have the highest potential for success. In order to accomplish this, MBDA offers Cooperative Agreements that can: coordinate and broker public and private sector resources on behalf of minority individuals and firms; offer them a full range of management and technical assistance; and serve as a conduit-through which and from which information and assistance to and about minority businesses are funneled.

B. Eligible Applicants

Awards shall be open to all individuals, non-profit organizations, for-profit firms, local and state governments, American Indian tribes and educational institutions.

C. Evaluation Process

All proposals received as a result of this announcement will be evaluated by a MBDA review panel.

D. Evaluation Criteria for Business Development Center Application

The evaluation criteria is designed to facilitate an objective evaluation of competitive applications for the Business Development Center program.

MBDA reserves the right to reject any or all applications, including the application receiving the highest evaluation, and will exercise this right when it is determined that it is in the best interest of the Government to do so (e.g., the apparent successful applicant has serious unresolved audit issues from current or previous grants, contracts or cooperative agreements with an agency of the Federal Government).

Evaluation of proposals will employ the following criteria:

I. Capability and Experience of Firm/Staff—Provide information that demonstrates the organization's capabilities and prior experiences in addressing the needs of minority business individuals and firms. Provide information that demonstrates the staff's capabilities and prior experiences in providing management and technical assistance to minority individuals and firms. Indicate previous experience in MBE community to be served in terms of: inventorying resources and opportunities; the brokering thereof; and providing management and technical assistance.

The following are key factors to be considered in this section:

Firm

—The organization's receptivity in the MBE community to be served, i.e., business contacts in the public and private sector; leadership responsibilities; and experience in assisting MBE business persons and firms. (References from clients assisted are pertinent.)

—Background credentials and references for the owners of the organization and a capability statement of what the organization can do.

—Knowledge of the geographic area to be served in terms of the needs minority businesses and past ongoing relationships with local public and private entities—that can possibly enhance the BDC program effort—i.e.,

Chambers of Commerce, trade associations, venture capital organizations, banks, SBA, HUD, state, city and county government agencies, etc.

Staff

—List personnel to be used. Indicate their salaries, educational level and previous experiences. Provide resumes for all professional staff personnel.

—Demonstrate competence among staff to effectuate mergers, acquisitions, spin-offs and joint-ventures.

—Provide organization chart, job descriptions and qualification standards involving all professional staff persons to be utilized on the project.

—If any contractors are to be utilized, identify and indicate areas and level of experience. *Primary consideration will be given to inhouse capability.*

Note.—All contracting proposed should be in accordance with procurement standards in Attachment O of OMB Circulars A-110 or A-102.

II. Techniques and Methodology—Specify plans for achieving the goals and objectives of the project. This section should be developed by using the outline of the Work Requirements and the BDC responsibilities as guides and will become part of the award document. Include start-up plan and example of work plan format. Fully explain the procedures for: outreach, screening, assisting and monitoring clients; developing and maintaining the profile inventory or minority business; and brokering of new business ownership, market and capital opportunities. In summary, address how, when and where work will be done and by whom. Include levels of performance.

III. Resources—Address technical and administrative resources, i.e. computer facilities, voluntary staff time and space; and financial resources in terms of meeting MBDA's 10% cost sharing requirement to include a fee for services for assistance provided clients. The fee for services will be 10% for firms with gross sales of \$500,000 or less and 25% for firms with gross sales of over \$500,000.

Cost sharing is that portion of project costs not borne by the Federal Government. The composition and amount of cost sharing are key factors that will be considered in determining the merit of this section. The cost sharing requirement can be met through the following order of priority: 1. cash contributions; 2. fee for services; and 3. in-kind contributions.

A. Cash contribution—means cash that is contributed or donated by the

recipient, by other non-federal, public agencies and institutions, private organizations, corporations and individuals.

B. Fee for services—are charges to the client for assistance provided by BDC.

C. In-Kind contribution—represent the value of non-cash contributions provided by the recipient and non-federal parties. The order of priority for in-kind contributions are: high technology systems to be utilized to achieve program objectives; top level staff personnel and real and personal property donated by other public agencies, institutions and private organizations. Property purchased with Federal funds will not be considered as the recipient's in-kind contribution.

IV. Cost—Demonstrate in narrative format that costs being proposed will give the minority business client and the government the most effective program possible in terms of quality, quantity, timeliness and efficiency.

Include the principal costs involved for achieving work plan under Cooperative Agreement by completing Part III—the Budget Information Section of the Request for Application.

Provide cost sharing plan information in terms of methodology and format for billing the cost of management and technical assistance to clients.

Total project costs will be evaluated in terms of:

—Clear explanations of all expenditures proposed, and

—The extent to which the applicant can leverage federal program funds and operate with economy and efficiency.

In conclusion, the applicant's schedule for start of BDC operation should be included in Part Two. Part Two will be known as the applicant's plan of operation and will be incorporated into the Cooperative Agreement award.

A detailed justification for all proposed costs is required for Part Four and each item must be fully explained.

The failure to supply information in any given category of the criteria will result in the application being considered nonresponsive and consequently, dropped from competition.

All information submitted is subject to verification by MBDA.

E. Disposition of Proposals

Notification of awards will be made by the Grants Officer. Organizations whose proposals are unsuccessful will be advised by the Regional Director.

F. Proposal Instructions and Forms

Questions concerning the preceding information and copies of application

forms can be obtained at the above address.

Nothing in this solicitation shall be construed as committing MBDA to divide available funds among all qualified applicants. The program is subject to OMB Circular A-95 requirements.

G. A pre-application conference to assist all interested applicants will be held at the Federal Building, 536 South Clark Street, Room 638 A and B, Chicago, Ill., on April 19, 1982, at 10:00 a.m.

(Catalog of Federal Domestic Assistance 11.800 Minority Business Development)

Dated: March 17, 1982.

Stanley W. Tate,
Regional Director.

[FR Doc. 82-7989 Filed 3-24-82; 8:45 am]

BILLING CODE 3510-21-M

Financial Assistance Application Announcement; Business Development Center (BDC) Program; Indianapolis, Ind. SMSA

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice.

SUMMARY: The Minority Business Development Agency (MBDA) announces that it is soliciting applications for a cooperative agreement under its Business Development Center (BDC) program to operate a pilot project for a 12-month period beginning October 1, 1982 in the Indianapolis SMSA. The cost of the project is estimated to be \$170,000. The maximum federal participation amount is \$153,000. The minimum amount required for non-federal participation is \$17,000. The project number is 05-10-82010-01.

Applicants shall be required to contribute at least 10% of the total program costs through non-federal funds. Cost sharing contributions can be in the form of cash contributions, fee for services or in-kind contributions.

CLOSING DATE: June 1, 1982.

ADDRESS: Chicago Regional Office, Minority Business Development Agency, 55 East Monroe Street, Suite 1440, Chicago, Illinois 60603.

FOR FURTHER INFORMATION CONTACT: John Kammerer, Special Projects Officer, Program Analyst, telephone 312/353-0192.

SUPPLEMENTARY INFORMATION:

A. Scope and Purpose of This Announcement

Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to eligible clients in areas related to the establishment and operation of businesses. The BDC program is specifically designed to assist those minority businesses that have the highest potential for success. In order to accomplish this, MBDA offers Cooperative Agreements that can: coordinate and broker public and private sector resources on behalf of minority individuals and firms; offer them a full range of management and technical assistance; and serve as a conduit—through which and from which information and assistance to and about minority businesses are funneled.

B. Eligible Applicants

Awards shall be open to all individuals, non-profit organizations, for-profit firms, local and state governments, American Indian tribes and educational institutions.

C. Evaluation Process

All proposals received as a result of this announcement will be evaluated by a MBDA review panel.

D. Evaluation Criteria for Business Development Center Application

The evaluation criteria is designed to facilitate an objective evaluation of competitive applications for the Business Development Center program.

MBDA reserves the right to reject any or all applications, including the application receiving the highest evaluation, and will exercise this right when it is determined that it is in the best interest of the Government to do so (e.g., the apparent successful applicant has serious unresolved audit issues from current or previous grants, contracts or cooperative agreements with an agency of the Federal Government).

Evaluation of proposals will employ the following criteria:

I. Capability and Experience of Firm/Staff—Provide information that demonstrates the organization's capabilities and prior experiences in addressing the needs of minority business individuals and firms. Provide information that demonstrates the staff's capabilities and prior experiences in providing management and technical assistance to minority individuals and firms. Indicate previous experience in MBE community to be served in terms of: inventorying resources and opportunities; the brokering thereof; and

providing management and technical assistance.

The following are key factors to be considered in this section:

Firm

—The organization's receptivity in the MBE community to be served, i.e., business contracts in the public and private sector; leadership responsibilities; and experience in assisting MBE business persons and firms. (References from clients assisted are pertinent.)

—Background credentials and references for the owners of the organization and a capability statement of what the organization can do.

—Knowledge of the geographic area to be served in terms of the needs of minority businesses and past ongoing relationships with local public and private entities—that can possibly enhance the BDC program effort—i.e., Chambers of Commerce, trade associations, venture capital organizations, banks, SBA, HUD, state, city and county government agencies, etc.

Staff

—List personnel to be used. Indicate their salaries, educational level and previous experiences. Provide resumes for all professional staff personnel.

—Demonstrates competence among staff to effectuate mergers, acquisitions, spin-offs and joint-ventures.

—Provide organization chart, job descriptions and qualification standards involving all professional staff persons to be utilized on the project.

—If any contractors are to be utilized, identify and indicate areas and level of experience. *Primary consideration will be given to inhouse capability.*

Note.—All contracting proposed should be in accordance with procurement standards in Attachment O of OMB Circulars A-110 or A-102.

II. Techniques and Methodology—Specify plans for achieving the goals and objectives of the project. This section should be developed by using the outline of the Work Requirements and the BDC responsibilities as *guides* and will become part of the award document. Include start-up plan and example of work plan format. Fully explain the procedures for: outreach, screening, assisting and monitoring clients; developing and maintaining the profile inventory of minority business; and brokering of new business ownership, market and capital opportunities. In summary, address how, when and where work will be done and by whom. Include level of performance.

III. Resources—Address technical and administrative resources, i.e. computer facilities, voluntary staff time and space; and financial resources in terms of meeting MBDA's 10% cost sharing requirement to include a fee for services for assistance provided clients. The fee for services will be 10% for firms with gross sales of \$500,000 or less and 25% for firms with gross sales of over \$500,000.

Cost sharing is that portion of project costs not borne by the Federal Government. The composition and amount of cost sharing are key factors that will be considered in determining the merit of this section. The cost sharing requirement can be met through the following order of priority: 1. cash contributions; 2. fee for services; and 3. in-kind contributions.

A. Cash contribution—means cash that is contributed or donated by the recipient, by other non-federal, public agencies and institutions, private organizations, corporations and individuals.

B. Fee for services—are charges to the client for assistance provided by BDC.

C. In-Kind contributions—represent the value of non-cash contributions provided by the recipient and non-federal parties. The order of priority for in-kind contributions are: high technology systems to be utilized to achieve program objectives; top level staff personnel and real and personal property donated by other public agencies, institutions and private organizations. Property purchased with Federal funds will not be considered as the recipient's in-kind contribution.

IV. Costs—Demonstrate in narrative format that costs being proposed will give the minority business client and the government the most effective program possible in terms of quality, quantity, timeliness and efficiency.

Include the principal costs involved for achieving work plan under Cooperative Agreement by completing Part III—the Budget Information Section of the Request for Application.

Provide cost sharing plan information in terms of methodology and format for billing the cost of management and technical assistance to clients.

Total project costs will be evaluated in terms of:

—Clear explanations of all expenditures proposed, and

—The extent to which the applicant can leverage federal program funds and operate with economy and efficiency.

In conclusion, the applicant's schedule for start of BDC operation should be included in Part Two. Part Two will be known as the applicant's plan of

operation and will be incorporated into the Cooperative Agreement award.

A detailed justification all proposed costs is required for Part Four and each item must be fully explained.

The failure to supply information in any given category of the criteria will result in the application being considered nonresponsive and consequently, dropped from competition.

All information submitted is subject to verification by MBDA.

E. Disposition of Proposals

Notification of awards will be made by the Grants Officer. Organizations whose proposals are unsuccessful will be advised by the Regional Director.

F. Proposal Instructions and Forms

Questions concerning the preceding information and copies of applications forms can be obtained at the above address.

Nothing in this solicitation shall be construed as committing MBDA to divide available funds among all qualified applicants. The program is subject to OMB Circular A-95 requirements.

G. A pre-application conference to assist all interested applicants will be held at the Federal Building—536 South Clark Street—Room 638 A & B—Chicago, Illinois on April 19, 1982 at 10:00 a.m.

(11,800 Minority Business Development (Catalog of Federal Domestic Assistance))

Dated: March 17, 1982.

Stanley W. Tate,
Regional Director.

[FR Doc. 82-7960 Filed 3-24-82; 8:45 am]

BILLING CODE 3510-21-M

Financial Assistance Application Announcement; Business Development Center (BDC) Program; Kansas City, Kans. SMSA

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice.

SUMMARY: The Minority Business Development Agency (MBDA) announces that it is soliciting applications for a cooperative agreement under its Business Development Center (BDC) program to operate a pilot project for a 12-month period beginning September 1, 1982 in the Kansas City SMSA. The cost of the project is estimated to be \$250,000. The maximum federal participation amount is \$225,000. The minimum amount required for non-federal participation is

\$25,000. The project number is 07-10-82005-01.

Applicants shall be required to contribute at least 10% of the total program costs through non-federal funds. Cost sharing contributions can be in the form of cash contributions, fee for services or in-kind contributions.

CLOSING DATE: June 1, 1982.

ADDRESS: Chicago Regional Office, Minority Business Development Agency, 55 East Monroe Street—Suite 1440, Chicago, Illinois 60603.

FOR FURTHER INFORMATION CONTACT: John Kammerer, Special Projects Officer, Program Analyst, telephone 312/353-0192.

SUPPLEMENTARY INFORMATION:

A. Scope and Purpose of This Announcement

Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to eligible clients in areas related to the establishment and operation of businesses. The BDC program is specifically designed to assist those minority businesses that have the highest potential for success. In order to accomplish this, MBDA offers Cooperative Agreements that can: coordinate and broker public and private sector resources on behalf of minority individuals and firms; offer them a full range of management and technical assistance; and serve as a conduit—through which and from which information and assistance to and about minority businesses are funneled.

B. Eligible Applicants

Awards shall be open to all individuals, non-profit organizations, for-profit firms, local and state governments, American Indian tribes and educational institutions.

C. Evaluation Process

All proposals received as a result of this announcement will be evaluated by a MBDA review panel.

D. Evaluation Criteria for Business Development Center Application

The evaluation criteria is designed to facilitate an objective evaluation of competitive applications for the Business Development Center program.

MBDA reserves the right to reject any or all applications, including the application receiving the highest evaluation, and will exercise this right when it is determined that it is in the best interest of the Government to do so [e.g., the apparent successful applicant has serious unresolved audit issues from current or previous grants, contracts or

cooperative agreements with an agency of the Federal Government).

Evaluation of proposals will employ the following criteria:

I. Capability and Experience of Firm/Staff—Provide information that demonstrates the organization's capabilities and prior experiences in addressing the needs of minority business individuals and firms. Provide information that demonstrates the staff's capabilities and prior experiences in providing management and technical assistance to minority individuals and firms. Indicate previous experience in MBE community to be served in terms of: inventorying resources and opportunities; the brokering thereof; and providing management and technical assistance.

The following are key factors to be considered in this section:

Firm

—The organization's receptivity in the MBE community to be served, i.e., business contacts in the public and private sector; leadership responsibilities; and experience in assisting MBE business persons and firms. (References from clients assisted are pertinent.)

—Background credentials and references for the owners of the organization and a capability statement of what the organization can do.

—Knowledge of the geographic area to be served in terms of the needs of minority businesses and past ongoing relationships with local public and private entities—that can possibly enhance the BDC program effort—i.e., Chambers of Commerce, trade associations, venture capital organizations, banks, SBA, HUD, state, city and county government agencies, etc.

Staff

—List personnel to be used. Indicate their salaries, educational level and previous experiences. Provide resumes for all professional staff personnel.

—Demonstrate competence among staff to effectuate mergers, acquisitions, spin-offs and joint-ventures.

—Provide organization chart, job descriptions and qualification standards involving all professional staff persons to be utilized on the project.

—If any contractors are to be utilized, identify and indicate areas and level of experience. *Primary consideration will be given to inhouse capability.*

Note.—All contracting proposed should be in accordance with procurement standards in Attachment O of OMB Circulars A-110 or A-102.

II. Techniques and Methodology—Specify plans for achieving the goals and objectives of the project. This section should be developed by using the outline of the Work Requirements and the BDC responsibilities as *guides* and will become part of the award document. Include start-up plan and example of work plan format. Fully explain the procedures for: outreach, screening, assisting and monitoring clients; developing and maintaining the profile inventory of minority business; and brokering of new business ownership, market and capital opportunities. In summary, address how, when and where work will be done and by whom. Include level of performance.

III. Resources—Address technical and administrative resources, i.e. computer facilities, voluntary staff time and space; and financial resources in terms of meeting MBDA's 10% cost sharing requirement to include a fee for services for assistance provided clients. The fee for service will be 10% for firms with gross sales of \$500,000 or less and 25% for firms with gross sales of over \$500,000.

Cost sharing is that portion of project costs not borne by the Federal Government. The composition and amount of cost sharing are key factors that will be considered in determining the merit of this section. The cost sharing requirements can be met through the following order of priority: 1. cash contributions; 2. fee for services; and 3. in-kind contributions.

A. Cash contribution—means cash that is contributed or donated by the recipient, by other non-federal, public agencies and institutions, private organizations, corporations and individuals.

B. Fee for services—are charges to the client for assistance provided by BDC.

C. In-Kind contributions—Represent the value of non-cash contributions provided by the recipient and non-federal parties. The order of priority for in-kind contributions are: high technology systems to be utilized to achieve program objectives; top level staff personnel and real personal property donated by other public agencies, institutions and private organizations. Property purchased with Federal funds will not be considered as the recipient's in-kind contribution.

IV. Costs—demonstrate in narrative format that costs being proposed will give the minority business client and the government the most effective program possible in terms of quality, quantity, timeliness and efficiency.

Include the principal costs involved for achieving work plan under

Cooperative Agreement by completing Part III—the Budget Information Section of the Request for Application.

Provide cost sharing plan information in terms of methodology and format for billing the cost of management and technical assistance to clients.

Total project costs will be evaluated in terms of:

—Clear explanations of all expenditures proposed, and

—The extent to which the applicant can leverage federal program funds and operate with economy and efficiency.

In conclusion, the applicant's schedule for start of BDC operation should be included in Part Two. Part Two will be known as the applicant's plan of operation and will be incorporated into the Cooperative Agreement award.

A detailed justification of all proposed costs is required for Part Four and each item must be fully explained.

The failure to supply information in any given category of the criteria will result in the application being considered nonresponsive and consequently, dropped from competition.

All information submitted is subject to verification by MBDA.

E. Disposition of Proposals

Notification of awards will be made by the Grants Officer. Organizations whose proposals are unsuccessful will be advised by the Regional Director.

F. Proposal Instructions and Forms

Questions concerning the preceding information and copies of application forms can be obtained at the above address.

Nothing in this solicitation shall be construed as committing MBDA to divide available funds among all qualified applicants. The program is subject to OMB Circular A-95 requirements.

G. A pre-application conference to assist all interested applicants will be held at the Federal Building—536 South Clark Street—Room 638 A&B—Chicago, Illinois on April 19, 1982 at 10:00 a.m.

(Catalog of Federal Domestic Assistance 11.800 Minority Business Development)

Dated: March 17, 1982.

Stanley W. Tate,
Regional Director.

[FR Doc. 82-7991 Filed 3-24-82; 8:45 am]

BILLING CODE 3510-21-M

Financial Assistance Application Announcement; Business Development Center (BDC) Program; Flint, Mich. SMSA

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice.

SUMMARY: The Minority Business Development Agency (MBDA) announces that it is soliciting applications for a cooperative agreement under its Business Development Center (BDC) program to operate a pilot project for a 12-month period beginning September 1, 1982 in the Flint SMSA. The cost of the project is estimated to be \$170,000. The maximum federal participation amount is \$153,000. The minimum amount required for non-federal participation is \$17,000. The project number is 05-10-82016-01.

Applicants shall be required to contribute at least 10% of the total program costs through non-federal funds. Cost sharing contributions can be in the form of cash contributions, fee for services or in-kind contributions.

CLOSING DATE: June 1, 1982.

ADDRESS: Chicago Regional Office, Minority Business Development Agency, 55 East Monroe Street, Suite 1440, Chicago, Illinois 60603.

FOR FURTHER INFORMATION CONTACT: John Kammerer, Special Projects Officer, Program Analyst, telephone 312/353-0192.

SUPPLEMENTARY INFORMATION:

A. Scope and Purpose of This Announcement

Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to eligible clients in areas related to the establishment and operation of businesses. The BDC program is specifically designed to assist those minority businesses that have the highest potential for success. In order to accomplish this, MBDA offers Cooperative Agreements that can: coordinate and broker public and private sector resources on behalf of minority individuals and firms; offer them a full range of management and technical assistance; and serve as a conduit—through which and from which information and assistance to and about minority businesses are funneled.

B. Eligible Applicants

Awards shall be open to all individuals, non-profit organizations, for-profit firms, local and state governments, American Indian tribes and educational institutions.

C. Evaluation Process

All proposals received as a result of this announcement will be evaluated by a MBDA review panel.

D. Evaluation Criteria for Business Development Center Application

The evaluation criteria is designed to facilitate an objective evaluation of competitive applications for the Business Development Center program.

MBDA reserves the right to reject any or all applications, including the application receiving the highest evaluation, and will exercise this right when it is determined that it is in the best interest of the Government to do so (e.g., the apparent successful applicant has serious unresolved audit issues from current or previous grants, contracts or cooperative agreements with an agency of the Federal Government).

Evaluation of proposals will employ the following criteria:

1. *Capability and Experience of Firm/Staff*—Provide information that demonstrates the organization's capabilities and prior experiences in addressing the needs of minority business individuals and firms. Provide information that demonstrates the staff's capabilities and prior experiences in providing management and technical assistance to minority individuals and firms. Indicate previous experience in MBE community to be served in terms of: inventorying resources and opportunities; the brokering thereof; and providing management and technical assistance.

The following are key factors to be considered in this section:

Firm

—The organization's receptivity in the MBE community to be served, i.e., business contacts in the public and private sector; leadership responsibilities; and experience in assisting MBE business persons and firms. (References from clients assisted are pertinent.)

—Background credentials and references for the owners of the organization and a capability statement of what the organization can do.

—Knowledge of the geographic area to be served in terms of the needs of minority businesses and past ongoing relationships with local public and private entities—that can possibly enhance the BDC program effort—i.e., Chambers of Commerce, trade associations, venture capital organizations, banks, SBA, HUD, state, city and county government agencies, etc.

Staff

—List personnel to be used. Indicate their salaries, educational level and previous experiences. Provide resumes for all professional staff personnel.

—Demonstrate competence among staff to effectuate mergers, acquisitions, spin-offs and joint-ventures.

—Provide organization chart, job descriptions and qualification standards involving all professional staff persons to be utilized on the project.

—If any contractors are to be utilized, identify and indicate areas and level of experience. *Primary consideration will be given to inhouse capability.*

Note.—All contracting proposed should be in accordance with procurement standards in Attachment O to OMB Circulars A-110 or A-102.

II. Techniques and Methodology—specify plans for achieving the goals and objectives of the project. This section should be developed by using the outline of the Work Requirements and the BDC responsibilities as *guides* and will become part of the award document. Include start-up plan and example of work plan format. Fully explain the procedures for: outreach, screening, assisting and monitoring clients; developing and maintaining the profile inventory of minority business; and brokering of new business ownership, market and capital opportunities. In summary, address how, when and where work will be done and by whom. Include level of performance.

III. Resources—Address technical and administrative resources, i.e. computer facilities, voluntary staff time and space; and financial resources in terms of meeting MBDA's 10% cost sharing requirement to include a fee for services for assistance provided clients. The fee for services will be 10% for firms with gross sales of \$500,000 or less and 25% for firms with gross sales of over \$500,000.

Cost sharing is that portion of project costs not borne by the Federal Government. The composition and amount of cost sharing are key factors that will be considered in determining the merit of this section. The cost sharing requirement can be met through the following order of priority: 1. cash contributions; 2. fee for services; and 3. in-kind contributions.

A. Cash contribution—means cash that is contributed or donated by the recipient, by other non-federal, public agencies and institutions, private organizations, corporations and individuals.

B. Fee for services—are charges to the client for assistance provided by BDC.

C. In-Kind contributions—represent the value of non-cash contributions provided by the recipient and non-federal parties. The order of priority for in-kind contributions are: high technology systems to be utilized to achieve program objectives; top level staff personnel and real and personal property donated by other public agencies, institutions and private organizations. Property purchased with Federal funds will not be considered as the recipient's in-kind contribution.

IV. Costs—Demonstrate in narrative format that costs being proposed will give the minority business client and the government the most effective program possible in terms of quality, quantity, timeliness and efficiency.

Include the principal costs involved for achieving work plan under Cooperative Agreement by completing Part III—the Budget Information Section of the Request for Application.

Provide cost sharing plan information in terms of methodology and format for billing the cost of management and technical assistance to clients.

Total project costs will be evaluated in terms of:

—Clear explanations of all expenditures proposed, and

—The extent to which the applicant can leverage federal program funds and operate with economy and efficiency.

In conclusion, the applicant's schedule for start of BDC operation should be included in Part Two. Part Two will be known as the applicant's plan of operation and will be incorporated into the Cooperative Agreement award.

A detailed justification of all proposed costs is required for Part Four and each item must be fully explained.

The failure to supply information in any given category of the criteria will result in the application being considered non-responsive and consequently, dropped from competition.

All information submitted is subject to verification by MBDA.

E. Disposition of Proposals

Notification of awards will be made by the Grants Officer. Organizations whose proposals are unsuccessful will be advised by the Regional Director.

F. Proposal Instructions and Forms

Questions concerning the preceding information and copies of application forms can be obtained at the above address.

Nothing in this solicitation shall be construed as committing MBDA to divide available funds among all qualified applicants. The program is

subject to OMB Circular A-95 requirements.

G. A pre-application conference to assist all interested applicants will be held at the Federal Building—536 South Clark Street—Room 638 A & B—Chicago, Illinois on April 19, 1982 at 10:00 A.M.

(Catalog of Federal Domestic Assistance 11.800 Minority Business Development)

Dated: March 17, 1982.

Stanley W. Tate,

Regional Director.

[FR Doc. 82-7988 Filed 3-24-82; 8:45 am]

BILLING CODE 3510-21-M

Financial Assistance Application Announcement; Business Development Center (BDC) Program; St. Louis, Mo. SMSA

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice.

SUMMARY: The Minority Business Development Agency (MBDA) announces that it is soliciting applications for a cooperative agreement under its Business Development Center (BDC) program to operate a pilot project for a 12-month period beginning September 1, 1982 in the St. Louis SMSA. The cost of the project is estimated to be \$410,000. The maximum federal participation amount is \$369,000. The minimum amount required for non-federal participation is \$41,000. The project number is 07-10-82003-01.

Applicants shall be required to contribute at least 10% of the total program costs through non-federal funds. Cost sharing contributions can be in the form of cash contributions, fee for services or in-kind contributions.

CLOSING DATE: June 1, 1982.

ADDRESS: Chicago Regional Office, Minority Business Development Agency, 55 East Monroe Street—Suite 1440, Chicago, Illinois 60603.

FOR FURTHER INFORMATION CONTACT: John Kammerer, Special Projects Officer, Program Analyst, telephone 312/353-0192.

SUPPLEMENTARY INFORMATION:**A. Scope and Purpose of This Announcement**

Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to eligible clients in areas related to the establishment and operation of business. The BDC program is specifically designed to assist those

minority businesses that have the highest potential for success. In order to accomplish this, MBDA offers Cooperative Agreements that can: coordinate and broker public and private sector resources on behalf of minority individuals and firms; offer them a full range of management and technical assistance; and serve as a conduit—through which and from which information and assistance to and about minority businesses are funneled.

B. Eligible Applicants

Awards shall be open to all individuals, non-profit organizations, for-profit firms, local and state governments, American Indian tribes and educational institutions.

C. Evaluation Process

All proposals received as a result of this announcement will be evaluated by a MBDA review panel.

D. Evaluation Criteria for Business Development Center Application

The evaluation criteria is designed to facilitate an objective evaluation of competitive applications for the Business Development Center program.

MBDA reserves the right to reject any or all applications, including the application receiving the highest evaluation, and will exercise this right when it is determined that it is in the best interest of the Government to do so (e.g., the apparent successful applicant has serious unresolved audit issues from current or previous grants, contracts or cooperative agreements with an agency of the Federal Government).

Evaluation of proposals will employ the following criteria:

I. Capability and Experience of Firm/Staff—Provide information that demonstrates the organization's capabilities and prior experiences in addressing the needs of minority business individuals and firms. Provide information that demonstrates the staff's capabilities and prior experiences in providing management and technical assistance to minority individuals and firms. Indicate previous experience in MBE community to be served in terms of: inventorying resources and opportunities; the brokering thereof; and providing management and technical assistance.

The following are key factors to be considered in this section:

Firm

—The organization's receptivity in the MBE community to be served, i.e., business contacts in the public and private sector; leadership responsibilities; and experience in

assisting MBE business persons and firms. (References from clients assisted are pertinent.)

—Background credentials and references for the owners of the organization and a capability statement of what the organization can do.

—Knowledge of the geographic area to be served in terms of the needs of minority businesses and past ongoing relationships with local public and private entities—that can possibly enhance the BDC program effort—i.e., Chambers of Commerce, trade associations, venture capital organizations, banks, SBA, HUD, state, city and county government agencies, etc.

Staff

—List personnel to be used. Indicate their salaries, educational level and previous experiences. Provide resumes for all professional staff personnel.

—Demonstrate competence among staff to effectuate mergers, acquisitions, spin-offs and joint-ventures.

—Provide organization chart, job descriptions and qualification standards involving all professional staff persons to be utilized on the project.

—If any contractors are to be utilized, identify and indicate areas and level of experience. *Primary consideration will be given to inhouse capability.*

Note.—All contracting proposed should be in accordance with procurement standards in Attachment O of OMB Circulars A-110 or A-102.

II. Techniques and Methodology—Specify plans for achieving the goals and objectives of the project. This section should be developed by using the outline of the Work Requirements and the BDC responsibilities as *guides* and will become part of the award document. Include start-up plan and example of work plan format. Fully explain the procedures for: outreach, screening, assisting and monitoring clients; developing and maintaining the profile inventory of minority business; and brokering of new business ownership, market and capital opportunities. In summary, address how, when and where work will be done and by whom. Include level of performance.

III. Resources—Address technical and administrative resources, i.e. computer facilities, voluntary staff time and space; and financial resources in terms of meeting MBDA's 10% cost sharing requirement to include a fee for services for assistance provided clients. The fee for services will be 10% for firms with gross sales of \$500,000 or less and 25% for firms with gross sales of over \$500,000.

Cost sharing is that portion of project costs not borne by the Federal Government. The composition and amount of cost sharing are key factors that will be considered in determining the merit of this section. The cost sharing requirement can be met through the following order of priority: 1. cash contributions; 2. fee for services; and 3. in-kind contributions.

A. Cash contribution—means cash that is contributed or donated by the recipient, by other non-federal, public agencies and institutions, private organizations, corporations and individuals.

B. Fee for services—are charges to the client for assistance provided by BDC.

C. In-Kind contributions—represent the value of non-cash contributions provided by the recipient and non-federal parties. The order of priority for in-kind contributions are: high technology systems to be utilized to achieve program objectives; top level staff personnel and real and personal property donated by other public agencies, institutions and private organizations. Property purchased with Federal funds will not be considered as the recipient's in-kind contribution.

IV. Costs—Demonstrate in narrative format that costs being proposed will give the minority business client and the government the most effective program possible in terms of quality, quantity, timeliness and efficiency.

Include the principal costs involved for achieving work plan under Cooperative Agreement by completing Part III—the Budget Information Section of the Request for Application.

Provide cost sharing plan information in terms of methodology and format for billing the cost of management and technical assistance to clients.

Total project costs will be evaluated in terms of:

- Clear explanations of all expenditures proposed, and
- The extent to which the applicant can leverage federal program funds and operate with economy and efficiency.

In conclusion, the applicant's schedule for start of BDC operation should be included in Part Two. Part Two will be known as the applicant's plan of operation and will be incorporated into the Cooperative Agreement award.

A detailed justification of all proposed costs is required for Part Four and each item must be fully explained.

The failure to supply information in any given category of the criteria will result in the application being considered nonresponsive and

consequently, dropped from competition.

All information submitted is subject to verification by MBDA.

E. Disposition of Proposals

Notification of awards will be made by the Grants Officer. Organizations whose proposals are unsuccessful will be advised by the Regional Director.

F. Proposal Instructions and Forms

Questions concerning the preceding information and copies of application forms can be obtained at the above address.

Nothing in this solicitation shall be construed as committing MBDA to divide available funds among all qualified applicants. The program is subject to OMB Circular A-95 requirements.

G. A pre-application conference to assist all interested applicants will be held at the Federal Building—536 South Clark Street—Room 638 A&B—Chicago, Illinois on April 19, 1982 at 10 a.m.

(Catalog of Federal Domestic Assistance 11.800 Minority Business Development)

Dated: March 17, 1982.

Stanley W. Tate,
Regional Director.

[FR Doc. 82-7982 Filed 3-24-82; 9:45 am]
BILLING CODE 3510-21-M

Financial Assistance Application Announcement; Business Development Center (BDC) Program; Milwaukee, Wis. SMSA

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice.

SUMMARY: The Minority Business Development Agency (MBDA) announces that it is soliciting applications for a cooperative agreement under its Business Development Center (BDC) program to operate a pilot project for a 12-month period beginning September 1, 1982 in the Milwaukee SMSA. The cost of the project is estimated to be \$250,000. The maximum federal participation amount is \$225,000. The minimum amount required for non-federal participation is \$25,000. The project number is 05-10-82006-01.

Applicants shall be required to contribute at least 10% of the total program costs through non-federal funds. Cost sharing contributions can be in the form of cash contributions, fee for services or in-kind contributions.

CLOSING DATE: June 1, 1982.

ADDRESS: Chicago Regional Office, Minority Business Development Agency,

55 East Monroe Street, Suite 1440, Chicago, Illinois 60603.

FOR FURTHER INFORMATION CONTACT: John Kammerer, Special Projects Officer Program Analyst, telephone 312/353-0192.

SUPPLEMENTARY INFORMATION:

A. Scope and Purpose of This Announcement

Executive Order 11625 authorizes MBDA to fund projects which will provide technical and management assistance to eligible clients in areas related to the establishment and operation of businesses. The BDC program is specifically designed to assist those minority businesses that have the highest potential for success. In order to accomplish this, MBDA offers Cooperative Agreements that can: coordinate and broker public and private sector resources on behalf of minority individuals and firms; offer them a full range of management and technical assistance; and serve as a conduit—through which and from which information and assistance to and about minority businesses are funneled.

B. Eligible Applicants

Awards shall be open to all individuals, non-profit organizations, for-profit firms, local and state governments, American Indian tribes and educational institutions.

C. Evaluation Process

All proposals received as a result of this announcement will be evaluated by a MBDA review panel.

D. Evaluation Criteria for Business Development Center Application

The evaluation criteria is designed to facilitate an objective evaluation of competitive applications for the Business Development Center program.

MBDA reserves the right to reject any or all applications including the application receiving the highest evaluation, and will exercise this right when it is determined that it is in the best interest of the Government to do so (e.g., the apparent successful applicant has serious unresolved audit issues from current or previous grants, contracts or cooperative agreements with an agency of the Federal Government).

Evaluation of proposals will employ the following criteria:

1. *Capability and Experience of Firm/Staff*—Provide information that demonstrates the organization's capabilities and prior experiences in addressing the needs of minority business individuals and firms. Provide information that demonstrates the staff's capabilities and prior experiences in

providing management and technical assistance to minority individuals and firms. Indicate previous experience in MBE community to be served in terms of: inventorying resources and opportunities; the brokering thereof; and providing management and technical assistance.

The following are key factors to be considered in this section:

Firm

—The organization's receptivity in the MBE community to be served, i.e., business contacts in the public and private sector; leadership responsibilities; and experience in assisting MBE persons and firms. (References from clients assisted are pertinent.)

—Background credentials and references for the owners of the organization and a capability statement of what the organization can do.

—Knowledge of the geographic area to be served in terms of the needs of minority businesses and past ongoing relationships with local public and private entities—that can possibly enhance the BDC program effort—i.e., Chambers of Commerce, trade associations, venture capital organizations, banks, SBA, HUD, state, city and county government agencies, etc.

Staff

—List personnel to be used. Indicate their salaries, educational level and previous experiences. Provide resumes for all professional staff personnel.

—Demonstrate competence among staff to effectuate mergers, acquisitions, spin-offs and joint-ventures.

—Provide organization chart, job descriptions and qualification standards involving all professional staff persons to be utilized on the project.

—If any contractors are to be utilized, identify and indicate areas and level of experience. *Primary consideration will be given to inhouse capability.*

Note.—All contracting proposed should be in accordance with procurement standards in Attachment O to OMB Circulars A-110 or A-102.

II. *Techniques and Methodology*—Specify plans for achieving the goals and objectives of the project. This section should be developed by using the outline of the Work Requirements and the BDC responsibilities as guides and will become part of the award document. Include start-up plan and example of work plan format. Fully explain the procedures for: outreach, screening, assisting and monitoring clients; developing and maintaining the

profile inventory of minority business; and brokering of new business ownership, market and capital opportunities. In summary, address how, when and where work will be done and by whom. Include level of performance.

III. Resources—address technical and administrative resources, i.e. computer facilities, voluntary staff time and space; and financial resources in terms of meeting MBDA's 10% cost sharing requirement to include a fee for services for assistance provided clients. The fee for services will be 10% for firms with gross sales of \$500,000 or less and 25% for firms with gross sales of over \$500,000.

Cost sharing is that portion of project costs not borne by the Federal Government. The composition and amount of cost sharing are key factors that will be considered in determining the merit of this section. The cost sharing requirement can be met though the following order of priority: 1. cash contributions; 2. fee for services; and 3. in-kind contributions.

A. *Cash contribution*—means cash that is contributed or donated by the recipient, by other non-federal, public agencies and institutions, private organizations, corporations and individuals.

B. *Fee for services*—are charges to the client for assistance provided by BDC.

C. *In-Kind contribution*—represent the value of non-cash contributions provided by the recipient and non-federal parties. The order of priority for in-kind contributions are: high technology systems to be utilized to achieve program objectives; top level staff personnel and real and personal property donated by order public agencies, institutions and private organizations. Property purchased with Federal funds will not be considered as the recipient's in-kind contribution.

IV. *Costs*—demonstrate in narrative format that costs being proposed will give the minority business client and the government the most effective program possible in terms of quality, quantity, timeliness and efficiency.

Include the principal costs involved for achieving work plan under Cooperative Agreement by completing Part III—the Budget Information Section of the Request for Application.

Provide cost sharing plan information in terms of methodology and format for billing the cost of management and technical assistance to clients.

Total project costs will be evaluated in terms of:

—Clear explanations of all expenditures proposed, and

—The extent to which the applicant can leverage federal program funds and operate with economy and efficiency.

In conclusion, the applicant's schedule for start of BDC operation should be included in Part Two. Part Two will be known as the applicant's plan of operation and will be incorporated into the Cooperative Agreement award.

A detailed justification of all proposed costs is required for Part Four and each item must be fully explained.

The failure to supply information in any given category of the criteria will result in the application being considered non-responsive and consequently, dropped from competition.

All information submitted is subject to verification by MBDA.

E. Disposition of Proposals

Notification of awards will be made by the Grants Officer. Organizations whose proposals are unsuccessful will be advised by the Regional Director.

F. Proposal Instructions and Forms

Questions concerning the preceding information and copies of application forms can be obtained at the above address.

Nothing in this solicitation shall be construed as committing MBDA to divide available funds among all qualified applicants. The program is subject to OMB Circular A-95 requirements.

G. A pre-application conference to assist all interested applications will be held at the Federal Building—536 South Clark Street—Room 638 A & B—Chicago,

(11,800 Minority Business Development (Catalog of Federal Domestic Assistance))

Dated: March 17, 1982.

Stanley W. Tate,
Regional Director.

[FR Doc. 82-7987 Filed 3-24-82; 8:45 am]
BILLING CODE 3510-21-M

National Oceanic and Atmospheric Administration

New England Fishery Management Council's Scientific and Statistical Committee; Public Meeting

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

SUMMARY: The New England Fishery Management Council, established by Section 302 of the Magnuson Fishery Conservation and Management Act (Pub. L. 94-265), has established a Scientific and Statistical Committee, which will meet to discuss uses of scientific information in socio-economic

analysis for fisheries and discuss other Council business.

DATES: The public meeting will convene on Monday, April 19, 1982, at approximately 10 a.m., and will adjourn at approximately 5 p.m., and may be lengthened or shortened depending upon progress on the agenda.

ADDRESS: The meeting will take place at the Council's Headquarters Office, Five Broadway (Route One), Suntaug Office Park, Saugus, Massachusetts.

FOR FURTHER INFORMATION CONTACT: New England Fishery Management Council, Suntaug Office Park, Five Broadway—Route One, Saugus, Massachusetts 01906, Telephone: (617) 231-0422.

Dated: March 22, 1982.

Jack L. Falls,

Chief, Administrative Support Staff, National Marine Fisheries Service.

[FR Doc. 82-8031 Filed 3-24-82; 8:45 am]
BILLING CODE 3510-22-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjusting the Import Restraint Levels for Certain Cotton Apparel Products From India

March 19, 1982.

AGENCY: Committee for the Implementation of Textile Agreements.

ACTION: Increasing the consultation levels for women's, girls' and infants' cotton coats in Category 335 and woven blouses of man-made fibers in Category 641, produced or manufactured in India and exported during the agreement year which began on January 1, 1982, from 16,949 to 29,056 dozen for Category 335 and from 48,276 to 103,448 dozen for Category 641.

(A detailed description of the textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on February 28, 1980 (45 FR 13172), as amended on April 23, 1980 (45 FR 27463), August 12, 1980 (45 FR 53506), December 24, 1980 (45 FR 85142), May 5, 1981 (46 FR 25121), October 5, 1981 (46 FR 48963), October 27, 1981 (46 FR 52409), and February 9, 1982 (47 FR 5926)).

SUMMARY: Pursuant to the terms of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of December 30, 1977, as amended, between the Governments of the United States and India, the consultation levels established for apparel products in Categories 335 and 641 are being

increased at the request of the Government of India to 29,056 dozen and 103,448 dozen, respectively, for the agreement year which began on January 1, 1982 and extends through December 31, 1982.

EFFECTIVE DATE: March 19, 1982.

FOR FURTHER INFORMATION CONTACT:

Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, D.C. 20230 (202/377-4212).

SUPPLEMENTARY INFORMATION: On December 18, 1981, there was published in the Federal Register (46 FR 61685) a letter dated December 15, 1981 from the Chairman of the Committee for the Implementation of Textile Agreements to the Commissioner of Customs, which established levels of restraint for certain specified categories of cotton, wool and man-made fiber textile products, including Categories 335 and 641, produced or manufactured in India, which may be entered into the United States for consumption, or withdrawn from warehouse for consumption, during the twelve-month period which began on January 1, 1982 and extends through December 31, 1982. In the letter published below, in accordance with the terms of the bilateral agreement, the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs to increase the twelve-month levels previously established for Categories 335 and 641 to the designated amounts.

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

March 19, 1982.

Committee for the Implementation of Textile Agreements

Commissioner of Customs,

Department of the Treasury, Washington, D.C.

Dear Mr. Commissioner: This directive further amends, but does not cancel, the directive issued to you on December 15, 1981 by the Chairman, Committee for the Implementation of Textile Agreements, concerning imports into the United States of certain cotton, wool and man-made fiber textile products, produced or manufactured in India.

Effective on March 19, 1982, paragraph 1 of the directive of December 15, 1981 is further amended to increase the levels of restraint for cotton and man-made fiber textile products in Categories 335 and 641 to the following:

Category	Amended 12-mo level of restraint. ¹
335	29,056 dozen.
641	103,448 dozen.

¹The levels of restraint have not been adjusted to reflect any imports after December 31, 1981.

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

Sincerely,

Arthur Garel,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 82-7963 Filed 3-24-82; 8:45 am]

BILLING CODE 3510-25-M

COMMODITY FUTURES TRADING COMMISSION

Proposal of Chicago Board of Trade to Trade Commodity Options; Reopening of Comment Period

AGENCY: Commodity Futures Trading Commission.

ACTION: Reopening of comment period.

SUMMARY: On December 29, 1981 the Commission published in the Federal Register a "Notice of Availability" of the proposed terms and conditions submitted by eight boards of trade for trading commodity options. 46 FR 62893. This comment period expired on March 1, 1982. The Commission has received a request for an extension of the comment period with respect to one of the submissions: the filing of the Chicago Board of Trade. Because parts of this filing were released through the Freedom of Information Act after the comment period had expired and because it wishes to ensure that all interested parties have an adequate opportunity to submit informed comments, the Commission has determined to reopen the comment period on the proposal of the Chicago Board of Trade to trade commodity options.

DATE: The comment period will remain open through April 9, 1982.

ADDRESS: Interested parties should submit their views and comments to Jane K. Stuckey, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C. 20581. Reference should be made to the

application of the Chicago Board of Trade to trade commodity options.

FOR FURTHER INFORMATION CONTACT:

Linda Kurjan, Esquire, Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C. 20581. (202) 254-8955.

Issued in Washington, D.C. on March 22, 1982, by the Commission.

Jane K. Stuckey,

Secretary of the Commission.

[FR Doc. 82-8017 Filed 3-24-82; 8:45 am]

BILLING CODE 6351-01-M

DEPARTMENT OF DEFENSE

Department of the Army

United States Army Medical Research and Development Advisory Committee; Medical Entomology Subcommittee; Partially Closed Meeting

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following Subcommittee meeting:

Name of committee: United States Army Medical Research and Development Advisory Committee, Subcommittee on Medical Entomology

Date of meeting: April 29, 1982.

Time and place: 0900 hrs, Room 210, US Army Medical Bioengineering Research & Development Laboratory, Ft. Detrick, Frederick, MD

Proposed Agenda: This meeting will be open to the public from 0900 to 1300 hrs for the administrative review and discussion of the scientific research program of the Medical Entomology Branch, Walter Reed Army Institute of Research. Attendance by the public at open sessions will be limited to space available.

In accordance with the provisions set forth in section 552b(c)(6), U.S. Code, Title 5 and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from 1315 to 1615 hrs for the review, discussion and evaluation of individual programs and projects conducted by the U.S. Army Medical Research and Development Command, including consideration of personnel qualifications and performance, the competence of individual investigators, medical files of individual research subjects, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Howard Noyes, Associate Director for Research Management, Walter Reed Army Institute of Research, Bldg. 40, Room 1111, Walter Reed Army Medical Center, Washington, DC 20012 (202/576-2436) will furnish summary minutes, roster of

Subcommittee members and substantive program information.

Harry G. Dangerfield,
Colonel, MC, Deputy Commander.

[FR Doc. 82-8047 Filed 3-24-82; 8:45 am]

BILLING CODE 3710-08-M

United States Army Medical Research and Development Advisory Committee; Pharmacology Subcommittee; Partially Closed Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following Subcommittee meeting:

Name of Committee: United States Army Medical Research and Development Advisory Committee, Subcommittee on Pharmacology

Date of Meeting: April 26, 1982.

Time and Place: 0900 hrs, Room 3092, Walter Reed Army Institute of Research, Washington, D.C.

Proposed Agenda: This meeting will be open to the public from 0900 to 0945 hrs for the administrative review and discussion of the scientific research program of the Pharmacology Branch, Walter Reed Army Institute of Research and from 1630-1700 hrs for the summation of the meeting. Attendance by the public at open sessions will be limited to space available.

In accordance with the provisions set forth in section 552b(c)(6), U.S. Code, Title 5 and section 10(d) of Pub. L. 92-463, the meeting will be closed to the public from 1000-1630 hrs for the review, discussion and evaluation of individual programs and projects conducted by the U.S. Army Medical Research and Development Command, including consideration of personnel qualifications and performance, the competence of individual investigators, medical files of individual research subjects, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Howard Noyes, Associate Director for Research Management, Walter Reed Army Institute of Research, Bldg. 40, Room 1111, Walter Reed Army Medical Center, Washington, D.C. 20012 (202/576-2436) will furnish summary minutes, roster of Subcommittee members and substantive program information.

Harry G. Dangerfield,
Colonel, MC, Deputy Commander.

[FR Doc. 82-8045 Filed 3-24-82; 8:45 am]

BILLING CODE 3710-08-M

United States Army Medical Research and Development Advisory Committee; Viral and Rickettsial Diseases; Partially Closed Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act

(Pub. L. 92-463), announcement is made of the following Subcommittee meeting:

Name of committee: United States Army Medical Research and Development Advisory Committee, Subcommittee on Viral and Rickettsial Diseases

Date of meeting: April 27 & 28, 1982

Time and place: 0900 hrs, Room 3092, Walter Reed Army Institute of Research Washington, DC

Proposed agenda: This meeting will be open to the public on April 27, from 0900 to 1000 hrs for the administrative review and discussion of the scientific research program of the Viral and Rickettsial Diseases Branch, Walter Reed Army Institute of Research and on April 28, from 1630-1700 hrs for the summation of the meeting. Attendance by the public at open sessions will be limited to space available.

In accordance with the provisions set forth in section 552b(c)(6), U.S. Code, Title 5 and Section 10(d) of Pub. L. 92-463, the meeting will be closed to the public on April 27, from 1000-1630 hrs and on April 28, from 0900-1630 hrs for the review, discussion and evaluation of individual programs and projects conducted by the U.S. Army Medical Research and Development Command, including consideration of personnel qualifications and performance, the competence of individual investigators, medical files of individual research subjects, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Howard Noyes, Associate Director for Research Management, Walter Reed Army Institute of Research, Bldg. 40, Room 1111, Walter Reed Army Medical Center, Washington, DC 20012 (202/576-2436) will furnish summary minutes, roster of Subcommittee members and substantive program information.

Harry G. Dangerfield,
Colonel, MC, Deputy Commander.

[FR Doc. 82-8046 Filed 3-24-82; 8:45 am]

BILLING CODE 3710-08-M

Office of the Secretary

Defense Intelligence Agency Advisory Committee; Closed Meeting

Pursuant to the provisions of subsection (d) of section 10 of Pub. L. 92-463, as amended by section 5 of Pub. L. 94-409, notice is hereby given that a closed meeting of a panel of the DIA Advisory Committee has been scheduled as follows:

Monday, 3 May 1982, Plaza West, Rosslyn, Virginia. The entire meeting, commencing at 0900 hours is devoted to the discussion of classified information

as defined in section 552b(c)(1), Title 5 of the U.S. Code and therefore will be closed to the public. Subject matter will be used in a special study on the Department of Defense Intelligence Information System.

M. S. Healy,
OSD Federal Register Liaison Officer,
Department of Defense.

March 22, 1982.

[FR Doc. 82-8040 Filed 3-24-82; 8:45 am]

BILLING CODE 3810-01-M

DEPARTMENT OF EDUCATION

Advisory Panel on Financing Elementary and Secondary Education; Meeting

AGENCY: Advisory Panel on Financing Elementary and Secondary Education.

ACTION: Notice of Meeting.

SUMMARY: This notice is to inform the general public of its opportunity to attend the forthcoming meeting of the Advisory Panel on Financing Elementary and Secondary Education. The notice sets forth the schedule and proposed agenda for the meeting and describes the functions of the Advisory Panel. Notice of the meeting is required under the Federal Advisory Committee Act, Section 10(a)(2).

MEETING SCHEDULE: April 15 and 16, 1982, 9:00 a.m.-5:00 p.m., Room 3000, FOB-6, 400 Maryland Avenue, SW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Will S. Myers, Executive Director, Advisory Panel on Financing Elementary and Secondary Education, P.O. Box 19125, Washington, D.C. 20036, (202) 653-8278.

SUPPLEMENTARY INFORMATION: The Advisory Panel on Financing Elementary and Secondary Education was established by Section 1203, Title XII of the Education Amendments of 1978 (P.L. 95-561). The Panel provides the Secretary and the Congress with advice and counsel concerning public policies on raising and distributing revenues to support elementary and secondary education. The Advisory Panel also provides advice to the Secretary concerning the conduct of studies authorized by Section 1203. The Advisory Panel is scheduled to report its findings and recommendations to the President and Congress at the end of 1982.

AGENDA: The proposed agenda includes:

MEETING:
Report by the Chairman and Executive Director,

Status of School Finance studies,
Discussion and development of policy
issues and recommendations,
—Federal education programs
—Prospects for school finance
—Private school finance
Agenda for the next panel meeting.

Records are kept of all Advisory Panel proceedings and are available for public inspection at the office of the Advisory Panel on Financing Elementary and Secondary Education located at 1200 19th Street, NW., Suite 725, Washington, D.C.

Signed at Washington, D.C. on March 19, 1982.

Will S. Myers,

Executive Director, Advisory Panel on Financing Elementary and Secondary Education.

[FR Doc. 82-8051 Filed 3-24-82; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Economic Regulatory Administration

[ERA Docket No. 82-CERT-006]

Consolidated Edison Co. of New York, Inc.; Application for Certification of the Use of Natural Gas to Displace Fuel Oil

Consolidated Edison Company of New York, Inc. (Con Edison), 4 Irving Place, New York, New York 10003, filed an application on March 10, 1982, with the Economic Regulatory Administration (ERA) for certification of an eligible use of natural gas to displace fuel oil at six of its steam and electric generating stations located in New York City: Astoria in Queens; East River in Manhattan; Narrow, in Brooklyn; Ravenswood in Queens; Waterside in Manhattan; and East 60th Street in Manhattan, pursuant to 10 CFR Part 595 (44 FR 47920, August 16, 1979). More detailed information is contained in the

application on file and available for public inspection at the ERA, Natural Gas Branch Docket Room, Room 6013, 2000 M Street, NW., Washington, D.C. 20461, from 8:00 a.m. to 4:30 p.m., Monday through Friday, except Federal holidays.

In its application, Con Edison states that the volume of natural gas for which it requests certification is approximately 5.0 billion cubic feet for the period ending October 31, 1982. This volume is estimated to displace the use of approximately 774,000 barrels of residual fuel oil (0.3 percent sulfur), approximately 12,000 barrels of No. 2 fuel oil (0.2 percent sulfur), and approximately 55,000 barrels of kerosene (0.05 percent sulfur) between April 1, 1982, and October 31, 1982.

The quantities at each location are subject to considerable variation with changes in demand and availability of the various steam and electric generating units, but estimated gas usage and resulting oil displacement volumes are listed below:

Location	Type ¹	Estimated volume (MMcf)	Estimated oil displacement (000 barrel)		
			0.3 percent sulfur residual	0.05 percent sulfur kerosene	0.2 percent sulfur No. 2
Astoria, 20th Avenue and 12th St., Queens	SE	1266	212		
	GT	146		27	
East River, 14th St., and East River, Manhattan	SE	883	114		
Narrows, 53d. St. and 1st., Avenue, Brooklyn	GT	69			12
Ravenswood, 7-18 37th Avenue, Queens	SE	2004	335		
	GT	41		7	
Waterside, 38th to 40th St., and East River, Manhattan	SE	675	113		
East 60th St., 514 East 60th St., Manhattan	S	116		21	
Totals		5000	774	55	12

¹SE Steam-Electric.
GT Gas Turbine.
S Steam Station.

The eligible seller is Pennsylvania Gas and Water Company, 39 Public Square, Wilkes-Barre, Pennsylvania 18711. The gas will be transported by Transcontinental Gas Pipe Line Corporation, P.O. Box 1396, Houston, Texas 77001.

Con Edison has in effect other certifications by the ERA, as listed below, which authorize purchases of approximately 86 billion cubic feet of natural gas from other eligible sellers for use at the steam and electric generating stations named in this application.

Docket No.	Volume (Bcf)	Effective	Expires
81-CERT-005	62.00	4/27/81	4/26/82
81-CERT-025	2.20	12/03/81	12/02/82
81-CERT-026	21.00	12/24/81	12/23/82
82-CERT-003	.75	2/03/82	3/31/82

—Continued

Docket No.	Volume (Bcf)	Effective	Expires
	85.95		

In order to provide the public with as much opportunity to participate in this proceeding as is practicable under the circumstances, we are inviting any person wishing to comment concerning this application to submit comments in writing to the Economic Regulatory Administration, Room 6304, RG-631, 2000 M Street, NW., Washington, D.C. 20461, Attention: Paula A. Daigneault, within ten (10) calendar days of the date

of publication of this notice in the Federal Register.

An opportunity to make an oral presentation of data, views, and arguments either against or in support of this application may be requested by any interested person in writing within the ten (10) day comment period. The request should state the person's interest and, if appropriate, why the person is a proper representative of a group or class of persons that has such an interest. The request should include a summary of the proposed oral presentation and a statement as to why an oral presentation is necessary. If ERA determines that an oral presentation is necessary, further notice will be given to Con Edison and any persons filing comments and will be published in the Federal Register.

Issued in Washington, D.C. on March 19, 1982.

James W. Workman,

Director, Office of Fuels Programs, Economic Regulatory Administration.

[FR Doc. 82-8041 Filed 3-24-82; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Doc. No. ER82-385-000]

Carolina Power & Light Co.; Filing

March 19, 1982.

The filing Company submits the following:

Take notice that Carolina Power & Light Company (Carolina) on March 11, 1982, tendered for filing the changes outlined below in its agreement with Wake Electric Membership Corporation.

1. Equipment to provide Wake EMC with metering information at Wake's Rolesville, Wake Forest, and Louisburg Points of Delivery which will be used in the Customer's load control system.

2. The Louisburg Point of Delivery is relocated from Company's former Louisburg 69-12 kV substation to Company's Louisburg 115-23 kV substation. In order to deliver 12 kV, Company will install a 23-12 kV transformation within the Louisburg 115 kV substation.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 7, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-8058 Filed 3-24-82; 8:45 am]

BILLING CODE 6717-01-M

[Doc. Nos. CP80-426-002 and CP80-426-003]

Granite State Gas Transmission, Inc.; Tariff Filings

March 18, 1982.

Take notice that on February 16, 1982, and March 8, 1982, Granite State Gas

Transmission, Inc. (Granite State), 120 Royal Street, Canton, Massachusetts 02021, tendered for filing in Docket Nos. CP80-426-002 and CP80-426-003, respectively, pursuant to Section 4 of the Natural Gas Act and Part 154 of the Commission's Regulations, the following tariff filings:

1. FERC Gas Tariff, First Revised Volume No. 1. On March 8, 1982, Substitute Original Sheet Nos. 7, 66, and 112 and Original Sheet No. 115 were tendered for filing to the First Revised Volume No. 1.

2. FERC Gas Tariff, Original Volume No. 2.

3. Gas Sales Contract between Granite State and Bay State Gas Company (Bay State).

4. Gas Sales Contract between Granite State and Northern Utilities, Inc. (Northern Utilities).

5. Gas Storage Agreement between Granite State and Bay State.

6. Interruptible Storage Service Transportation Contract between Granite State and Bay State.

These filings are proposed to become effective April 1, 1982. Additionally, a notice of cancellation of Granite State's existing FERC Gas Tariff, Original Volume No. 1, was filed to be effective simultaneously with the effectiveness of First Revised Volume No. 1.

By order issued January 11, 1982, in Docket No. CP80-426 (18 FERC ¶ 61,013), Granite State was authorized pursuant to Section 7(c) of the Natural Gas Act to make certain sales and to tender certain service to implement a plan of reorganization among Granite State, Bay State and Northern Utilities. The same order granted related authorization to Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), in Docket Nos. CP69-222, CP70-185, and CP80-65-007 and Consolidated Gas Supply Corporation in docket No. CP80-260-002 necessary to Granite State's plan of reorganization proposed in Docket No. CP80-426. The order of January 11, 1982, noted that under the existing tariff, Granite State curtails interruptible customers before firm customers and that under the proposed new curtailment plan, Granite State will curtail under the same priority system that Tennessee uses to curtail its customers. The order stated further that the proper forum to make any determination with respect to the proposed curtailment plan is a proceeding under Section 4 of the Natural Gas Act initiated at the time Granite State makes an appropriate tariff filing. The rate filings described above are to implement Granite State's plan of reorganization and its proposed curtailment plan.

Any person desiring to be heard or to make any protest with reference to said tariff filings should on or before March 30, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-8060 Filed 3-24-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5882-000]

Homestake Consulting & Investments, Inc.; Application for Preliminary Permit

March 19, 1982.

Take notice that Homestake Consulting & Investments, Inc. (Applicant) filed on January 15, 1982, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for Project No. 5882 to be known as the Roaring Creek Water Power Project located on Roaring Creek in Chelan County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. William H. Delp, II, Independent Power Developers, Inc., P.O. Box 1467, Noxon, Montana 59853.

Project Description—The proposed project would consist of: (1) A proposed minor diversionary barrier, 3 feet in height, and impounding no more than 0.25 acre-feet of water; (2) an intake orifice approximately 10 sq. feet in size; (3) a settling tank having 768 cubic feet capacity; (4) a 2,700-foot long penstock; (5) a powerhouse containing two turbine generators with a combined installed capacity of 600 kW; (6) proposed transmission lines; and (7) appurtenant facilities. The Applicant estimates that the average annual energy output would be 2,468,400 kWh. The proposed project is located partly on the Wenatchee National Forest.

Purpose of Project—Power at the proposed project would be sold to Chelan County Public Utility District.

Purposed Scope of Studies under Permit—A preliminary permit, if issued,

does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of 18 months, during which time studies would be made to determine the engineering, environmental, and economic feasibility of the project. In addition, historic and recreational aspects of the project would be determined, along with consultation with Federal, state, and local agencies for information, comments and recommendations relevant to the project. The Applicant estimates the cost of the studies would be \$4,018.

Competing Applications.—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before May 27, 1982, the competing application itself, or a notice of intent to file such an application (see: 18 CFR 4.30 et seq. (1981); and Docket No. RM81-15, issued October 29, 1981, 46 FR 55245, November 9, 1981.)

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before May 27, 1982, and should specify the type of application forthcoming. Any application for license or exemption from licensing must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate).

Submission of a timely notice of intent to file an application for preliminary permit, allows an interested person to file an acceptable competing application for preliminary permit no later than July 27, 1982.

Agency Comments.—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions to Intervene.—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 27, 1982.

Filing and Service of Responsive Documents.—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB, at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-8061 Filed 3-24-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5881-000]

Homestake Consulting & Investments, Inc.; Application for Preliminary Permit

March 19, 1982.

Take notice that Homestake Consulting & Investments, Inc. (Applicant) filed on January 15, 1982, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)] for Project No. 5881 to be known as the Rainy Creek Water Power Project located on Rainy Creek in Chelan County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. William H. Delp, II, Independent Power Developers, Inc., P.O. Box 1467, Noxon, Montana 59853.

Project Description.—The proposed project would consist of: (1) A proposed minor diversionary barrier, 3 feet in height, and impounding no more than 0.25 acre-feet of water; (2) an intake orifice approximately 10 sq. feet in size; (3) a settling tank having 1,728 cubic feet capacity; (4) a 4,700-foot long penstock; (5) a powerhouse containing four turbine generators with a combined installed capacity of 1,200 kW; (6) proposed transmission lines; and (7) appurtenant facilities. The Applicant estimates that the average annual energy output would

be 5,582,600 kWh. The proposed project is located on the Wenatchee National Forest.

Purpose of Project.—Power at the proposed project would be sold to Chelan County Public Utility District.

Proposed Scope of Studies Under Permit.—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of 18 months, during which time studies would be made to determine the engineering, environmental, and economic feasibility of the project. In addition, historic and recreational aspects of the project would be determined, along with consultation with Federal, state, and local agencies for information, comments and recommendations relevant to the project. The Applicant estimates the cost of the studies would be \$5,708.

Competing Applications.—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before May 27, 1982, the competing application itself, or a notice of intent to file such an application (see: 18 CFR 4.30 et seq. (1981); and Docket No. RM81-15, issued October 29, 1981, 46 FR 55245, November 9, 1981).

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before May 27, 1982, and should specify the type of application forthcoming. Any application for license or exemption from licensing must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate).

Submission of a timely notice of intent to file an application for preliminary permit, allows an interested person to file an acceptable competing application for preliminary permit no later than July 27, 1982.

Agency Comments.—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene.—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980).

In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 27, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-8062 Filed 3-24-82; 9:45 am]
BILLING CODE 6717-01-M

[Project No. 5880-000]

Homestake Consulting & Investments, Inc.; Application for Preliminary Permit

March 19, 1982.

Take notice that Homestake Consulting & Investments, Inc. (Applicant) filed on January 15, 1982, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)) for Project No. 5880 to be known as the Lower Berry Creek Water Power Project located on Berry Creek in Bonner County, Idaho. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. William H. Delp, II, Independent Power Developers, Inc., P.O. Box 1467, Noxon, Montana 59853.

Project Description—The proposed project would consist of: (1) A proposed minor diversionary barrier, 3 feet in height, and impounding no more than 0.25 acre-feet of water; (2) an intake

orifice approximately 10 sq. feet in size; (3) a settling tank having 768 cubic feet capacity; (4) a 5,000-foot long penstock; (5) a powerhouse containing two turbine generators with a combined installed capacity of 260 kW; (6) proposed transmission lines; and (7) appurtenant facilities. The proposed project is not located on Federal lands. The Applicant estimates that the average annual energy output would be 1,069,000 kWh.

Purpose of Project—Power at the proposed project would be sold to Pacific Power & Light Company.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of 18 months, during which time studies would be made to determine the engineering, environmental, and economic feasibility of the project. In addition, historic and recreational aspects of the project would be determined, along with consultation with Federal, State, and local agencies for information, comments and recommendations relevant to the project. The Applicant estimates the cost of the studies would be \$3,127.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before May 28, 1982, the competing application itself, or a notice of intent to file such an application (see: 18 CFR 4.30 et. seq. (1981); and Docket No. RM81-15, issued October 29, 1981, 46 FR 55245, November 9, 1981.)

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before May 28, 1982, and should specify the type of application forthcoming. Any application for license or exemption from licensing must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et. seq. or 4.101 et. seq. (1981), as appropriate).

Submission of a timely notice of intent to file an application for preliminary permit, allows an interested person to file an acceptable competing application for preliminary permit no later than July 28, 1982.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file

comments within the time set below, it will be presumed to have no comments.

Comments, Protest, or Petitions To Intervene—Anyone may submit comments, a protests, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 28, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-8063 Filed 3-24-82; 9:45 am]
BILLING CODE 6717-01-M

[Project No. 5884-000]

Homestake Consulting & Investments, Inc.; Application for Preliminary Permit

March 19, 1982.

Take notice that Homestake Consulting & Investments, Inc. (Applicant) filed on January 15, 1982, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)—825(r)) for Project No. 5884 to be known as the Rocky Run Creek Water Power Project located on Rocky Run Creek in Kittitas County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. William H. Delp II, Independent

Power Developers, Inc., P.O. Box 1467, Noxon, Montana 59853.

Project Description—The proposed project would consist of: (1) a proposed minor diversionary barrier, 3 feet in height, and impounding no more than 0.25 acre-feet of water; (2) an intake orifice approximately 10 square feet in size; (3) a settling tank having 768 cubic feet capacity; (4) a 4,300-foot long penstock; (5) a powerhouse containing two turbine generators with a combined installed capacity of 525 kW; (6) proposed transmission lines; and (7) appurtenant facilities. The Applicant estimates that the average annual energy output would be 1,809,500 kWh. The proposed project is not located on Federal lands.

Purpose of Project—Power at the proposed project would be sold to Kittitas County Public Utility District.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of 18 months, during which time studies would be made to determine the engineering, environmental, and economic feasibility of the project. In addition, historic and recreational aspects of the project would be determined, along with consultation with Federal, State, and local agencies for information, comments and recommendations relevant to the project. The Applicant estimates that the cost of the studies would be \$3,516.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before May 27, 1982, the competing application itself, or a notice of intent to file such an application (see: 18 CFR 4.30 et seq. (1981); and Docket No. RM81-15, issued October 29, 1981, 46 FR 55245, November 9, 1981.)

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before May 27, 1982, and should specify the type of application forthcoming. Any applications for licensing or exemption from licensing must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate).

Submission of a timely notice of intent to file an application for preliminary permit, allows an interested person to file an acceptable competing application

for preliminary permit no later than July 27, 1982.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 27, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-8064 Filed 3-24-82; 8:45 am]
BILLING CODE 6717-01-M

[Project No. 6030-000]

**City of Salyersville, Kentucky;
Application for Preliminary Permit**

March 19, 1982.

Take notice that the City of Salyersville, Kentucky (Applicant) filed on February 26, 1982, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for Project No. 6030 to be known

as the Paintsville Dam located on Paint Creek in Johnson County, Kentucky. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mayor Tim Bostic, City of Salyersville, c/o Salyersville Independent, P.O. Box 40, Salyersville, Kentucky 41465.

Project Description—The proposed project would consist of: (1) A proposed powerhouse containing generating units having a total installed capacity of 1,000 kW; (2) proposed intake structures; (3) a proposed 46-kV transmission line; and (4) appurtenant facilities. The Applicant proposes to utilize an existing dam owned by the U.S. Army Corps of Engineers, and the Applicant estimates the average annual energy output would be 4,950 MWh.

Proposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. Applicant seeks issuance of a preliminary permit for a term of 24 months. During this time the Applicant proposes to study stream flow, flood data, distribution systems, power cost, and environmental impacts in consultation with Federal, State, and local agencies to determine the environmental effects of the project. Applicant estimates the cost of the studies would be \$25,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before June 28, 1982, the competing application itself (see: 18 CFR 4.30 et seq. (1981)). A notice of intent to file a competing application for preliminary permit will not be accepted for filing.

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before May 27, 1982, and should specify the type of application forthcoming. Applications for licensing or exemption from licensing must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 27, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB, at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-8059 Filed 3-24-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5428-000]

Lawrence J. McMurtrey; Application for Preliminary Permit

March 19, 1982.

Take notice that Lawrence J. McMurtrey (Applicant) filed on September 29, 1981, and revised on January 11, 1982, an application for preliminary permit (pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)) for Project No. 5428 to be known as the Martin Creek Waterpower Project located on Martin Creek entirely on lands in the Snoqualmie-Mt. Baker National Forest in King County, Washington. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed

to: Mr. Lawrence J. McMurtrey, 12122-196th N.E., Redmond, Washington 98052.

Project Description—The revised proposed project would consist of: (1) a 22,000-foot long, 36-inch diameter diversion conduit; (2) a powerhouse with a total rated capacity of 3.2 MW; and (3) 1.0-mile long 115-kV transmission line from the powerhouse to an existing 115-kV Puget Sound Power and Light Company transmission line. The Applicant estimates that the average annual energy output would be 16.6 GWh. A potential market for project generated energy is the Puget Power and Light Company.

Proposed Scope of Studies under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a permit of 36 months during which it would conduct technical, environmental and economic studies, and also prepare an FERC license application. No new roads would be needed for conducting these studies. The Applicant estimates that the cost of undertaking these studies would be \$20,000.

Competing Applications—This application was filed as a revision to the initial application originally submitted by Lawrence J. McMurtrey. Public notice of the filing of the initial application, which has already been given, established the due date for filing competing applications or notices of intent. In accordance with the Commission's regulations, no competing application for preliminary permit, or notices of intent to file an application for preliminary permit or license will be accepted for filing in response to this notice. Any application for license or exemption from licensing, or notice of intent to file an exemption application, must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et seq. or 4.101 et seq. (1981), as appropriate).

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the

Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 6, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "PROTESTS", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Room 208 RB at the above address. A copy of any petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-8068 Filed 3-24-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 4657-002]

Montana Department of Natural Resources and Conservation; Application for Exemption for Small Hydroelectric Power Project Under 5 MW Capacity

March 19, 1982.

Take notice that on February 19, 1982, Montana Department of Natural Resources and Conservation (Applicant) filed an application under Section 408 of the Energy Security Act of 1980 (Act) (16 U.S.C. 2705 and 2708 as amended), for exemption of a proposed hydroelectric project from licensing under Part I of the Federal Power Act. The proposed small hydroelectric project (Project No. 4657) would be located on the West Fork Bitterroot River, near Darby, in Ravalli County, Montana. Correspondence with the Applicant should be directed to: Mr. Norman Barnard, Montana Department of Natural Resources and Conservation, 32 South Ewing, Helena, Montana 59601.

Project Description—The proposed project would consist of: (1) The existing 143-foot high and 800-foot long gravel and rockfill Painted Rocks Dam, owned by the Applicant, and impounding; (2) a 655-acre reservoir; (3) a 580-foot long outlet conduit; (4) a powerhouse, at the toe of the dam, containing two generating units, each rated at 2.5 MW; and (5) a transmission line. The average

annual energy generation is estimated to be 15 million kWh.

Purpose of Exemption—An exemption, if issued, gives the Exemptee priority of control, development, and operation of the project under the terms of the exemption from licensing, and protects the Exemptee from permit or license applicants that would seek to take or develop the project.

Agency Comments—The U.S. Fish and Wildlife Service, The National Marine Fisheries Service, and the Montana Department of Fish and Game are requested, for the purposes set forth in Section 408 of the Act, to submit within 60 days from the date of issuance of this notice appropriate terms and conditions to protect any fish and wildlife resources or to otherwise carry out the provisions of the Fish and Wildlife Coordination Act. General comments concerning the project and its resources are requested; however, specific terms and conditions to be included as a condition of exemption must be clearly identified in the agency letter. If an agency does not file terms and conditions within this time period, that agency will be presumed to have none. Other Federal, State, and local agencies are requested to provide any comments they may have in accordance with their duties and responsibilities. No other formal requests for comments will be made. Comments should be confined to substantive issues relevant to the granting of an exemption. If an agency does not file comments within 60 days from the date of issuance of this notice, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Competing Applications—Any qualified license applicant desiring to file a competing application must submit to the Commission, on or before May 6, 1982 either the competing license application that proposes to develop at least 7.5 megawatts in that project, or notice of intent to file such a license application. Submission of a timely notice of intent allows an interested person to file the competing license application no later than 120 days from the date that comments, protests, etc. are due. Applications for preliminary permit will not be accepted.

A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c) (1980). A competing license application must conform with the requirements of 18 CFR 4.33 (a) and (d) (1980).

Comments, Protests, or Petitions To Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the

requirements of the rules of practice and procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 6, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-8066 Filed 3-24-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-336-000]

Montana Power Co.; Filing

March 18, 1982.

The filing Company submits the following:

Take notice that on February 22, 1982, the Montana Power Company (Montana) tendered for filing, in accordance with section 35 of the Commission's regulations, Amending Letter Agreements with Southern California Edison Company (Edison) dated October 1, October 29 and November 5, 1981, all of which supplement Montana Power Company FERC Rate Schedule No. 115. These Amending Letter Agreements provide for the sale of firm energy between Montana and Edison.

An effective date of September 21, 1981 is proposed and waiver of the Commission's requirements is therefore requested.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 31, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-8067 Filed 3-24-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-383-000]

Oklahoma Gas and Electric Co.; Filing

March 19, 1982.

The filing Company submits the following:

Take notice that on March 15, 1982, Oklahoma Gas and Electric Company (OG&E) tendered for filing a new Agreement intended to supersede OG&E's Rate Schedule FERC No. 110. This Agreement is the contract between OG&E and the Southwestern Power Administration (SWPA). The new rate is identical to the old rate, and provides for the sale of Replacement Energy and Emergency Service by OG&E to SWPA.

OG&E requests an effective date of January 1, 1982, and therefore requests waiver of the Commission's notice requirements.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 7, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file

with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-8068 Filed 3-24-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-386-000]

Public Service Company of Indiana, Inc.; Filing

March 19, 1982.

The filing Company submits the following:

Take notice that Public Service Company of Indiana, Inc. (PSCI) on March 15, 1982, tendered for filing pursuant to the Interconnection Agreement between PSCI and Northern Indiana Public Service Company a Seventh Supplemental Agreement to become effective May 10, 1982.

PSCI states that said Supplemental Agreement increases the demand charge for Short Term Power from 85¢ per kilowatt per week to \$1.05 per kilowatt per week.

Copies of the filing were served upon Northern Indiana Public Service Company and Public Service Commission of Indiana.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 7, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-8069 Filed 3-24-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-384-000]

Southern California Edison Co.; Filing

March 19, 1982.

The filing Company submits the following:

Take notice that Southern California Edison Company (Edison), on March 15, 1982, tendered for filing a letter agreement dated February 23, 1982, for temporary service arrangement between

the State of California Department of Water Resources (CDWR) and certain parties to the Contract Between California Suppliers and the State of California for the Sale, Exchange, and Transmission of Electric Capacity and Energy for the Operations of State Water Project Pumping Plant (Suppliers' Contract). The agreement provides for required energy deliveries in order to accommodate a temporary water exchange program. Total energy requirements to CDWR during 1982 will be reduced by virtue of this arrangement.

Edison states that it is necessary that service be initiated under this temporary agreement as soon as possible, but in no event later than March 15, 1982, and, for that reason, Edison requests that the notice provisions of the Commission's regulations be waived and the filing be permitted to become effective as of March 15, 1982.

Copies of the filing were served upon affected Parties to the Suppliers' Contract and the Public Utilities Commission of the State of California.

Any person desiring to be heard or to protest this application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 7, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-8070 Filed 3-24-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CI82-195-000]

Timberlay Petroleum Co.; Petition for a Certificate of Public Convenience and Necessity or in the Alternative a Petition for Declaratory Order Disclaiming Jurisdiction

March 22, 1982.

Take notice that on February 26, 1982, Timberlay Petroleum Company of 2203 St. James Court, Missouri City, Texas 77459, filed a petition for a Certificate of Public Convenience and Necessity in Docket No. CI82-195-000 for the transportation of natural gas from

Timberlay Petroleum Company's proposed central compressor station and dehydration facility to the contractual delivery point on the purchaser's (Tennessee Gas Pipeline Company's) pipeline.

Applicant is proposing to construct and operate a central compressor station, dehydration facility, and a 750 foot, 4-inch natural gas pipeline in the Alden-Lancaster Field, Erie County, New York, and requests whatever certificate authorization may be required under Section 7 of the Natural Gas Act. In the alternative, Applicant is petitioning the Commission for a Declaratory Order stating that the construction and operation of the proposed facilities constitutes gathering facilities which are exempt from the Commission's jurisdiction pursuant to Section 1(b) of the Natural Gas Act.

Any person desiring to be heard or to make any protest with reference to said application should on or before April 8, 1982, file with the Federal Energy Regulatory Commission, Washington, D.C., 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure a hearing will be held without further notice before the Commission on the application in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificate is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicant to appear or to be represented at the hearing.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-8071 Filed 3-24-82; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER82-381-000]

Washington Water Power Co., Filing

March 19, 1982.

The filing Company submits the following:

Take notice that on March 15, 1982, the Washington Water Power Company (Washington) tendered for filing copies of a service schedule applicable to what Washington refers to as a Letter Agreement dated January 19, 1982, between Washington and the Montana Power Company which applies to the exchange of energy.

Washington requests that the requirements of prior notice be waived and the effective date be made retroactive to December 1, 1981, adding that there would be no effect upon purchasers under other rate schedules.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 7, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-8072 Filed 3-24-82; 8:45 am]

BILLING CODE 6717-01-M

[Doc. No. ER82-382-000]

Washington Water Power Co.; Filing

March 19, 1982.

The filing Company submits the following:

Take notice that on March 15, 1982, the Washington Water Power Company (Washington) tendered for filing copies of a service schedule applicable to what Washington refers to as a "Letter Agreement" dated December 7, 1981, between Washington and Pacific Power

& Light Company which applies to the exchange of energy.

Washington requests that the requirements of prior notice be waived and the effective date be made retroactive to December 1, 1981, adding that there would be no effect upon purchasers under other rate schedules.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 7, 1982. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-8056 Filed 3-24-82; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 5424-001]

Richard V. Williamson; Application for Preliminary Permit

March 19, 1982.

Take notice that Richard V. Williamson (Applicant) filed on January 25, 1982, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. 791(a)-825(r)] for Project No. 5424 to be known as the Bidden Creek and Little Bidden Creek Hydroelectric Power Project located on Bidden Creek and Little Bidden Creek in Trinity County, California. The application is on file with the Commission and is available for public inspection. Correspondence with the Applicant should be directed to: Mr. Richard V. Williamson, 241 Broadway, Eureka, California 95501.

Project Description—The proposed project would consist of: (1) two 4-foot high concrete diversion dams with overflow spillways; (2) a diversion pipeline 500 feet long and penstock 1,400 feet long; (3) a powerhouse containing a turbine-generator with 200 kw capacity and 1.5 million kwh average annual energy production; (4) an 800-foot long transmission line; and (5) appurtenant facilities. Generated power will be sold to Pacific Gas & Electric Company, the public utility in the project area. The project will be on Trinity National Forest land.

Purposed Scope of Studies Under Permit—A preliminary permit, if issued, does not authorize construction. The Applicant seeks issuance of a preliminary permit for a period of 30 months, during which economic, engineering and environmental studies will be conducted to ascertain project feasibility and to support a license application. The estimated cost of these actions is \$11,000.

Competing Applications—Anyone desiring to file a competing application for preliminary permit must submit to the Commission, on or before May 28, 1982, the competing application itself, or a notice of intent to file such an application (see: 18 CFR 4.30 et. seq. (1981); and Docket No. RM81-15, issued October 29, 1981, 46 FR 55245, November 9, 1981.)

The Commission will accept applications for license or exemption from licensing, or a notice of intent to submit such an application in response to this notice. A notice of intent to file an application for license or exemption must be submitted to the Commission on or before May 28, 1982, and should specify the type of application forthcoming. Any application for license or exemption from licensing must be filed in accordance with the Commission's regulations (see: 18 CFR 4.30 et. seq. or 4.101 et. seq. (1981), as appropriate).

Submission of a timely notice of intent to file an application for preliminary permit, allows an interested person to file an acceptable competing application for preliminary permit no later than July 28, 1982.

Agency Comments—Federal, State, and local agencies are invited to submit comments on the described application. (A copy of the application may be obtained by agencies directly from the Applicant.) If an agency does not file comments within the time set below, it will be presumed to have no comments.

Comments, Protests, or Petitions to Intervene—Anyone may submit comments, a protest, or a petition to intervene in accordance with the requirements of the Rules of Practice and Procedure, 18 CFR 1.8 or 1.10 (1980). In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a petition to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or petitions to intervene must be received on or before May 28, 1982.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS",

"NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "PROTEST", or "PETITION TO INTERVENE", as applicable, and the Project Number of this notice. Any of the above named documents must be filed by providing the original and those copies required by the Commission's regulations to: Kenneth F. Plumb, Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426. An additional copy must be sent to: Fred E. Springer, Chief, Applications Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission, Room 208 RB, at the above address. A copy of any notice of intent, competing application, or petition to intervene must also be served upon each representative of the Applicant specified in the first paragraph of this notice.

Kenneth F. Plumb,
Secretary.

[FR Doc. 82-9057 Filed 3-24-82; 8:45 am]

BILLING CODE 6717-01-M

Office of Fossil Energy

National Petroleum Council; Open Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given of the following advisory committee meeting:

Name: National Petroleum Council
Date and Time: Wednesday, April 21, 1982—9:00 a.m.

Place: The Madison Hotel, Dolley Madison Ballroom, Fifteenth and M Street, NW., Washington, DC

Contact: Gloria Decker, Information Management Systems Branch, U.S. Department of Energy, 1000 Independence Ave., SW., Forrestal Building—Room 4D-024, Washington, DC 20585, Telephone: 202-252-5187

Purpose of Committee: To provide advice, information, and recommendations to the Secretary of Energy on matters relating to oil and gas or the oil and gas industries.

Tentative Agenda:

- Call to Order by John F. Bookout, Chairman, National Petroleum Council
- Remarks by the Honorable James B. Edwards, Secretary of Energy
- Report of the Subcommittee on Environmental Conservation, Alton W. Whitehouse, Jr., Chairman
- Consideration of Administrative Matters
- Discussion of Any Other Business Properly Brought Before the National Petroleum Council
- Public Comment (10 minute rule)

Public participation: The meeting is open to the public. The Chairperson of the Committee is empowered to conduct the meeting in a fashion that will facilitate the

orderly conduct of business. Any member of the public who wishes to file a written statement with the Committee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact Gloria Decker at the address or telephone number listed above. Requests must be received at least 5 days prior to the meeting and reasonable provision will be made to include the presentation on the agenda.

Transcripts: Available for public review and copying at the Public Reading Room, Room 1E-190, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC, between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued at Washington, D.C. on March 22, 1982.

Howard H. Raiken,
Deputy Advisory Committee Management Officer.

[FR Doc. 82-7964 Filed 3-24-82; 8:45 am]

BILLING CODE 6450-01-M

FEDERAL COMMUNICATIONS COMMISSION

Advisory Committee on Preparations for the ITU 1983 Region 2 Broadcasting Satellite Service Planning Conference; Subgroup Meeting

March 16, 1982.

Subgroup 2: Technical Parameters.
Meeting: Thursday, March 25, 1982, 9:00 a.m.—5:00 p.m., Federal Communications Commission, 1229 20th Street, NW., Room A-10, Washington, D.C.

Agenda: (1) Approval of Agenda; (2) Approval of Minutes of last meeting; (3) Announcements; (4) Progress Report of Working Group 2A—J. Ramasastry; (5) Progress Report of Working 2B—E. Martin; (6) Approval of Final Subgroup 2 Report; (7) Other Business; (8) Adjournment.

Federal Communications Commission.

William J. Tricarico,
Secretary.

[FR Doc. 82-7937 Filed 3-24-82; 8:45 am]

BILLING CODE 6712-01-M

Advisory Committee on Preparations for the ITU 1983 Region 2 Broadcasting Satellite Service Planning Conference; Working Group Meeting

March 16, 1982.

Working Group 2B: Planning Approaches and Modification Procedures. Chairman: Ernesto Martin, (202) 626-3629.

Meeting: Monday, March 22, 1982, 9:00 a.m.—5:00 p.m., Federal Communications Commission, 1229 20th Street, NW., Room A-106, Washington, D.C.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 82-7938 Filed 3-24-82; 8:45 am]

BILLING CODE 6712-01-M

Advisory Committee on Preparations for the ITU 1983 Region 2 Broadcasting Satellite Service Planning Conference; Working Group Meeting

March 16, 1982.

Working Group 2A; Planning Parameters.

Chairman: Jay Ramasastry, (212) 975-1727.

Meeting: Tuesday, March 23, 1982, 9:00 a.m.—5:00 p.m., CBS Viewing Room, 1800 M Street, NW., 3rd Floor, Washington, D.C.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 82-7938 Filed 3-25-82; 8:45 am]

BILLING CODE 6712-01-M

[Docket Nos. 82-88, 82-89; File Nos. BPCT-810806KH, BPCT-810928KF]

Apogee, Inc., and Appleton Midwestern Television; Designating Applications for Consolidated Hearing on Stated Issues

Adopted: February 12, 1982.

Released: February 18, 1982.

In re applications of Apogee, Inc., Appleton, Wisconsin, BC Docket No. 82-88, File No. BPCT-810806KH; Appleton Midwestern Television, Appleton, Wisconsin, BC Docket No. 82-89, File No. BPCT-810928KF; for construction permit.

1. The Commission, by the Chief, Broadcast Bureau, acting pursuant to delegated authority, has before it the above-captioned mutually exclusive applications for authority to construct a new commercial television broadcast station on Channel 32, Appleton, Wisconsin.

Apogee, Inc.

2. The proposed tower is to be located 1.74 miles from the existing Station WHBY (AM) non-directional tower. Accordingly, should a construct permit be granted to this applicant, it will be appropriately conditioned.

Conclusion and Order

3. The applicants are qualified to construct and operate as proposed. However, since the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

4. Accordingly, it is ordered, that, pursuant to Section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding to be held before an Administrative Law Judge at a time and place to be specified in a subsequent Order, upon the following issues:

(1) To determine which of the proposals would, on a comparative basis, better serve the public interest.

(2) To determine, in light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

5. It is further ordered, that, should a construction permit be granted to Apogee, Inc., such grant will be subject to the following condition:

Prior to construction of the TV tower authorized herein, permittee shall notify AM Station WHBY so that the AM station may determine operating power by the indirect method. Permittee shall be responsible for the installation and continued maintenance of detuning apparatus necessary to prevent adverse effects upon the pattern of the AM station. Subsequent to construction of the TV tower and installation of all appurtenances thereon, antenna impedance measurements of the AM antenna shall be made, and sufficient field strength measurements shall be made, at a minimum of 10 locations along each of eight equally spaced radials, to establish that the AM radiation pattern of the AM station is essentially omnidirectional. The results shall be submitted to the Commission in application for the AM station to return to the direct method of power determination. Thereafter, the TV station may commence *Limited Program Tests*.

6. It is further ordered, that to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

7. It is further ordered, that the applicants herein, pursuant to Section 311(a)(2) of the Communications Act of 1934, as amended, and § 73.3594 of the Commission's rules, shall give notice of the hearing within the time and in the manner prescribed in such rule, and shall advise the Commission of the

publication of such notice as required by § 73.3594(g) of the rules.

Federal Communications Commission.
Larry D. Eads,
Chief, Broadcast Facilities Division,
Broadcast Bureau.

[FR Doc. 82-7941 Filed 3-24-82; 8:45 am]
BILLING CODE 6712-01-M

[CC Docket Nos. 82-78, 82-80; File Nos. 1978-CM-P-73, etc.]

**Little Rock Signal Corp. et al;
Memorandum Opinion and Order
Designating Applications for
Consolidated Hearing On Stated
Issues**

Adopted: February 8, 1982.
Released: February 16, 1982.

In re Applications of Little Rock Signal Corporation, CC Docket No. 82-78, File No. 1978-CM-P-73; and United Video, Inc., CC Docket No. 82-79, File No. 3898-CM-P-73; and Otis L. Hale d/b/a Mobilfone Communications, CC Docket No. 82-80, File No. 3982-CM-P-73; for construction permits in the Multipoint Distribution Service for a New Station at Little Rock, Arkansas.

1. For consideration are the above-referenced applications. These applications are for construction permits in the Multipoint Distribution Service and they propose operations on Channel 1 at Little Rock, Arkansas. The applications are therefore mutually exclusive and, under present procedures, require comparative consideration. These applications have been amended as result of informal requests by the Commission's staff for additional information. There are no petitions to deny or other objections under consideration.

2. Upon review of the captioned applications, we find that these applicants are legally, technically, financially, and otherwise qualified to provide the services which they propose, and that a hearing will be required to determine, on a comparative basis, which of these applications should be granted.

3. Accordingly, it is hereby ordered, That pursuant to Section 309(e) of the Communications Act of 1934, as amended, 47 U.S.C. 309(e) and § 0.291 of the Commission's rules, 47 CFR 0.291, the above-captioned applications are designated for hearing, in a consolidated proceeding, at a time and place to be specified in a subsequent Order, to determine, on a comparative basis, which of the above-captioned applications should be granted in order to best serve the public interest, convenience and necessity. In making

such a determination, the following factors shall be considered:¹

(a) The relative merits of each proposal with respect to efficient frequency use, particularly with regard to compatibility with co-channel use in nearby cities and adjacent channel use in the same city;

(b) The anticipated quality and reliability of the service proposed, including installation and maintenance programs; and

(c) The comparative cost of each proposal considered in context with the benefits of efficient spectrum utilization and the quality and reliability of service as set forth in issues (a) and (b).

4. It is further ordered, that Little Rock Signal Corporation, United Video, Inc., Otis L. Hale, d/b/a Mobilfone Communications and the Chief, Common Carrier Bureau, are made parties to this proceeding.

5. It is further ordered, that parties desiring to participate herein shall file their notices of appearance in accordance with the provisions of § 1.221 of the Commission's rules, 47 CFR 1.221.

6. It is further ordered, that this action is without prejudice and may be subject to conditions promulgated in Docket Nos. 82-12 through 82-17.

James R. Keegan,
Chief, Domestic Facilities Division, Common Carrier Bureau

[FR Doc. 82-7942 Filed 3-24-82; 8:45 am]
BILLING CODE 6712-01-M

[BC Docket Nos. 82-135—82-140; File Nos. BPH-800813AA, etc.]

**Shoblom Broadcasting, Inc., et al;
Hearing Designation Order
Designating Applications for
Consolidated Hearing on Stated Issues**

Adopted: March 5, 1982.
Released: March 16, 1982.

In re Applications of a Shoblom Broadcasting, Inc., Yucca Valley, California, BC Docket No. 82-135, File No. BPH-800813AA, Req: 106.9 MHz, Channel 295B 5.7 kW (H&V), 1176 feet; Deanne C. Davis, John J. Davis, R. Paul Fierro, a Partnership, d.b.a. Corinthians XIII Broadcasting Company, Yucca Valley, California, BC Docket No. 82-136, File No. BPH-800825AG, Req: 106.9 MHz, Channel 295B 4.7 kW (H&V), 1275 feet; Buena Vista Broadcasting Company, Yucca Valley, California, BC Docket No. 82-137, File No. BPH-800827AA, Req: 106.9 MHz, Channel

¹ Consideration of these factors shall be in light of the Commission's discussion in *Frank K. Spain, 77 FCC 2d 20 (1980)*.

295B 5.8 kW (H&V), 1174 feet; Total Desert Broadcasting, Inc., Yucca Valley, California, BC Docket No. 82-138, File No. BPH-800829AG, Req: 106.9 MHz, Channel 295B 5.7 kW (H&V), 1190 feet; Desert Radio, Inc., Yucca Valley, California, BC Docket No. 82-139, File No. BPH-800829AI, Req: 106.9, Channel 295B 5.6 kW (H&V), 1221 feet; Royce International Broadcasting Company, Desert Hot Springs, California, BC Docket No. 82-140, File No. BPH-800829AO, Req: 106.9 MHz, Channel 295B 1.6 kW (H&V), 2000 feet.

1. The Commission, by the Chief, Broadcast Bureau, acting pursuant to delegated authority, has under consideration the above-captioned mutually exclusive applications filed by Shoblom Broadcasting Inc. (Shoblom); Deanne C. Davis, John J. Davis, and R. Paul Fierro, a partnership, d.b.a. Corinthians XIII Broadcasting Company (Corinthians); Buena Vista Broadcasting Company (Vista); Total Desert Broadcasting, Inc. (Total); Desert Radio, Inc. (Desert); and Royce International Broadcasting Company (Royce). Also under consideration are: (a) Petitions for reconsideration filed by Desert and Shoblom;¹ (b) petitions for leave to amend the application of Desert and comments of Shoblom regarding the petitions; (c) a petition to deny the application of Royce filed by Corinthians; and (d) other related pleadings.²

2. *Shoblom*. Applicants for new broadcast stations are required by § 73.3580(f) of the Commission's Rules to give local notice of the filing of their applications. They must then file with the Commission the statement described in § 73.3580(h) of the rules. We have no evidence that Shoblom published the required notice. To remedy this deficiency, Shoblom will be required to publish local notice of its application, and file a statement of publication with the presiding Administrative Law Judge.

¹ The petitions for reconsideration filed by Desert and Shoblom were accompanied by the resubmission of their respective applications. Desert's resubmitted application constituted a minor change and retained its original file number. However, Shoblom's resubmitted application constituted a major change and was accordingly assigned a new file number.

² Pursuant to the Commission's Report and Order in re Revised Procedures for the Processing of Part 1 of the Commission's Rules, 77 FCC 2d 202, 45 RR 2d 1220 (1979), which directed the deletion of all issue pleadings, those matters sought to be raised by the parties, irrespective of the nomenclature of the pleadings (e.g. Petition to Specify Issues, Petition to Deny, etc.) have been considered only to the extent specifically discussed, and/or issue(s) specified, herein. The opportunity to raise issues that have not been considered herein will be afforded the parties post-designation pursuant to § 1.229 of the rules. Accordingly, Corinthians' petition to deny Royce's application will be dismissed.

3. Analysis of financial data submitted by Shoblom reveals that \$103,466.60 will be required to construct the proposed station and operate for three months, itemized as follows:

Equipment Cost.....	\$86,421.60
Legal Cost.....	* 1,000.00
Miscellaneous.....	4,500.00
Operating Expenses (3 months).....	11,545.00
Total.....	103,466.60

* Since Shoblom's has employed legal counsel, its estimate of \$1,000 for legal fees incident to a hearing is insufficient.

Shoblom plans to finance construction and operation with deferred credit from the equipment supplier, \$45,000 from the proceeds of a loan from Lee R. Shoblom and \$5,000 in existing capital. Shoblom's balance sheet indicates that it has a liquid net worth of \$19,653, thereby documenting the availability of the \$5,000 in existing capital. However, Shoblom's financial plan is not supported by an equipment supplier's offer of deferred credit, nor is a balance sheet submitted to show Lee R. Shoblom's ability to provide a \$45,000 loan. Accordingly, a financial issue will be specified.

4. *Total*. We have no evidence that Total gave local notice of the filing of its application as required by § 73.3580(f) of the Commission's rules. To remedy this deficiency Total will be required to publish local notice of its application and file a statement of publication, pursuant to § 73.3580(h) of the rules, with the presiding Administrative Law Judge.

5. *Royce*. We have no evidence that Royce gave local notice of the filing of its application as required by § 73.3580(f) of the Commission's rules. To remedy this deficiency Royce will be required to publish local notice of its application and file a statement of publication, pursuant to § 73.3580(h) of the rules, with the presiding Administrative Law Judge.

6. Section 73.313(d) of the Commission's rules requires that in determining the average elevation of the terrain, profile graphs shall be drawn for eight evenly spaced radials. These radials are to extend 10 miles from the antenna site, starting with due north, and are to be drawn for each 45 degrees, of the azimuth. To show an unobstructed path between the antenna and the principal community to be served, the eight radials shall be supplemented, if necessary, so that at least one radial includes the community. Royce indicates that the 225 degree radial includes the principal community, Desert Hot Springs, however, maps submitted in support of Royce's engineering statement show that the 225

degree radial does not include Desert Hot Springs. On its predicted coverage map the applicant includes a ninth radial at 242 degrees which passes through Desert Hot Springs, but it has not submitted a profile graph for the 242 degree radial. Accordingly, a signal coverage issue will be specified.

7. *Other Matters*. Shoblom petitions for reconsideration of the Commission's dismissal of its original application filed December 20, 1979. The Commission, by letter, dated July 14, 1980, dismissed Shoblom's application, for it failed to propose the maximum facilities of 50 kW and 500 feet (or its equivalent), as required by the specially allocated channel assignment to Yucca Valley, California, FM Table of Assignments (Yucca Valley, California), 45 RR 2d 644 (B/C Bur. 1979). On August 13, 1980, Shoblom resubmitted an amended application with a new site, specifying the maximum Class B facilities and requesting that the amended application be accepted for filing *nunc pro tunc*. We note that Shoblom's amended application was resubmitted prior to the cut-off date of August 29, 1980, which was the last date for filing a competing application with the application of Yucca Valley Broadcasting (BPH-791126BU).² Therefore, we find that Shoblom's amended application was timely, precluding the need to rule on the merits of its petition of reconsideration and its request that the amended application be accepted for filing *nunc pro tunc*. However since Shoblom's resubmitted application constituted a major change, its application was assigned a new file number.

8. The Commission also has before it a petition for reconsideration of its dismissal of Desert's original application filed August 29, 1980. The Commission, by letter, on November 4, 1980, returned Desert's application for its proposed facilities on 50 kW and 1227 feet because it exceeded the maximum facilities for a Class B station in violation of § 73.211 of the Commission's rules.³ Desert retendered its application on December 4, 1980, amending its engineering section by specifying the maximum facilities allowable for a Class B station in accordance with § 73.211 of the Commission's rules.⁴

² Yucca Valley Broadcasting was the lead applicant applying for the new channel assigned to Yucca Valley, California, and has since withdrawn its application.

³ Section 73.211 prescribes the power and antenna height requirements for a Class A, B, and C station. The maximum power and antenna height for a Class B station is 50 kW and 500 feet.

⁴ Desert's amended application proposed power and antenna height of 5.6 kW and 1221 feet.

Accompanying the retendered application was a timely petition for reconsideration requesting that Desert's application, as amended, be accepted for filing, and that its petition be granted.

9. Desert contends that "the Commission has allowed engineering amendments to meet deficiencies which would, or which have, required dismissal where such amendments would not require the assignment of a new file number under § 73.3572 of the Commission's rules, so long as the application was 'substantially complete' when tendered." Desert correctly points out that the Commission in *Earl Lamar Clark*, 36 RR 2d 1666 [B/C Bur. 1976], decided that a retendered and amended application, submitted after the expiration of the cut-off date, was acceptable for filing, if it was substantially complete when originally filed, and if the amendment was minor and did not require a new file number. The Clark decision was based on the test enunciated in "*Jame River Broadcasting Corp. v. FCC*," 399 F. 2d 581 (D.C. Cir. 1968) where the court noted the § 1.227 of the Commission's rules prohibits amendments filed after the cut-off date which require new file numbers (major amendments),⁶ and stated:

The clear implication is that any post cut-off date amendments which do not require a new file number will be deemed not to have destroyed the substantial completeness of the application * * * (Id., at p. 584)

10. The facts presented by Desert are analogous to those in *Clark*. Examination of Desert's engineering exhibits as originally filed, and as amended indicate that the change within its 1 mV/m contour, as amended, is less than a 50 percent change from its originally proposed 1 mV/m contour. Therefore, Desert's amendment is a minor change and no new file number is necessary. We also find that Desert's original application was substantially complete when filed. Accordingly, Desert's retendered and amended application will be accepted for filing *nunc pro tunc*, and included in the comparative proceeding with the other mutually exclusive applications for Yucca Valley, California.

11. Desert has amended its application several times to report the relinquishment of stocks and offices by

two of its principals, John H. Gayer and Dorothy G. Gayer, in their other broadcast interests, pursuant to § 1.65 of the Commission's rules. The amendments were filed May 4, 1981, July 7, 1981 and November 20, 1981.

Therefore all were filed after the "B" cut-off date of December 19, 1980, which was the last date Desert could amend its application as a matter of right. Shoblom, in commenting on the first two amendments, does not object to the acceptance of the amendments for the purpose of compliance with § 1.65. However, it does argue that Desert's comparative position should not be improved by the amendments for it was fixed on December 19, 1980. We find that good cause has been shown for the filing of the amendments under § 1.65, and accordingly the amendments will be accepted for filing. It is our general policy however, that amendments filed after the last date for filing amendments as a matter of right can not be used to improve an applicant's comparative position." Communications Properties, Inc., Hearing Designation Order in B/C Docket Nos. 80-772 *et al*, Mimeo 05863, 46 FR 7066 [B/C Bur. 1981]; "*Henderson Radio, Inc.*", Hearing Designation Order in BC Docket Nos. 79-123 *et al*, Mimeo 17764, 44 FR 31707 [B/C Bur. 1979]. Therefore, any comparative advantage resulting from Desert's amendment will be disallowed.

12. Data submitted by the applicants indicate that there would be a significant difference in the size of the areas and populations which would receive service from the proposals. Consequently, the areas and populations which would receive FM service of 1 mV/m or greater intensity, together with the availability of other primary aural service in such areas, will be considered under the standard comparative issue, for the purpose of determining whether a comparative preference should accrue to any of the applicants.

13. Although the respective proposals are for different communities, they would serve substantial areas in common. Consequently, in addition to determining, pursuant to Section 307(b) of the Communication Act of 1934, as amended, which of the proposals would best provide a fair, efficient and equitable distribution of radio service, a contingent comparative issue will also be specified.

14. The proposals are mutually exclusive and must be designated for hearing in a consolidate proceeding. The applicants are qualified to construct and operate as proposed, except as specified by the issues below.

15. Accordingly, it is ordered, that, pursuant to Section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary aural service (1 mV/m or greater) from the proposed operations, and the availability of other primary service to such areas and population.

2. To determine whether the proposal of Royce would provide coverage of Desert Hot Springs, California as required by § 73.315 of the Commission's rules, and, if not, whether circumstances exist which warrant a waiver of that section.

3. To determine with respect to Shoblom:

(a) The source and availability of additional funds over and above the \$5,000 indicated, and

(b) Whether in light of the evidence adduced pursuant to (a) above, the applicant is financially qualified.

4. To determine, in the light of Section 307(b) of the Communications Act of 1934, as amended, which of the proposals would best provide a fair, efficient and equitable distribution of radio service.

5. To determine, in the event it is concluded that a choice between the applications should not be based solely on considerations relating to Section 307(b), which of the proposals would, on a comparative basis, best serve the public interest.

6. To determine in the light of the evidence adduced pursuant to the foregoing issues, which, if any, of the applications should be granted.

16. It is further ordered, that, Shoblom's petition for reconsideration is dismissed as moot and its retendered application is accepted for filing.

17. It is further ordered, that in the event that both the pending AM and FM applications of Shoblom are granted, it is subject to the condition that if the Commission ultimately adopts a rule prohibiting commonly-owned AM and FM Stations in the same market, Shoblom will divest itself of either its AM or FM station in accordance with the requirements established in such rulemaking proceeding.⁷

18. It is further ordered, that Desert's petition for reconsideration is granted

⁶ Section 73.3573(a)(1) of the Commission's rules indicates in part that "/a/ major change for FM stations * * * is any change in frequency, station location or class of station, or any change in power, antenna location or height above average terrain (or combination thereof) which would result in a change of 50% or more in the area within the stations predicted 1 mV/m field strength contour."

⁷ Shoblom also has a pending AM application of file with the Commission for Yucca Valley, California (BP-780724AC).

and its retendered application is accepted for filing *nunc pro tunc*.

19. It is further ordered, that Desert's petitions for leave to amend its application are granted, the accompanying amendments are accepted for filing and any comparative advantage resulting from these amendments if disallowed.

20. It is further ordered, that Shoblom, Total and Royce, shall publish local notice of their applications respectively and shall file statements of publication with the presiding Administrative Law Judge.

21. It is further ordered, that to avail themselves of the opportunity to be heard, the applicants herein shall, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, within 20 days of the mailing of this Order, file with the Commission in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and to present evidence on the issues specified in this Order.

22. It is further ordered, that the applicants herein shall, pursuant to Section 311(a)(2) of the Communications Act of 1934, as amended, and § 73.3594 of the Commission's rules, give notice of the hearing (either individually or, if feasible and consistent with the rules, jointly) within the time and in the manner prescribed in such rule, shall advise the Commission of the publication of such notice as required by § 73.3594(g) of the Commission's rules.

Federal Communications Commission.

Larry D. Eads,

Chief, Broadcast Facilities Division,
Broadcast Bureau.

[FR Doc. 82-7940 Filed 3-24-82; 8:45 am]

BILLING CODE 6712-01-M

Steering Committee of the Telecommunications Industry Advisory Group; Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting of the Steering Committee of the Telecommunications Industry Advisory Group scheduled to meet on Thursday, April 8, 1982, at 9:30 a.m. in Room 650 of the Commission's offices at 1919 M St., NW., Washington, D.C. In the event that all matters to be discussed are not covered at that time, the meeting will reconvene on the following day, April 9, at the same time and place. This meeting will be open to the public. The preliminary agenda is as follows:

- I. General Administrative Matters.
- II. Further Discussion of Procedures for Guidance and Control of Subcommittee Activities.

III. Additional Subcommittee Proposals.

IV. Presentation of Assigned Position Papers.

V. Other Business.

VI. Presentation of Oral Statements.

VII. Adjournment.

With prior approval of the Chairman, Gerald P. Vaughan, oral statements, while not favored or encouraged, may be allowed if time permits and if the Chairman determines that an oral presentation is conducive to the effective attainment of Steering Committee objectives. Anyone not a member of the Steering Committee and wishing to make an oral presentation should contact Stephen T. Duffy, TIAG and Steering Committee Vice-Chairman (202/634-1509), at least five days prior to the meeting date.

William J. Tricarico,
Secretary, Federal Communications
Commission.

[FR Doc. 82-7943 Filed 3-24-82; 8:45 am]

BILLING CODE 6712-01-M

Telecommunications Industry Advisory Group; Cancellation of March Meeting

The meeting of the Telecommunications Industry Advisory Group scheduled for March 30 (March 15, 1982; 47 FR 11107), 1982, has been cancelled.

William J. Tricarico,
Secretary, Federal Communications
Commission.

[FR Doc. 82-7944 Filed 3-24-82; 8:45 am]

BILLING CODE 6712-01-M

Department of Energy Seeking Exemption From Part 68 of the Commission's Rules

AGENCY: Federal Communications Commission.

ACTION: Notice of request for permanent exemption and grant of temporary authority.

SUMMARY: Section 68.2(e) of the Commission's rules and regulations permits governmental departments, agencies or administrations to apply for exemption from the technical and legal requirements of Part 68 of the Commission's rules, in the interest of national defense and security. Part 68 governs the interconnection of customer-provided telephone equipment with the nationwide telephone network.

The Department of Energy has requested permanent exemption and special temporary authority under § 68.2(e) pending action on its request for permanent exemption. The

Commission hereby provides notice of the Department of Energy's request for permanent exemption and grant of its request for special temporary authority.

DATES: Comments due April 26, 1982 and replies due May 6, 1982.

FOR FURTHER INFORMATION CONTACT: James M. Talens, Senior Attorney, Common Carrier Bureau, Federal Communications Commission, Washington, D.C. 20554, (202) 632-6920.

SUPPLEMENTARY INFORMATION: In the matter of application of Federal Executive Agencies of the United States Government for authority to qualify for the interconnection of communications equipment or security devices to the telephone company-provided communications network pursuant to § 68.2(e) of the Commission's rules and regulations and for special temporary authority to qualify for the interconnection of communications equipment or security devices to the telephone company-provided communications network pursuant to § 68.2(e) of the Commission's rules and regulations; Order.

Adopted: March 9, 1982.

Released: March 15, 1982.

By the Common Carrier Bureau:

1. Before the Commission is an application and request for special temporary authority to permit the Department of Energy (DOE) to act pursuant to § 68.2(e) of the Commission's rules, 47 CFR 68.2(e). That section permits governmental departments, agencies or administrations to connect communications equipment or security devices to the public switched network without compliance with Part 68 of the rules where such compliance could result in the disclosure of communications equipment or security devices, locations uses, personnel, or activities which would adversely affect the national defense and security. Each such entity must first obtain an exemption from the Commission.¹ Part 68 contains the technical and legal standards by which communications equipment may be directly connected to the telephone network.

¹ For each installation, the exempt entity must certify in writing to the appropriate common carrier that: (1) The connection is required in the interest of national defense and security; (2) the equipment or device to be connected either complies with the technical requirements of this part or will not cause harm to the nationwide telephone network or telephone company employees; and (3) the installation is performed by well-trained, qualified employees under the responsible supervision and control of a person who meets the qualifications stated in § 68.215(c). See Order (FCC 79-728), released November 14, 1979, 44 FR 66,825.

2. On December 19, 1979, we received an application and request for temporary authority to permit ten governmental departments and agencies to act pursuant to § 68.2(e). They were the Department of State, Department of Defense, General Services Administration (GSA), Department of the Treasury, Central Intelligence Agency, Federal Bureau of Investigation, Department of Justice, Department of Commerce, Department of Transportation, and Federal Reserve Board. The application and the request were granted by the Chief, Common Carrier Bureau by an order released April 1, 1980.

3. At the time of the December 19, 1979, application, DOE did not install communications equipment or security devices. Such installations were performed by GSA for DOE. Circumstances which had made it feasible for DOE to use GSA personnel for these purposes have changed, however. It is now necessary for DOE personnel to perform their own communications equipment installations. For example, DOE's Nuclear Emergency Search Teams carry and employ cryptographic and other privacy equipment which may be directly connected to the public switched telephone network. Accordingly, DOE now requires authorization to act pursuant to § 68.2(e).

4. Under § 68.2, the Commission may grant, without notice, special temporary authority, not to exceed 90 days, for governmental departments, agencies, or administrations that wish to qualify for interconnection of equipment or security devices. Publication in the Federal Register is required for permanent exemption. We believe that DOE's request for special temporary authority should be granted and notice of request for permanent exemption should be published in the Federal Register.

5. Accordingly, pursuant to the authority delegated under Section 0.291 of the Commissions rules and regulations, 47 CFR 0.291, the Department of Energy's request for special temporary authority for exemption from Part 68 of the Commission's Rules and Regulations, 47 CFR Part 68, is granted.

6. It is also ordered that notice of this action and the Department of Energy's request for permanent exemption from Part 68 shall be published in the Federal Register. Comments may be filed within

thirty days of such publication and replies ten days thereafter.

Jack D. Smith,

Deputy Chief (Operations), Common Carrier Bureau.

[FR Doc. 82-6027 Filed 3-24-82; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL RESERVE SYSTEM

Ambanc Corp.; Formation of Bank Holding Company

Ambanc Corp., Vincennes, Indiana, has applied for the Board's approval under Section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 percent of the voting shares of the successor by merger with The American National Bank of Vincennes, Vincennes, Indiana. The factors that are considered in acting on the application are set forth in Section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of St. Louis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 17, 1982. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 18, 1982.

Theodore E. Downing, Jr.,

Assistant Secretary of the Board.

[FR Doc. 82-7932 Filed 3-24-82; 8:45 am]

BILLING CODE 6210-01-M

Centerre Bancorporation; Acquisition of Bank

Centerre Bancorporation, St. Louis, Missouri, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of Centerre Bank of South County, N.A., Saint Louis County, Missouri. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of St. Louis. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of

Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than April 17, 1982. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 18, 1982.

Theodore E. Downing, Jr.,

Assistant Secretary of the Board.

[FR Doc. 82-7931 Filed 3-24-82; 8:45 am]

BILLING CODE 6210-01-M

National Penn Bancshares, Inc.; Formation of Bank Holding Company

National Penn Bancshares, Inc., Boyertown, Pennsylvania, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 100 percent of the voting shares of National Bank of Boyertown, Boyertown, Pennsylvania. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Philadelphia. Any person wishing to comment on the applicant should submit views in writing to the Reserve Bank, to be received not later than April 17, 1982. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 18, 1982.

Theodore E. Downing, Jr.,

Assistant Secretary of the Board.

[FR Doc. 82-7930 Filed 3-24-82; 8:45 am]

BILLING CODE 6210-01-M

Sarcoxie Bancorp, Inc.; Formation of Bank Holding Company

Sarcoxie Bancorp, Inc., Sarcoxie, Missouri, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by acquiring 84.07 per cent or more of the voting shares of the First National Bank of Sarcoxie, Sarcoxie,

Missouri. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 17, 1982. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 18, 1982.

Theodore E. Downing, Jr.,

Assistant Secretary of the Board.

[FR Doc. 82-7935 Filed 3-24-82; 8:45 am]

BILLING CODE 6210-01-M

United Banks of Colorado, Inc.; Acquisition of Bank

United Banks of Colorado, Inc., Denver, Colorado, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 per cent of the voting shares of United Bank of Cherry Creek, N.A., Denver, Colorado. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than April 17, 1982. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 18, 1982.

Theodore E. Downing, Jr.,

Assistant Secretary of the Board.

[FR Doc. 82-7933 Filed 3-24-82; 8:45 am]

BILLING CODE 6210-01-M

United Banks of Colorado, Inc.; Acquisition of Bank

United Banks of Colorado, Inc., Denver, Colorado, has applied for the

Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 80 per cent or more of the voting shares of United Bank of Southwest Plaza, Littleton, Colorado. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank to be received not later than April 17, 1982. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, March 18, 1982.

Theodore E. Downing, Jr.,

Assistant Secretary of the Board.

[FR Doc. 82-7934 Filed 3-24-82; 8:45 am]

BILLING CODE 6210-01-M

Bank Holding Companies; 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 Reserve 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 April 13, 1982.

A. Federal Reserve Bank of New York (A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

1. *The Chase Manhattan Corporation*, New York, New York (finance, servicing, and leasing activities; Southwestern U.S.): To engage through its indirect subsidiary, Chase Commercial Corporation, in making or acquiring, for its own account or for the account of others, loans and other extensions of credit such as would be made by a commercial finance, equipment finance or factoring company, including factoring accounts receivable, making advances and over-advances on receivables and inventory, business installment lending, and making unsecured commercial loans; servicing loans and other extensions of credit; leasing personal property on a full payout basis and in accordance with the Board's Regulation Y, or acting as agent, broker or advisor in so leasing such property, including the leasing of motor vehicles. These activities would be conducted from an office in Oklahoma City, Oklahoma serving the States of Texas, Arkansas, Colorado, Kansas, Louisiana, New Mexico, and Oklahoma.

2. *The Chase Manhattan Corporation*, New York, New York (finance, servicing, and leasing activities; Southwestern U.S.): To engage through its indirect subsidiary, Chase Commercial Corporation, in making or acquiring, for its own account or for the account of others, loans and other extensions of credit such as would be made by a commercial finance, equipment finance or factoring company, including factoring accounts receivable, making advances and over-advances on receivables and inventory, business installment lending, and making unsecured commercial loans; servicing loans and other extensions of credit; leasing personal property on a full payout basis and in accordance with the Board's Regulation Y, or acting as agent, broker or advisor in so leasing such property, including the leasing of motor vehicles. These activities would be conducted from an office in Greensboro, North Carolina serving the States of Alabama, Florida, Georgia, Kentucky,

Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

3. *The Chase Manhattan Corporation*, New York, New York (finance, servicing, and leasing activities; Midwestern U.S.): To engage through its indirect subsidiary, Chase Commercial Corporation, in making or acquiring, for its own account or for the account of others, loans and other extensions of credit such as would be made by a commercial finance, equipment finance or factoring company, including factoring accounts receivable, making advances and over-advances on receivables and inventory, business installment lending, and making unsecured commercial loans; servicing loans and other extensions of credit; leasing personal property on a full payout basis and in accordance with the Board's Regulation Y, or acting as agent, broker or advisor in so leasing such property, including the leasing of motor vehicles. These activities would be conducted from an office in Minneapolis, Minnesota serving the States of Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, and Wisconsin.

4. *Manufacturers Hanover Corporation*, New York, New York (thrift and loan, insurance activities; California): To engage through a *de novo* indirect subsidiary, Finance One Thrift of California, Inc., in the activities of operating a thrift and loan as authorized by California law, including the acceptance of thrift certificates, making and acquiring loans and other extensions of credit such as would be made by a thrift and loans, and acting as agent or broker for the sale of single and joint credit life insurance, credit accident and health insurance, and property insurance related to such loans and other extensions of credit. These activities will be conducted from an office located in Los Angeles, California, which will serve the State of California.

5. *Manufacturers Hanover Corporation*, New York, New York (industrial bank, insurance activities; Colorado): To engage through a *de novo* indirect subsidiary Arvada Continental Industrial Bank in the activities of operating an industrial bank as authorized by Colorado law, including the acceptance of deposits, making, acquiring, and servicing loans and other extensions of credit such as would be made by a industrial bank, and acting as agent or broker for the sale of single and joint credit life insurance, credit accident and health insurance, and property insurance related to such loans and other extensions of credit. These activities will be conducted from an

office in Arvada, Colorado, which will serve the counties of Boulder, southwestern Weld, western Adams, western Arapahoe, northwestern Elbert, Doulgas, Jefferson, northeastern Park, southeastern Grant, and southeastern Larimer, Colorado.

B. **Federal Reserve Bank of Richmond** (Lloyd W. Bostian, Jr., Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

Southern Bancorporation, Inc., Greenville, South Carolina (consumer financing activities; Texas): To engage, through its subsidiary, World Acceptance Corporation, in making extensions of credit as a licensed consumer finance lender. These activities would be conducted from an office in San Antonio, Texas, serving the city of San Antonio and other parts of Bexar County, Texas.

C. **Federal Reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

First National Bank of Palm Beach, Inc., Palm Beach, Florida (financing investment advisory and insurance activities; Florida): To engage, through its subsidiary, Palm Beach National Corporation in origination of real estate lending activities for the Applicant; to service and manage real estate loans (real estate servicing company); to supervise the construction of Bank branches and manage Bank Property; to provide real estate investment advice to Bank clients, and any other permissible real estate related activities. These activities will be conducted from offices currently located at 4600 North Ocean Boulevard, Boynton Beach, Florida to service the southern half of the State of Florida.

D. **Federal Reserve Bank of Kansas City** (Thomas M. Hoenig, Assistant Vice President) 925 Grant Avenue, Kansas City, Missouri 64198:

Commerce Financial Corporation, Topeka, Kansas (insurance activities; Kansas): To engage, through its subsidiary, Comco Financial Service Centers Inc. in the sale of credit related insurance as either agent or broker. These activities would be conducted from an office in Topeka, Kansas and would serve the County of Shawnee, Kansas, and surrounding counties.

E. **Federal Reserve Bank of Dallas** (Anthony J. Montelaro, Assistant Vice President) 400 South Akard Street, Dallas, Texas 75222:

Bank Securities, Inc., Albuquerque, New Mexico (data processing; New Mexico): To engage directly in data processing activities including processing of demand deposit accounts,

savings, certificates of deposit, commercial, installment loans, and mortgage loans and general ledger; Applicant may add other bank oriented applications such as trust accounting, leasing etc.; any programs used or developed by Applicant will relate only to financially oriented data. The data processing activities will be performed at an office in Albuquerque, New Mexico, serving Applicant's subsidiary banks, all of which operate in New Mexico, and non-affiliated banks which are expected to be located in New Mexico.

F. **Federal Reserve Bank of San Francisco** (Harry W. Green, Vice President) 400 Sansome Street, San Francisco, California 94120:

1. *American Republic Bancorp*, Torrance, California (leasing activities): To engage, through its subsidiary, Republic Leasing Company, in acting as agent, broker or adviser in leasing motor vehicles, in accordance with the Board's Regulation Y. These activities would be conducted from an office in Gardena, California, serving the State of California.

2. *BankAmerica Corporation*, San Francisco, California (financing, servicing, and insurance activities; *de novo* office; New Jersey): To engage, through its indirect subsidiary, FinanceAmerica Corporation, a New Jersey corporation, in the activities of making or acquiring for its own account loans and other extensions of credit such as would be made or acquired by a finance company, servicing loans and other extensions of credit, and offering credit-related life insurance and credit-related accident and health insurance. Credit-related property insurance will not be offered in the State of New Jersey. Such activities will include, but not be limited to, making consumer installment loans; purchasing installment sales finance contracts; making loans and other extensions of credit to small businesses; making loans secured by real and personal property; and offering credit-related life and credit-related accident and health insurance directly related to extensions of credit made or acquired by FinanceAmerica Corporation.

These activities will be conducted from a *de novo* office located at 150 Morris Avenue, Springfield, Union County, New Jersey, serving the entire State of New Jersey. Comments on this application must be received not later than April 8, 1982.

3. *Seafirst Corporation*, Seattle, Washington (finance and leasing activities; Washington, Oregon, Idaho, Montana, Alaska, Colorado and

California): To engage through its wholly-owned subsidiary, Seafirst Dealer Banking Corporation, in making or acquiring loans and other extensions of credit including commercial loans secured by a borrower's inventory, accounts receivable, capital equipment or other assets and making leases of personal property in accordance with the Board's Regulation Y. These activities will be conducted from an office in Tukwila, Washington, servicing Washington, Oregon, Idaho, Montana, Alaska and California.

4. Security Pacific Corporation, Los Angeles, California (finance and credit life, accident and health insurance activities; Arizona): To engage through its subsidiary, Security Pacific Finance Corp. in making or acquiring for its own account or for the account of others, loans and extensions of credit, including making consumer installment personal loans, purchasing consumer installment sales finance contracts, making loans to small businesses and other extensions of credit such as would be made by a factoring company or a consumer finance company, and acting as broker or agent for the sale of credit life, accident and health insurance. These activities would be conducted from an office of Security Pacific Finance Corp. located in Scottsdale, Arizona, serving the State of Arizona.

G. Other Federal Reserve Banks:
None.

Board of Governors of the Federal Reserve System, March 18, 1982.

Theodore E. Downing, Jr.,

Assistant Secretary of the Board.

[FR Doc. 82-7936 Filed 3-24-82; 10:17 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Alcohol, Drug Abuse, and Mental Health Administration

Rape Prevention and Control Advisory Committee; 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 April 1982.

Rape Prevention and Control Advisory Committee, April 18-20—Open

April 18, 12 Noon-5 p.m., Ramada Inn, 8400 Wisconsin Avenue, Bethesda, Maryland 20814

April 18-20, 9 a.m., Room 18-57, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857

Contact: Mary Lystad, Ph. D., Executive Secretary, 5600 Fishers Lane, Room 15-99, Rockville, Maryland 20857, (301) 443-1910

Purpose: The Rape Prevention and Control Advisory Committee advises the Secretary of Health and Human Services, the Administrator, Alcohol, Drug Abuse, and Mental Health Administration, and the Director, National Institute of Mental Health, through the National Center for the Prevention and Control of Rape (NCPCR), on matters regarding the needs and concerns associated with rape in the United States and makes recommendations pertaining to activities to be undertaken by the Department to address the problems of rape.

Agenda: The entire meeting will be open to the public. It will include discussions of individual interests, experiences, and contacts in the area of sexual assault as they pertain to the advisory committee goals for Fiscal Year 1983. The members will report on committee activity since the February meeting and discuss NCPCR funding priorities.

Substantive information may be obtained from the contact person listed above. A summary of the meeting and rosters of committee members will be furnished upon request by Mrs. Helen Garrett, Committee Management Officer, NIMH, 5600 Fishers Lane, Rockville, Maryland 20857, telephone (301) 443-4333.

Dated: March 19, 1982.

Elizabeth A. Connolly,

Committee Management Officer, Alcohol, Drug Abuse, and Mental Health Administration.

[FR Doc. 82-7929 Filed 3-24-82; 8:45 am]

BILLING CODE 4160-20-M

Office of the Secretary

Privacy Act 1974; Report of a New System of Records 09-90-0089

AGENCY: Office of the Assistant Secretary for Planning and Evaluation (ASPE), Office of the Secretary (OS), Department of Health and Human Services (DHHS).

ACTION: Notification of New System of Records—National Long-Term Care Survey, HHS/OS/ASPE, 09-90-0089.

SUMMARY: In accordance with 5 U.S.C. 552a(e)(4), we are issuing public notice of our intent to establish a new system of records: National Long-Term Care Survey, HHS/OS/ASPE, 09-90-0089. We also are proposing to include routine uses of the system in accordance with 5 U.S.C. 552(a)(11). A sample of approximately 50,000 persons, drawn from Medicare administrative records, will be administered a short interview to determine if they have limitations in the personal care and instrumental (shopping, housework, etc.) skills which are necessary for independent living. Those who are limited—approximately 6,000—will be administered a second

interview in which data will be obtained on their demographic, health, and economic characteristics, functional status, and utilization and costs of services. As part of this interview, respondents will be asked the names of family and friends who give them care. A sample of 2,000 of these caregivers will be administered an interview to determine the kinds and amount of care they give and their attitudes toward caregiving. The Caregivers Survey will be conducted by the National Opinion Research Center (NORC); all the other interviewing will be conducted by the Bureau of the Census, which will transmit to NORC the names and addresses of caregivers. All data will be used by the Department of Health and Human Services and/or their agents for statistical analysis.

The sample size has been determined by standard sample design techniques to be the minimum that will allow the required analysis.

DATES: The public is invited to submit comments on the routine uses on or before April 26, 1982.

We filed a report of a new system of records with the President of the Senate, the Speaker of the House of Representatives, and the Director, Office of Management and Budget (OMB) on March 18, 1982. This system will become effective on May 18, 1982. The proposed routine uses will become effective without further publication on the same date unless DHHS receives comments which would result in a contrary determination.

ADDRESS: Address comments to the ASPE Privacy Act Officer, Department of Health and Human Services, 200 Independence Avenue, SW., Washington, D.C. 20201. We will make comments received available for public inspection in Room 434G.12, Alcove, Hubert Humphrey Building, at the above address.

FOR FURTHER INFORMATION CONTACT: Project Officer, National Long-Term Care Survey, Office of the Assistant Secretary for Planning and Evaluation, 200 Independence Avenue, SW., Washington, D.C. 20201, telephone number (202) 245-1794.

SUPPLEMENTARY INFORMATION: The Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, proposes to initiate a new system of collecting data under the authorities of Section 421 of the Older Americans Act and Section 1875(a) of the Social Security Act.

In 1980, the Department of Health and Human Services (DHHS) initiated the Long-Term Care Data Working Group,

(composed of members of the Office of the Assistant Secretary for Planning and Evaluation, the Health Care Financing Administration, the National Center for Health Statistics, and the Administration on Aging, with the Bureau of the Census as a regular participant). This group has developed and is preparing to field a national survey of the elderly (65 and over) non-institutionalized chronically impaired population. The Survey is jointly managed by the Office of the Secretary (Assistant Secretary for Planning and Evaluation) and the Health Care Financing Administration.

This survey is designed to provide otherwise unavailable nationally valid information on the chronically impaired aged population. This survey has been the subject of extensive methodological and developmental work by the National Opinion Research Center under a contract managed by the Data Working Group.

The survey is the major component of the HHS statistical plan for Nationally Representative Long-Term Care Data. It will provide nationally representative data for the elderly on the kind and amount of formal and informal services received by impaired individuals, the out of pocket cost of formal services and the ability to pay (i.e., income and assets) of the impaired person and his/her immediate family, the number and characteristics of impaired persons not receiving services, and the relationship of service provision to functional status. The survey will provide basic data for analyses of such areas as the effects of different eligibility criteria on provision of public services and the ability of impaired persons and their families to pay for services under alternative cost-sharing arrangements.

The Privacy Act of 1974 allows us to disclose information without the consent of the individual for "routine uses," that is, disclosure for purposes that are compatible with the purposes for which the data are collected. Accordingly, we are establishing the following routine uses of information in this system.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Another routine use provides for disclosure to a contractor of HCFA or ASPE involved in the Long-Term Care Initiative, including disclosure by the Bureau of the Census to NORC for performance of research and statistical activities in order to accomplish the purposes for which the records are collected.

Individually identifiable data will be maintained only at the Bureau of the Census and the National Opinion Research Center. Records will be maintained in hard copy and on magnetic computer tapes or disc. Individual identifiers will be stripped from records as soon as it is operationally feasible. However, hard copy records with individual names and addresses will be kept for a period not to exceed five years so that a follow-up survey in which the original sample is reinterviewed may be undertaken. Those files which must contain individual identifiers will be kept in locked file cabinets or areas of restricted access, and will be made available only to individuals who need access to the record in order to fulfill their official duties.

Since we propose to establish this system in accordance with the requirements of the Privacy Act, we anticipate no untoward effect on the privacy or personal rights of individuals.

Dated: March 19, 1982.

Stephen F. Gibbens,

Principal Deputy Assistant Secretary for Planning and Evaluation.

Notification of New System of Records Required by the Privacy Act of 1974

09-90-0089

SYSTEM NAME:

National Long-Term Care Survey, DHHS/OS/ASPE.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

The Bureau of the Census
Washington, D.C. 20233
The National Opinion Research Center
461 8th Avenue, 21st Floor
New York, New York 10001

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The system will include records on a sample of approximately 50,000 elderly Medicare beneficiaries who have been screened, detailed information on approximately 6,000 impaired individuals selected from the screened sample, and information on approximately 2,000 caregivers.

CATEGORIES OF RECORDS IN THE SYSTEM:

The data records on the screened beneficiaries will include information on personal care, instrumental activities such as managing money and taking medicine, and information on memory problems. The beneficiaries selected for the sample of impaired individuals will

have records containing information on self-care, instrumental activities of daily living, mobility, physical functioning, mental functioning, social functioning, formal and informal service and supports, and income and assets. The caregivers records will contain information on the kinds and amount of care they give, the cost of care, and the social and demographic characteristics of the caregivers.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 1875(a) of the Social Security Act and Section 421 of the Older Americans Act.

ROUTINE USE OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosure may be made:

(1) To a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(2) To contractors under contract with the Health Care Financing Administration (HCFA) or the Assistant Secretary for Planning and Evaluation (ASPE) of the Department of Health and Human Services (DHHS) which are involved in the National Long-Term Care Initiative (including disclosure by the Bureau of the Census to the National Opinion Research Center (NORC)) for the performance of research and statistical activities in order to accomplish the purposes for which the records are collected. The contractor shall be required to maintain Privacy Act safeguards with respect to such records.

(4) In the event of litigation where the defendant is (a) the Department, any component of the Department, or any employee of the Department in his or her official capacity; (b) the United States where the department determines that the claim, if successful, is likely to directly affect the operations of the Department or any of its components; or (c) any Department employee in his or her individual capacity where the Justice Department has agreed to represent such employee, the Department may disclose such records as it deems desirable or necessary to the Department of Justice to enable that Department to present an effective defense, provided such disclosure is compatible with the purpose for which the records were collected.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Magnetic tape and disc, paper and card records.

RETRIEVABILITY:

Names, addresses, and Medicare numbers will be extracted from Health Care Financing Administration files and transmitted to Census. Names and addresses will be used to get in touch with persons, and will be retained on original records along with a unique identifying number. Only the identifying number will be included on the magnetic tape records. The original records will be reviewed by staff to ensure the accuracy of the magnetic tape records and to match the magnetic tape records to produce an unduplicated count of individuals.

SAFEGUARDS:

Safeguards are established in accordance with the HHS ADP System Manual, Part 6, ADP System Security, and the Census Administrative Manual, Chapter C-2 "Confidential Data, Sensitive Information and Requests Under the Freedom of Information and Privacy Acts." Employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information about individuals. Magnetic tapes or other files with personal identifiers are retained in secured storage areas accessible only to authorized personnel. Microdata files prepared for purposes of research and analysis are purged of personal identifiers and are subject to procedural safeguards to assure anonymity.

RETENTION AND DISPOSAL:

On the possibility that a followup may be undertaken, the hard copy of all interviews will be retained for a period not to exceed five years, after which they will be destroyed. Data disposal will consist of burning or shredding the hard copy (and so certifying) and degaussing computer records. There are no plans to dispose of non-identifiable individual data.

SYSTEMS MANAGER(S) AND ADDRESS:

Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services, 200 Independence Avenue, SW., Washington, D.C. 20201.

NOTIFICATION PROCEDURES:

Project Officer, National Long-Term Care Survey, Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services, Room 433F, HHH Building, 200

Independence Avenue SW., Washington, D.C. 20201.

An individual requesting notice as to whether the system of records contains information pertaining to him/her, should write to the Government Project Officer, at the above address, indicating his/her full name, current address, address including zip code at the time she/he was first interviewed for the Survey, and date of birth. The individual may simultaneously request records access as described below.

RECORD ACCESS PROCEDURES:

Individuals who, through the notification procedures set out above, have established that the system of records contains information pertaining to them, may request access to those portions of the records pertaining to them by writing the Government Project Officer at the address given above. The individual should give his/her full name; current address; address, including zip code, at the time she/he was first interviewed for the Survey; and date of birth. The Government Project Officer will notify the individual as to the place and time for access to the record(s) or if the individual wishes, arrange for mailing the records.

CONTESTING RECORD PROCEDURES:

Contact the Government Project Officer at the address given above, reasonably identify the record as described above, specify the information being contested, and supply proposed substitute information.

RECORD SOURCE CATEGORIES:

Individual-specific information will be gathered through interviews with beneficiaries and caregivers.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 82-7963 Filed 3-24-82; 8:45 am]

BILLING CODE 4150-04-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Housing-Federal Housing Commissioner

[Docket No. N-82-1114]

Announcement of Fund Availability for New Construction Portion of Congregate Housing Services Program for the Elderly and Non-Elderly Handicapped, Fiscal Year 1980

AGENCY: Department of Housing and Urban Development.

ACTION: Notice of fund availability.

SUMMARY: HUD is announcing the availability of the remaining Fiscal Year (FY) 1980 funds for the Congregate Housing Services Program (CHSP). Grant assistance will be made available for use by local Public Housing Agencies (PHAs) and nonprofit Section 202 borrowers to provide meals and other services to elderly and non-elderly handicapped project residents who require such services to remain independent. This competition covers that portion of the CHSP funding set-aside for new construction (including substantial rehabilitation) projects from FY 1980 CHSP funds. For purposes of this announcement, new construction refers only to those new projects for which PHAs and Section 202 borrowers have FY 1979 or FY 1980 fund reservations and will be in occupancy by June 30, 1982.

FOR FURTHER INFORMATION CONTACT: Jerry Nachison, Chief, Congregate Housing Services Branch, Office of Assistant Secretary for Housing-Federal Housing Commissioner, Room 4140, 451 7th Street, SW., Washington, D.C. 20410, telephone (202) 755-5356. (This is *not* a toll-free number).

DATE: Applications for CHSP grants must be submitted by eligible applicants by April 30, 1982. Any application received after this date will not be considered by the Department.

ADDRESSES: Application kits are available upon written request from: Department of Housing and Urban Development, Office of Procurement and Contracts (OPC), Community Services Division, 451 Seventh Street, S.W., Room 5252, Washington, D.C. 20410.

A. Authority

Title IV of the Housing and Community Development Amendments of 1978 (Pub. L. 95-557, 92 Stat. 2104, 42 U.S.C. 8001) entitled the Congregate Housing Services Act of 1978 (the Act) authorizes HUD to enter into three-to-five year grant contracts with eligible PHAs and Section 202 borrowers to provide meals and other supportive services to eligible project residents. The services to be funded are those which allow the handicapped or temporarily disabled residents, whether elderly or non-elderly, to live independently and prevent premature or unnecessary institutionalization. Such services include a complete mandatory meals program, personal assistance, housekeeping and other services required by participating residents to live independently. The Act also provides for CHSP funding of such

services in new public housing and Section 202 projects designed initially as congregate housing facilities.

B. General Funding Limits

Congress appropriated \$10 million for FY 1980 which HUD will administer as a five-year grant program. Ten percent (10%) of this amount was reserved by HUD Headquarters for any necessary adjustments of grants made from FY 1980 funds due to inflationary impact or other factors.

Consequently, \$9 million was available to HUD to fund five-year grants at an approximate rate of \$1.8 million per year for five years. The \$6.0 million has already been committed to fund existing housing projects in FY 1980. Therefore, \$3.0 million is available for funding new construction projects.

1. The overall division of available funding will be about \$1.5 million for PHAs and \$1.5 for Section 202 borrowers.

2. Within the \$3.0 million, about \$2.4 million (80%) will be provided for services to the elderly and \$0.6 million (20%) for the non-elderly handicapped.

C. Key Program Points The key elements of the CHSP are summarized below:

1. *Length of Grant.* HUD will provide five-year grants to selected PHAs and Section 202 borrowers for meals and other necessary supportive services for program participants.

2. *Maximum Funding Level.* HUD funding for each CHSP grant is limited to a maximum of \$400,000, to be provided in approximately equal annual sums over the five-year grant period. The first-year funding request shall not exceed \$80,000.

3. *Mandatory Meals.* The Congregate Housing Services Act of 1978 requires each grantee to provide to program participants a full meal service adequate to meet nutritional needs, defined administratively as a minimum of two meals a day, seven days a week. If the applicant anticipates providing one of the required two meals per day from other than CHSP grant funds, then funding for additional meal(s) and other eligible services may be requested. At least one meal a day must be served in the central dining room. A program proposing all home-delivered meals shall be rejected and returned to the applicant.

4. *Other Services.* Each applicant may request CHSP funds for the provision of housekeeping, personal assistance and/or other supportive services that are deemed necessary to maintain the participants' independence. Approval by HUD of funding for such additional services will be based on the

anticipated needs of residents, availability of funding from other sources, and the extent to which the service is necessary to maintain the participants' independence.

5. *Number of Participants—Elderly.* Projects for the elderly will be expected generally to limit participation in CHSP to no more than 20 percent of the project's total resident population, except:

(i) If the project is "small" (that is, under 50 units), or

(ii) "Rural" (that is, in an area of under 20,000 population). A higher level of participation may be requested for these projects if it is justified in the context of local need and within budgetary limitations. Such requests are subject to approval by HUD.

6. *Number of Participants—Non-Elderly Handicapped.* Small group homes and independent living complexes for the non-elderly handicapped may justify the participation of all residents in the Congregate Housing Services Program provided the focus is on meals and limited support services.

7. *Identified Project.* The applicant shall apply for CHSP funding only for the project identified in the Federal Assistance Request, Standard Form (SF)-424. Each applicant is limited to one proposed project unless one is proposed for elderly handicapped and the second is for a small group home or apartment complex for the non-elderly handicapped. A proposal for 2-4 small group homes owned by the applicant in the same geographic locality will be considered as a single project. Applicants selected for a fiscal year 1980 CHSP existing housing award are NOT eligible to apply for a fiscal year 1980 new construction award.

8. *Recapture Authority.* Any grantee not providing meals and support services within six months of the effective date of its CHSP grant instrument, or within six months of initial occupancy (whichever is later), will have its award terminated by HUD.

9. *Professional Assessment Committee.* Each grantee shall appoint a Professional Assessment Committee (PAC) made up of at least one medical professional and two others qualified to assess functional ability of elderly and non-elderly handicapped and temporarily disabled residents. The PAC will screen all interested project residents for eligibility and admission to or termination from participation in the CHSP, and make appropriate recommendations to project management for action.

10. *Consultation and Review by State or Local Agencies.* In designing the

CHSP services plan, all applicants proposing projects with elderly residents shall consult with the Area Agency on Aging (AAA), or State Agency on Aging if no AAA exists. Those projects with non-elderly handicapped residents also shall consult with the State/local agencies providing services to the non-elderly handicapped. Applicants serving only non-elderly handicapped residents in the proposed project(s) do not have to consult with the Area or State Agency on Aging, but must consult with the State/local agencies for the non-elderly handicapped.

These agencies shall be involved in developing the needs analysis, services plan, fee scales, and securing of funds from other agencies. The applicant shall present the completed CHSP application to the appropriate State/local agencies for review and comment. Their comments shall be submitted to HUD with the CHSP application.

HUD recommends that, in addition, applicants consult with the single State Agency providing Title XX funds to local service providers, and with local staff of other appropriate Federal agencies; e.g., the Department of Labor, Department of Agriculture.

11. *Consultation in Program Planning and On-going Operation.* The applicant shall consult with the members of the proposed Professional Assessment Committee and prospective tenants, to the extent practicable, when preparing the CHSP application. The applicant shall also establish procedures which ensure the participation of the project tenants, including the CHSP program participants, in the on-going operations of the program.

12. *Maintenance of Effort for Services.* Each applicant shall provide a specific written assurance that it will not replace any current planning for funding meals and supportive services to project residents with CHSP grant funds.

13. *Coordination with Services Providers in the Community.* The applicant is expected to contact all external providers of services in the community providing services similar to those CHSP-proposed services. The applicant is expected to acquaint all such service providers with the nature of the proposed Congregate Housing Services Program and to determine the availability of funding to supplement the HUD-funded CHSP effort at the time of initial occupancy, so that all residents who qualify can be served.

14. *Sliding Fee Scale.* Each grantee shall establish a sliding fee scale related to income under which program participants pay part or all of the cost of meals and services received and which

permits the provision of services to such residents who cannot afford meal and service fees. Under such a fee scale, each participant may be charged only for the services actually received.

15. *HUD Evaluation.* HUD is conducting an in-depth evaluation to determine: the extent to which coordination is achieved between other Federal programs and HUD; the extent to which the CHSP avoids or creates a duplication of existing programs; and the extent to which the program is successful in preventing unnecessary or premature institutionalization of elderly or non-elderly handicapped persons. All CHSP grantees are expected to cooperate with and participate in the HUD evaluation if requested. By virtue of selection for participation in the CHSP, the grantee must agree to cooperate fully with HUD on program and baseline data collection for the HUD evaluation over the life of the CHSP grant.

16. *Self-Assessment Requirements.* Each grantee shall plan and conduct an assessment of program activities which will be tied closely to the HUD evaluation effort. Grantees may purchase consultant assistance to carry out the self-assessment requirements. However, applicants are encouraged to absorb these costs or use funds from other programs and resources. If the applicant requires CHSP funds to conduct the self-assessment, no more than one percent (1%) of the total CHSP funds provided may be used for the self-assessment.

D. Eligibility

Eligibility under the competition cited in this Notice is limited to those applicants having a new construction or substantial rehabilitation public housing or Section 202 project as defined below:

1. The project must have an FY 1979 or 1980 fund reservation and will achieve occupancy by June 30, 1982; and, it must be:

a. A conventional public housing project as defined in Section 7 of the United States Housing Act of 1937, as amended, or

b. Housing for the elderly or non-elderly handicapped owned by a non-profit corporation and funded under Section 202 of the Housing Act of 1959, as amended. (Note: A Section 202 project with Section 8 Rent Subsidy (Section 202/8) is fully eligible for the CHSP.)

2. The project must have a central dining facility defined as: a kitchen equipped for food preparation and a central common space within the project where at least 50 percent of the residents can be served at one sitting.

3. Both the central dining facility and routes from dwelling units where the residents live to the central dining facility must be accessible. Applicable regulations for accessibility are the HUD Handbook 4900.1 Minimum Property Standards for Multifamily Housing and the American National Standards Institute (ANSI) A117.1-1961 Specifications for Making Building and Facilities Accessible to, and Usable by, Physically Handicapped Persons (Rev. 1980).

The following projects are *not* eligible for funding under the CHSP:

1. A public housing or Section 202 project which provides overnight medical care on an ongoing basis, e.g., has a nursing wing or is certified as an intermediate care facility, and eligible for funds under Title XIX (Medicaid) of the Social Security Act.

2. Section 8 projects (other than those included in Section 202 projects), including those owned by PHAs.

3. Any project sponsored by a State Housing Agency.

4. Section 202 projects converted to Section 236 projects.

5. A project under any other HUD-assisted or non-assisted multifamily housing program.

E. Application Process

All potential applicants should submit a letter requesting the CHSP grant application kit to the address listed above.

The application kits contain the prescribed application, the Request for Grant Application (RFGA), the certificate of eligibility and other grant materials and instructions.

F. Application Submission

(a) One signed original and two (2) conformed copies of the completed grant application must be received by April 30, 1982 at 4:00 p.m., EST, at the address cited above.

(b) The application shall be signed by the representative designated in the resolution of the governing body who should be either Executive Director or Board Chairperson and should identify the name and address of the project being proposed for participation in the CHSP.

(c) The application must also include the certificate of eligibility completed and signed by the appropriate HUD Field Office, certifying that the proposed project meets the eligibility requirements as described in item D, above.

Applications submitted to HUD Headquarters without the certificate of eligibility will not be considered for this competition and will be returned.

G. Review and Evaluation Process

All applications submitted to HUD pursuant to this Notice, shall be reviewed by the HUD Headquarters staff and the HUD Area Office staff. The applications will be reviewed for all mandatory items, as stated in the RFGA. Failure to include any mandatory item will result in rejection of the application: such applications will be returned. Applicants meeting all mandatory requirements will receive a full technical review based on the following criteria:

1. Objectives and Need for Assistance.
2. Expected Results and Benefits.
3. Technical Approach.
4. Review and Consultation by State and Local Agencies.
5. Sliding Fee Scale(s)
6. Summary Budget.

The review process and selection criteria are fully described in the RFGA.

H. Selection

1. The Secretary of HUD will announce Fiscal Year 1980-new construction CHSP selectees on or about July 30, 1982. HUD expects to make between 5-8 awards.

2. Selectees will enter negotiations with HUD to finalize the proposed program and budget about 30 calendar days after the date of written notification of selection. At the completion of negotiations, the grant contract will be executed by HUD and the appropriate official on behalf of the selected applicant.

(The Catalog of Federal Domestic Assistance Program title and number is Congregate Housing Services, 14.803)

(Sec. 410(d), Congregate Housing Services Act of 1978, Pub. L. 95-557, as amended, 42 USC 8009).

Dated: March 18, 1982.

Philip Abrams,

General Deputy Assistant Secretary for Housing—Deputy Federal Housing Commissioner.

[FR Doc. 82-7969 Filed 3-24-82; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[F-19155-5]

Alaska Native Claims Selection

This decision approves lands in the vicinity of Circle, Alaska for conveyance to Doyon, Limited.

On November 6, 1975, Doyon, Limited, filed selection application F-19155-5, as amended, under the provisions of Section 12(c) of the Alaska Native

Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1611(c) (1976)) (ANCSA), as amended, for the surface and subsurface estates of certain lands withdrawn pursuant to Sec. 11(a)(1) for the Native village of Circle.

As to the lands described below, the application, as amended, is properly filed and meets the requirements of the Alaska Native Claims Settlement Act, as amended, and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface and subsurface estates of the following described lands, selected pursuant to Sec. 12(c) of ANCSA, aggregating approximately 230,974 acres, are considered proper for acquisition by Doyon, Limited, and are hereby approved for conveyance pursuant to Sec. 14(e) of ANCSA:

Fairbanks Meridian, Alaska (Unsurveyed)

T. 10 N., R. 16 E.,

Secs. 4 to 9, inclusive;
Secs. 13 to 33, inclusive;
Secs. 34, excluding Native allotment F-13809 Parcel A;
Secs. 35 and 36.

Containing approximately 18,726 acres.

T. 12 N., R. 16 E.,

Secs. 1 to 36, inclusive.

Containing approximately 22,756 acres.

T. 14 N., R. 16 E.,

Secs. 1 and 2, excluding Native allotment F-14495 Parcel A;
Secs. 3 to 10, inclusive;
Sec. 11, excluding Native allotment F-14495 Parcel A;

Sec. 12, excluding Native allotments F-14495 Parcel A and F-13809 Parcel D;
Sec. 13, excluding Native allotments F-13809 Parcel D, F-14498, and F-13499;
Secs. 14 to 36, inclusive.

Containing approximately 18,298 acres.

T. 11 N., R. 17 E.,

Secs. 1, excluding Native allotments F-13697, F-13726, and F-14015 Parcel D;
Secs. 2 to 11, inclusive;
Secs. 16 to 21, inclusive;
Secs. 24, 25, and 26;
Secs. 29, 30, and 31;
Secs. 34, 35, and 36.

Containing approximately 15,913 acres.

T. 13 N., R. 17 E.,

Sec. 1;
Secs. 2 and 3, excluding Native allotment F-14791;
Secs. 4 to 36, inclusive.

Containing approximately 19,466 acres.

T. 10 N., R. 18 E.,

Secs. 1 to 36, inclusive.

Containing approximately 21,346 acres.

T. 14 N., R. 18 E.,

Secs. 1 to 36, inclusive.

Containing approximately 22,923 acres.

T. 11 N., R. 19 E.,

Secs. 1 to 36, inclusive.

Containing approximately 22,846 acres.

T. 13 N., R. 19 E.,

Secs. 1 to 36, inclusive.

Containing approximately 23,001 acres.

T. 10 N., R. 20 E.,

Secs. 1 to 36, inclusive.

Containing approximately 22,926 acres.

T. 12 N., R. 20 E.,

Secs. 1 to 36, inclusive.

Containing approximately 22,771 acres.

Aggregating approximately 230,974 acres.

Excluded from the above-described lands herein conveyed are the submerged lands up to the ordinary high water mark, beneath all water bodies determined by the Bureau of Land Management to be navigable because they have been or could be used in connection with travel, trade and commerce. Those water bodies are identified on the attached navigability maps, the original of which will be found in the easement case file F-21779-5.

All other water bodies not depicted as navigable on the attached maps within the lands to be conveyed were reviewed. Based on existing evidence, they were determined to be nonnavigable.

The lands excluded in the above description are not being approved for conveyance at this time and have been excluded for the following reason: Lands are under applications pending further adjudication. These exclusions do not constitute a rejection of the selection application, unless specifically so stated.

The conveyance issued for the surface and subsurface estates of the lands described above shall contain the following reservation to the United States.

Pursuant to Section 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1616(b)), as amended, the following public easements referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file F-21779-5, are reserved to the United State. All easements are subject to applicable Federal, State, or Municipal corporation regulation. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

25 Foot Trail—The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

50 Foot Trail—The uses allowed for a fifty (50) foot wide trail easement are:

travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, small and large all-terrain vehicles, and four-wheel drive vehicles.

One Acre Site—The uses allowed for a site easement are: vehicle parking (e.g. aircraft, boats, ATV's, snowmobiles, cars, trucks), temporary camping, loading, or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

a. (EIN 7 C5) A one (1) acre site easement upland of the ordinary high water mark in Sec. 6 T. 11 N., R. 17 E., Fairbanks Meridian, on the left bank of Birch Creek. The uses allowed are those listed above for a one (1) acre site easement.

b. (EIN 7a C5, E) An easement for a proposed access trail, twenty-five (25) feet in width, from site EIN 7 C5 in Sec. 6 T. 11 N., R. 17 E., Fairbanks Meridian, northwesterly to public land. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

c. (EIN 11 C1, C5, D1, D9) An easement for an existing access trail, twenty-five (25) feet in width, from Circle in Sec. 31, T. 12 N., R. 18 E., Fairbanks Meridian, northerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter use.

d. (EIN 18a C5) An easement for a proposed access trail, twenty-five (25) feet in width, from Sec. 1, T. 13 N., R. 18 E., Fairbanks Meridian, northeasterly to Sec. 31, T. 14 N., R. 19 E., Fairbanks Meridian. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

e. (EIN 26 C5) An easement for an existing access trail, fifty (50) feet in width, from site EIN 28 C4, C5 in Sec. 21, T. 11 N., R. 18 E., Fairbanks Meridian, easterly to public lands. The uses allowed are those listed above for a fifty (50) foot wide trail easement. Large all-terrain vehicles (more than 3,000 lbs. Gross Vehicle Weight (GVW)), and four-wheel-drive vehicles will be limited to winter use only.

The grant of the above-described lands shall be subject to:

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat of survey confirming the boundary description and acreage of the lands hereinabove granted;

2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Section 6(g) of the Alaska Statehood Act of July 7, 1958 (48 U.S.C. Ch. 2, Sec. 6(g))), contract, permit, right-

of-way, or easement and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Section 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1616(b)(2)) (ANCSA), as amended, any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law; and

3. Any right-of-way interest in the Steese Highway (FAS Route No. 670) transferred to the State of Alaska by the Quitclaim Deed dated June 30, 1959, executed by the Secretary of Commerce under the authority of the Alaska Omnibus Act, Public Law 86-70 (73 Stat. 141) as to:

Fairbanks Meridian, Alaska (Unsurveyed)

T. 10 N., R. 16 E.,
Secs. 15, 21, 22, 28, and 33.

To date, 2,825,277 acres of land, selected pursuant to Sec. 12(c) of ANCSA, have been approved for conveyance to Doyon, Limited.

In accordance with Department regulation 43 CFR 2650.7(d), notice of this decision is being published once in the **Federal Register** and once a week, for four (4) consecutive weeks, in the *Fairbanks Daily News-Miner*.

Any party claiming a property interest in lands affected by this decision, an agency of the Federal Government, or regional corporation may appeal the decision to the Alaska Native Claims Appeal Board, provided, however, pursuant to Pub. L. 96-487, this decision constitutes the final administrative determination of the Bureau of Land Management concerning navigability of water bodies.

Appeals should be filed with the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510, with a copy served upon both the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513, and the Regional Solicitor, Office of the Solicitor, 510 L Street, Suite 100, Anchorage, Alaska 99501. The time limits for filing an appeal are:

1. Parties receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, and parties who failed or refused to sign the return receipt shall have until April 26, 1982 to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an

appeal is timely filed with the Alaska Native Claims Appeal Board.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

Doyon, Limited, Land Department,
Doyon Building, 201 First Avenue,
Fairbanks, Alaska 99701
State of Alaska, Department of Natural
Resources, Division of Research and
Development, Pouch 7-005,
Anchorage, Alaska 99510

Ruth Stockie,

Acting Chief, Branch of ANCSA Adjudication.

[FR Doc. 82-7971 Filed 3-24-82; 8:45 am]

BILLING CODE 4310-84-M

[AA-12417, AA-19431, AA-19432]

Alaska Native Claims Selection

On September 29, 1976 and September 18, 1978, Bristol Bay Native Corporation filed selection applications AA-12417, AA-19431, AA-19432 under the provisions of Section 14(h)(8) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(h)(8) (1976)) (ANCSA), for the surface and subsurface estates of certain lands in the Bristol Bay Region.

On November 14, 1978, the State of Alaska filed general purposes grant selection applications AA-21735 and AA-21736, pursuant to Sec. 6(b) of the Alaska Statehood Act of July 7, 1958 (48 U.S.C. Ch. 2, Sec. 6(b)), for certain lands in the Bristol Bay Region.

Section 6(b) of the Alaska Statehood Act of July 7, 1958, provides that the State may Select *vacant*, *unappropriated*, and *unreserved* public lands in Alaska. Lands described in the above-referenced State selections were properly selected by Bristol Bay Native Corporation. Therefore, as the lands were not available to the State of Alaska, State selection applications AA-21735 and AA-21736 are hereby rejected as to the lands approved for conveyance in this decision.

Further action will be taken on the State selections as to the remaining lands at a later date.

As to the lands described below, the applications submitted by Bristol Bay Native Corporation are properly filed and meet the requirements of the Alaska Native Claims Settlement Act and of the regulations issued pursuant thereto.

These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface and subsurface estates of the following described lands, selected pursuant to Sec. 14(h)(8) of ANCSA, aggregating approximately 15,933 acres, are considered proper for acquisition by Bristol Bay Native Corporation and are hereby approved for conveyance pursuant to Sec. 14(e) of ANCSA.

Seward Meridian, Alaska (Unsurveyed)

T. 10 S., R. 32 W.,
Secs. 25 to 36, inclusive.
Containing approximately 7,638 acres.

T. 10 S., R. 33 W.,
Secs. 13 and 14;
Secs. 23, 24, 25, and 26.
Containing approximately 3,840 acres.

T. 46 S., R. 59 W.,
Secs. 3, 4, 5, and 6;
Secs. 8, 9, and 10.
Containing approximately 4,455 acres.
Aggregating approximately 15,933 acres.

All named and unnamed water bodies within the lands to be conveyed were reviewed. Based on existing evidence, it was determined that there are no navigable water bodies within the lands described.

There are no easements to be reserved to the United States pursuant to Sec. 17(b) of ANCSA.

The grant of the above-described lands shall be subject to:

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat survey confirming the boundary description and acreage of the lands hereinabove granted; and

2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (48 U.S.C. Ch. 2, Sec. 6(g))), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2), of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1616(b)(2) (ANCSA)), any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law.

The Bristol Bay Native Corporation is entitled to conveyance of a minimum of 72,307 acres of land selected pursuant to Sec. 14(h)(8) of the Alaska Native Claims Settlement Act. To date, approximately 72,101 acres of the

14(h)(8) allocation have been approved for conveyance. The remaining entitlement of approximately 206 acres will be conveyed at a later date.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the **Federal Register** and once a week for four (4) consecutive weeks, in the *Anchorage Times*.

Any party claiming property interest in lands affected by this decision, an agency of the Federal Government, or regional corporation may appeal the decision to the Alaska Native Claims Appeal Board, provided, however, pursuant to Public Law 96-487, This decision constitutes the final administrative determination of the Bureau of Land Management concerning navigability of water bodies.

Appeals should be filed with the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510, with a copy served upon both the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513, and the Regional Solicitor, Office of the Solicitor, 510 L Street, Suite 100, Anchorage, Alaska 99501. The time limits for filing an appeal are:

1. Parties receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, and parties who failed or refused to sign the return receipt shall have until April 26, 1982, to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Alaska Native Claims Appeal Board.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

State of Alaska, Department of Natural Resources, Division of Research and Development, Pouch 7-005, Anchorage, Alaska 99510

Bristol Bay Native Corporation, P.O. Box 198, Dillingham, Alaska 99576

Ruth Stockie,

Acting Chief, Branch of ANCSA Adjudication.

[FR Doc. 82-7972 Filed 3-24-82; 8:45 am]

BILLING CODE 4310-84-M

[F-14989-A, F-14989-B]

Alaska Native Claims Selection

This decision approves lands in the vicinity of Circle, Alaska for conveyance to Danzhit Hanlani Corporation.

On August 30, 1974, and December 16, 1974, Danzhit Hanlani Corporation, for the Native village of Circle, filed selection applications F-14989-A and F-14989-B, respectively, under the provisions of Section 12 of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1611 (1976)) (ANCSA), as amended by Pub. L. 96-487 (94 Stat. 2491), for the surface estate of certain lands in the vicinity of Circle.

As to the lands described below, applications F-14989-A and F-14989-B, as amended, are properly filed and meet the requirements of ANCSA, as amended, and of the regulations issued pursuant thereto. These lands do not include any lawful entry perfected under or being maintained in compliance with laws leading to acquisition of title.

In view of the foregoing, the surface estate of the following described lands, selected pursuant to Sec. 12(a) of ANCSA, aggregating approximately 80,975 acres, is considered proper for acquisition by Danzhit Hanlani Corporation and is hereby approved for conveyance pursuant to Sec. 14(a) of ANCSA.

U.S. Survey No. 2240, Alaska, Situated on the Yukon River at Circle, Alaska.

Containing 1.57 acres.

Fairbanks Meridian, Alaska (Unsurveyed)

T. 11 N., R. 16 E.,

Secs. 1, 2, and 3;

Sec. 10, excluding Native allotments F-13744 Parcel B and F-13815;

Sec. 11, excluding U.S. Navy Survey No. 1303 and Native allotments F-18797, F-18825 and F-14263.

Containing approximately 2,264 acres.

T. 11 N., R. 16 E.,

Secs. 12 and 13;

Secs. 23 to 27, inclusive;

Secs. 34, 35, and 36.

Containing approximately 6,115 acres.

T. 13 N., R. 16 E.,

Secs. 15 to 34, inclusive;

Sec. 35, excluding Native allotments F-13809 Parcel C;

Sec. 36.

Containing approximately 13,463 acres.

T. 10 N., R. 17 E.,

Secs. 1, 5, 6, and 7;

Secs. 12, 13, 24, and 25.

Containing approximately 4,724 acres.

T. 11 N., R. 17 E.,

Sec. 12, excluding Native allotments F-13708, F-14015 Parcel D, F-13403, and F-13694;

Sec. 13, excluding Native allotments F-13694;

Sec. 14, excluding Native allotments F-13719;

Secs. 15 and 22;

Sec. 23, excluding Native allotments F-13719;

Secs. 27, 28, 32, and 33.

Containing approximately 5,875 acres.

T. 12 N., R. 17 E.,

Secs. 5 to 8, inclusive;

Secs. 17 and 18;

Sec. 19, excluding Native allotment F-13809 Parcel B;

Sec. 20;

Secs. 29 to 32, inclusive.

Containing approximately 6,906 acres.

T. 14 N., R. 17 E.,

Secs. 6, 7, 8, and 17;

Sec. 18, excluding Native allotment F-13499;

Secs. 19 to 22, inclusive;

Secs. 27 to 35, inclusive.

Containing approximately 8,703 acres.

T. 11 N., R. 18 E.,

Secs. 3, 4, and 5;

Sec. 6, excluding Native allotments F-13725, F-13698, and F-14015 Parcel D;

Sec. 7, excluding Native allotments F-14015 Parcel D, F-13745, and F-13694;

Secs. 8, 9, and 10;

Secs. 15, 16, and 17;

Sec. 18, excluding Native allotment F-13694;

Secs. 19 to 22, inclusive;

Sec. 28;

Secs. 29 and 30, excluding Native allotment F-17879;

Secs. 31, 32, and 33.

Containing approximately 10,368 acres.

T. 12 N., R. 18 E.,

Secs. 1 to 17, inclusive;

Sec. 18, excluding Native allotment F-14015 Parcel C;

Secs. 19 and 20, excluding Native allotment F-14015 Parcel B;

Secs. 21 to 29, inclusive;

Sec. 30, excluding U.S. Survey No. 1301 and Tract B of U.S. Survey No. 3725;

Sec. 31, excluding U.S. Survey No. 3725,

U.S. Survey No. 2240, U.S. Survey No.

714, U.S. Survey No. 1301, amended U.S. Survey No. 1302, and Native allotment F-13744 Parcel A;

Secs. 32 to 36 inclusive.

Containing approximately 18,877 acres.

T. 13 N., R. 18 E.,

Sec. 18;

Secs. 19 and 20, excluding Native

allotments F-16937 and F-13810;

Secs. 29 to 33, inclusive.

Containing approximately 3,678 acres.

Aggregating approximately 80,973 acres.

Total aggregated acreage approximately 80,975 acres.

Excluded from the above-described lands herein conveyed are the submerged lands, up to the ordinary

high water mark, beneath all water bodies determined by the Bureau of Land Management to be navigable because they have been or could be used in connection with travel, trade and commerce. Those water bodies are identified on the attached navigability maps, the original of which will be found in easement case file F-14989-EE.

All other water bodies not depicted as navigable on the attached maps within the lands to be conveyed were reviewed. Based on existing evidence, they were determined to be nonnavigable.

The lands excluded in the above description are not being approved for conveyance at this time and have been excluded for one of the following reasons: Lands are no longer under Federal jurisdiction; or lands are under applications pending further adjudication. Lands within U.S. Surveys which are excluded are described separately in this decision if they are available for conveyance. These exclusions do not constitute a rejection of the selection application, unless specifically so stated.

The conveyance issued for the surface estate of the lands described above shall contain the following reservations to the United States:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(f)), as amended; and

2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1616(b)), as amended, the following public easements, referenced by easement identification number (EIN) on the easement maps attached to this document, copies of which will be found in case file F-14989-EE, are reserved to the United States. All easements are subject to applicable Federal, State, or Municipal corporation regulations. The following is a listing of uses allowed for each type of easement. Any uses which are not specifically listed are prohibited.

25 Foot Trail—The uses allowed on a twenty-five (25) foot wide trail easement are: travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, and small all-terrain vehicles (less than 3,000 lbs. Gross Vehicle Weight (GVW)).

50 Foot Trail—The uses allowed on a fifty (50) foot wide trail easement are: travel by foot, dogsled, animals, snowmobiles, two- and three-wheel vehicles, small and large all-terrain vehicles, and four-wheel drive vehicles.

One Acre Site—The uses allowed for a site easement are: vehicle parking (e.g., aircraft, boats, ATV's, snowmobiles, cars, trucks), temporary camping, and loading or unloading. Temporary camping, loading, or unloading shall be limited to 24 hours.

a. (EIN 8 C5) A one (1) acre site easement, upland or the ordinary high water mark, in Sec. 28, T. 13 N., R. 16 E., Fairbanks Meridian, on the left bank of Birch Creek. The uses allowed are those listed above for a one (1) acre site easement.

b. (EIN 9 C5) A one (1) acre site easement, upland of the ordinary high water mark, in Sec. 33, T. 13 N., R. 18 E., Fairbanks Meridian, on the right bank of the Yukon River. The uses allowed are those listed above for a one (1) acre site easement.

c. (EIN 11 C1, C5, D1, D9) An easement for an existing access trail, twenty-five (25) feet in width, from Circle in Sec. 31, T. 12 N., R. 18 E., Fairbanks Meridian, northerly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement. The season of use will be limited to winter.

d. (EIN 17 M) An easement for an existing access trail twenty-five (25) feet in width, from Circle in Sec. 30, T. 12 N., R. 18 E., Fairbanks Meridian, westerly to public land. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

e. (EIN 18 C5) An easement for a proposed access trail, twenty-five (25) feet in width, from site EIN 9 C5 in Sec. 33, T. 13 N., R. 18 E., Fairbanks Meridian, northeasterly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

f. (EIN 20 C5) An easement for a proposed access trail, twenty-five (25) feet in width, from the Steese Highway in Sec. 7, T. 10 N., R. 17 E., Fairbanks Meridian, easterly to public lands. The uses allowed are those listed above for a twenty-five (25) foot wide trail easement.

g. (EIN 26 C5) An easement for an existing access trail, fifty (50) feet in width, from site EIN 28 C4, C5 in Sec. 21, T. 11 N., R. 18 E., Fairbanks Meridian, easterly to public lands. The uses allowed are those listed above for a fifty (50) foot wide trail easement. Large all-terrain vehicles (more than 3,000 lbs. Gross Vehicle Weight (GVW)) and four-wheel drive vehicles will be limited to winter use only.

h. (EIN 28 C4, C5) A one (1) acre site easement, upland of the ordinary high water mark, in Sec. 21, T. 11 N., R. 18 E., Fairbanks Meridian, on the right bank of the Yukon River. The uses allowed are

those listed above for a one (1) acre site easement.

The grant of the above-described lands shall be subject to:

1. Issuance of a patent after approval and filing by the Bureau of Land Management of the official plat of survey confirming the boundary description and acreage of the lands hereinabove granted;

2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (48 U.S.C. Ch. 2, Sec. 6(g))), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him. Further, pursuant to Sec. 17(b)(2) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1616(b)(2)) (ANCSA), as amended, any valid existing right recognized by ANCSA shall continue to have whatever right of access as is now provided for under existing law;

3. A right-of-way, F-026318, for a Federal aid material site, located in N $\frac{1}{2}$, Sec. 7, T. 10 N., R. 17 E., Fairbanks Meridian. (Section 17 of Federal Aid Highway Act of November 9, 1921 (42 Stat. 216; 23 U.S.C. 18), as amended);

4. A right-of-way, F-026327, for a Federal aid material site, located in N $\frac{1}{2}$, Sec. 7, T. 10 N., R. 17 E., Fairbanks Meridian. (Section 17 of Federal Aid Highway Act of November 9, 1921 (42 Stat. 216; 23 U.S.C. 18), as amended);

5. Any right-of-way interest in the Steese Highway (FAS Route No. 670) transferred to the State of Alaska by the Quitclaim Deed dated June 30, 1959, executed by the Secretary of Commerce under the authority of the Alaska Omnibus Act, Pub. L. 86-70 (73 Stat. 141) as to:

Fairbanks Meridian, Alaska (Unsurveyed)

T. 10 N., R. 16 E.,

Secs. 10 and 11.

T. 10 N., R. 17 E.,

Secs. 5, 6, and 7.

T. 11 N., R. 17 E.,

Secs. 12, 13, 14, 15, 22, 27, 28, 32, and 33.

T. 11 N., R. 18 E.,

Secs. 6, 7, and 18.

T. 12 N., R. 18 E.,

Sec. 31.

6. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(c)), as amended, that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section.

Danzhit Hanlani Corporation is entitled to conveyance of 92,160 acres of

land selected pursuant to Sec. 12(a) of ANCSA. Together with the lands herein approved, the total acreage conveyed or approved for conveyance is approximately 80,975 acres. The remaining entitlement of approximately 11,185 acres will be conveyed at a later date.

Pursuant to Sec. 14(f) of ANCSA, conveyance of the subsurface estate of the lands described above shall be issued to Doyon, Limited, when the surface estate is conveyed to Danzhit Hanlani Corporation, and shall be subject to the same conditions as the surface conveyance.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the *Federal Register* and once a week, for four (4) consecutive weeks, in the *Fairbanks Daily News-Miner*.

Any party claiming a property interest in lands affected by this decision, an agency of the Federal government, or regional corporation may appeal the decision to the Alaska Native Claims Appeal Board, provided, however, pursuant to Pub. L. 96-487, this decision constitutes the final administrative determination of the Bureau of Land Management concerning navigability of water bodies.

Appeals should be filed with the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510 with a copy served upon both the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513 and the Regional Solicitor, Office of the Solicitor, 510 L Street, Suite 100, Anchorage, Alaska 99501. The time limits for filing an appeal are:

1. Parties receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, and parties who failed or refused to sign the return receipt shall have until April 26, 1982 to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Alaska Native Claims Appeal Board.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

Danzhit Hanlani Corporation, Circle, Alaska 99733

Doyon, Limited, Land Department, Doyon Building, 201 First Avenue, Fairbanks, Alaska 99701

State of Alaska, Department of Natural Resources, Division of Research and Development, Pouch 7-005, Anchorage, Alaska 99510

Ruth Stockie,

Acting Chief, Branch of ANCSA Adjudication.

[FR Doc. 82-7973 Filed 3-24-82; 8:45 am]

BILLING CODE 4310-84-M

[AA-39336]

Alaska Native Claims Selection

The document entitled Terms and Conditions for Land Consolidation and Management in the Cook Inlet Area was ratified by Public Law (Pub. L.) 94-204 (89 Stat. 1145, 1151) on January 2, 1976, and clarified on August 31, 1976. Section II of the Terms and Conditions authorized reconveyance by the United States to Cook Inlet Region, Inc., of lands conveyed by the State of Alaska to the United States. On November 15, 1977, Section 3(a) of Pub. L. 95-178 (91 Stat. 1369), authorized the Secretary of the Interior to identify and reserve within 2 years after initial conveyance of such lands to Cook Inlet Region, Inc., any easement he could have lawfully reserved prior to conveyance and to issue immediately thereafter a revised conveyance reflecting such reservation.

On March 26, 1980, Patent No. 50-80-0072 and Interim Conveyance No. 307 were issued to Cook Inlet Region, Inc., for 5,763.61 acres and approximately 3,680.00 acres, respectively, of the surface and subsurface estates of lands conveyed to the United States by the State of Alaska. The lands were conveyed pursuant to Secs. 14(e) and 22(j) of the Alaska Natives Claims Settlement Act of December 18, 1971 (43 U.S.C. 1601, 1613(e), 1621(j)) (ANCSA), and Sec. 12(c) of Pub. L. 94-204 (89 Stat. 1145, 1152), as amended by Sec. 3(a) of Pub. L. 95-178 (91 Stat. 1369), and are described as follows:

Patent No. 50-80-0072 on March 26, 1980

Seward Meridian, Alaska (Surveyed)

T. 4 S., R. 13 W.,

Sec. 5, lots 1 to 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;

Sec. 6, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;

Sec. 7, E $\frac{1}{2}$;

Sec. 8, 9 and 17, all;

Sec. 18, lots 1 to 4, inclusive, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;

Sec. 19, lots 1 to 4, inclusive, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;

Sec. 20, all;

Sec. 30, lots 1 to 4, inclusive, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$.

Containing 5,763.61 acres.

Interim Conveyance No. 307 on March 26, 1980

Seward Meridian, Alaska (Surveyed)

T. 2 S., R. 11 W.,

Those portions of Tract A previously described as protracted:

Sec. 32, all;

Sec. 33, NW $\frac{1}{4}$, S $\frac{1}{2}$.

Containing approximately 1,120.00 acres.

T. 3 S., R. 11 W.,

Those portions of Tract A previously described as protracted:

Sec. 3 and 4, all;

Sec. 5, NE $\frac{1}{4}$;

Sec. 10, N $\frac{1}{2}$;

Sec. 11, all;

Sec. 14, NE $\frac{1}{4}$.

Containing approximately 2,560.00 acres.

Aggregating approximately 3,680.00 acres.

There are no easements to be reserved pursuant to Sec. 17(b) of ANCSA. When this decision becomes final, revised conveyance documents will be issued to Cook Inlet Region, Inc., for the above-described lands with no Sec. 17(b) easements reserved. The revised conveyance documents will remain subject to all other rights, terms, conditions, and covenants contained in Patent No. 50-80-0072 and Interim Conveyance No. 307.

In accordance with Departmental regulations 43 CFR 2650.7(d), notice of this decision is being published once in the *Federal Register* and once a week, for four (4) consecutive weeks, in the *Anchorage Times*.

Any party claiming a property interest in lands affected by this decision, an agency of the Federal Government, or regional corporation may appeal the decision to the Alaska Native Claims Appeal Board, provided, however, pursuant to Pub. L. 96-487, this decision constitutes the final administrative determination of the Bureau of Land Management concerning navigability of water bodies.

Appeals should be filed with the Alaska Native Claims Appeal Board, P.O. Box 2433, Anchorage, Alaska 99510, with a copy served upon both the Bureau of Land Management, Alaska State Office, 701 C Street, Box 13, Anchorage, Alaska 99513, and the Regional Solicitor, Office of the Solicitor, 510 L Street, Suite 100, Anchorage, Alaska 99501. The time limits for filing an appeal are:

1. Parties receiving service of this decision shall have 30 days from the receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, and parties who failed or refused to sign the return

receipt shall have until April 26, 1982, to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Alaska Native Claims Appeal Board.

To avoid summary dismissal of the appeal, there must be strict compliance with the regulations governing such appeals.

If an appeal is taken the party to be served with a copy of the notice of appeal is: Cook Inlet Region, Inc., P.O. Drawer 4-N, Anchorage, Alaska 99509.

Ruth Stockie,

Acting Chief, Branch of ANCSA Adjudication.

[FR Doc. 82-7974 Filed 3-24-82; 8:45 am]

BILLING CODE 4310-84-M

[AA-6978-A]

Alaska Native Claims Selection

The purpose of this decision is to modify page 7762 of the Federal Register, February 22, 1982, and page 6 of the decision dated February 18, 1982, to include item 7 under "The grant of the above-described lands shall be subject to:"

7. The following third-party interest, if valid, created and identified by the U.S. Forest Service as provided by Sec. 14(g) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(g):

Special Use Permit No. 5204 issued to Paul S. Charles, July 14, 1980, for a road through Mineral Survey No. 889 to Dolomi Bay, SE $\frac{1}{4}$ of Sec. 6, T. 78 S., R. 89 E., Copper River Meridian.

Except as modified by this decision, the decision of February 18, 1982, stands as written.

Ruth Stockie,

Acting Chief, Branch of ANCSA Adjudication.

[FR Doc. 82-7975 Filed 3-24-82; 8:45 am]

BILLING CODE 4310-84-M

[NM 52093]

New Mexico; Application

March 16, 1982.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), Transwestern Pipeline Company has applied for a 16-inch natural gas pipeline right-of-way across the following lands:

New Mexico Principal Meridian, New Mexico T. 7 S., R. 25 E.,

Sec. 3: Lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 10: W $\frac{1}{2}$ E $\frac{1}{2}$;

Sec. 15: W $\frac{1}{2}$ E $\frac{1}{2}$;

Sec. 22: W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 27: SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 34: E $\frac{1}{2}$ E $\frac{1}{2}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 35: SW $\frac{1}{4}$ SW $\frac{1}{4}$.

This pipeline will convey natural gas across 5.646 miles of public land in Chaves County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, New Mexico 88201.

John Gregg,

District Manager, Roswell District.

[FR Doc. 82-7994 Filed 3-24-82; 8:45 am]

BILLING CODE 4310-84-M

[C-34889]

Colorado; Invitation for Coal Exploration License Application; Colorado Yampa Coal Company

All interested parties are hereby invited to participate with Colorado Yampa Coal Company in its proposed exploration of certain Federal coal deposits in the following described lands in Routt County, Colorado:

Sixth Principal Meridian, Colorado

T. 4 N., R. 86 W.,

Sec. 17, SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 19, lots 9, 10, and 14 to 16, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;

Sec. 20, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$, and W $\frac{1}{2}$ excluding NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 29, W $\frac{1}{2}$ E $\frac{1}{2}$ and W $\frac{1}{2}$;

Sec. 30, lots 1, 2, 3, and 5 to 16, inclusive, and E $\frac{1}{2}$;

Sec. 31, lots 1 to 15, inclusive, NE $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 32, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$;

Sec. 34, E $\frac{1}{2}$ W $\frac{1}{2}$.

T. 4 N., R. 87 W.

Sec. 25, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$;

Sec. 26, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and S $\frac{1}{2}$.

The area described contains 4516.70 acres.

Any party participating in this exploration license will share all costs on a pro rata basis with Colorado Yampa Coal Company and with any other participants. The exploration plan, as submitted to the Bureau of Land Management, is available under serial number C-34889 for public review during normal business hours at the Colorado State Office, 1037-20th Street, Denver, Colorado.

Any party seeking to participate in the exploration program described in the

application must notify both the Bureau of Land Management and Colorado Yampa Coal Company in writing by April 26, 1982. Such written notice must be addressed to:

Leader, Craig Team, Branch of Adjudication, Colorado State Office, Bureau of Land Management, 1037-20th Street, Denver, Colorado 80202, and

J. D. Spaulding, President, Colorado Yampa Coal Company, P.O. Box 772129, Steamboat Springs, Colorado 80477.

This Notice of Invitation is published in the Federal Register pursuant to 43 CFR 3410.2-1(d).

Rodney A. Roberts,

Leader, Craig Team, Branch of Adjudication.

[FR Doc. 82-7996 Filed 3-24-82; 8:45 am]

BILLING CODE 4310-84-M

[M 38858]

Public Lands in Lewis and Clark County, Montana; Realty Action—Non-Competitive Sale

March 12, 1982.

The following described lands have been examined and identified as suitable for disposal by sale under Section 203 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2750; 43 U.S.C. 1713):

Principal Meridian Montana, T10N, R4W

Section 36: Tract 39, containing 0.37 acres.

The above described lands are being offered as a direct sale to Orlando W. Stevens and Jane J. Stevens, at the appraised fair market value. The sale of the lands to Orlando W. Stevens and Jane J. Stevens will not be held until 60 days after the issuance of this notice.

The sale is consistent with Bureau of Land Management planning for the land involved and has been discussed with the City of Helena and Montana State Government officials. That tract would be acquired so the applicants can conform to city-county subdivision requirements and local and state codes regarding area size limitations relating to septic drain fields.

Terms and Conditions Applicable to the Sale are:

1. The patent will include a reservation of a right-of-way for ditches and canals constructed by authority of the United States in accordance with 43 U.S.C. 945.

2. All minerals will be reserved to the United States.

3. The patent will be subject to all other existing rights.

Detailed information concerning the sale, including the Land Report and Environmental Assessment Record, is available for review at the Butte District Office, 106 N. Parkmont, P.O. Box 3388, Butte, Montana 59702.

On or before April 23, 1982, interested parties may submit comments to the State Director (943), Bureau of Land Management, P.O. Box 30157, Billings, Montana 59107. Any adverse comments will be evaluated by the State Director who may vacate or modify this realty action and issue a final determination. In the absence of any action by the State Director, this realty action will become the final determination of the Department of Interior.

Jack A. McIntosh,

District Manager for the State Director.

[FR Doc. 82-7995 Filed 3-24-82; 8:45 am]

BILLING CODE 4310-84-M

Realty Action, Exchange of Public Lands in Beaverhead County, Montana

This Notice of Realty Action involves an exchange of Bureau of Land Management administered lands in Montana (M-53568). Certain public lands in Beaverhead County have been examined and found suitable for exchange with the Odmark Company. This exchange is authorized under authority of Section 206 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1716.

The private lands to be acquired are as follows:

Principal Meridian Montana—Beaverhead County

A tract of land lying in the W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 34, T2S, R15W, PMM, more particularly described as follows:

Beginning at the section corner common to Sections 33 and 34, T2S, R15W, PMM, and Sections 3 and 4, T3S, R15W, PMM; thence N. 00°15' W. along the section line 1112 feet to corner No. 1; thence N. 89°45' E. 276 feet to corner No. 2; thence N. 00°15' W. 286 feet to corner No. 3; thence N. 89°45' E. 714 feet to corner No. 4; thence S. 00°14'51" E. 1409.23 feet to corner No. 5 located on the township line; thence N. 89°36' W. 990 feet along the township line to the point of beginning; said tract of land containing 30.09 acres, more or less.

A tract of land lying in Lot 4, Section 3, T3S, R15W, PMM, more particularly described as follows:

Beginning at the section corner common to Sections 33 and 34, T2S, R15W, PMM and Sections 3 and 4, T3S, R15W, PMM; thence S. 00°15' E. along section line 1320 feet to corner No. 1; thence S. 89°36' E. 990 feet to corner No. 2; thence N. 00°15' W. 1320 feet to corner No. 3 located on the township line; thence N. 89°36' W. along the township line 990 feet to the

point of beginning; said tract of land containing 30.0 acres, more or less. Total: 60.09 acres, more or less.

The public lands including an equalization payment of \$2,000.00 to be exchanged for the private lands are described as follows:

Principal Meridian Montana—Beaverhead County

T2S, R15W,

Sec. 22, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Sec. 27, E $\frac{1}{2}$ E $\frac{1}{2}$.

Total: 360 acres.

The purpose of the land exchange is to facilitate the development and construction of a new administrative site for the Wisdom Ranger District, USFS. The exchange will support a multiple use federal program and the economy. The multiple use values include, but are not limited to timber, recreation, wildlife, habitat and cultural resources. There are also economic benefits to the public.

This exchange is consistent with the Bureau's planning for the lands involved and has been discussed with local officials.

The publication of this notice segregates the public lands described above from settlement, sale, location and entry under the public land laws, including the mining laws, but not from exchange pursuant to Section 206 of the Federal Land Policy and Management Act of 1976.

The terms, conditions, covenants and reservations applicable to the land exchange are:

1. The patent will include a reservation of a right-of-way for ditches and canals constructed by the authority of the United States in accordance with 43 U.S.C. 945.

2. Both the surface and mineral estates will be exchanged, except oil and gas.

3. The land will be exchanged subject to valid existing rights.

4. Oil and gas lease No. M-37994 remains in effect until terminated by the operation of the existing laws.

Detailed information concerning the exchange including the environmental Assessment and Land Report are available for review at the Butte District Office, 106 North Parkmont (P.O. Box 3388), Butte, Montana 59702.

For a period of 45 days from the date of this notice, interested parties may submit comments to the District Manager, Butte District Office, P.O. Box 3388, Butte, Montana 59702. Any adverse comments will be evaluated by the authorized officer, who may vacate or modify this realty action and issue a final determination. In the absence of any adverse comments, this realty

action will become the final determination of the department.

Jack McIntosh,

Acting State Director.

[FR Doc. 82-7993 Filed 3-24-82; 8:45 am]

BILLING CODE 4310-84-M

Oklahoma; Decision on Amendment of Southeast Oklahoma Management Framework Plan

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Decision on the Amendment of the Southeast Oklahoma Management Framework Plan.

SUMMARY: This notice is to advise the public that the District Manager of the Albuquerque District, Bureau of Land Management (BLM) has issued a decision on the amendment of the Southeast Oklahoma Management Framework Plan (MFP). The decision designated surface minable reserves of lease application NM-50410 (OK) as acceptable for further consideration for leasing. The State Director of New Mexico has concurred with the decision.

FOR FURTHER INFORMATION CONTACT:

Dr. Srinivas Rao, (405) 231-4481, Oklahoma Resource Area Office, Bureau of Land Management, Room 548, 200 NW Fifth Street, Oklahoma City, Oklahoma 73102.

SUPPLEMENTARY INFORMATION: The District Manager, Albuquerque District Bureau of Land Management, has issued a decision to amend the Southeast Oklahoma MFP. The State Director of New Mexico has concurred with the decision. The MFP amendment incorporated surface-minable federal coal reserves having medium potential for development into the land use planning process. The amendment was completed in response to an application for competitive coal lease sale (NM-50410 (OK)) submitted by HFCO, Inc. The decision designated the surface-minable reserves in the lease application as acceptable for further consideration for leasing.

The amendment area is located in LeFlore County, Oklahoma, 9 miles northwest of town of Spirio, and is described as:

Indian Meridian, Oklahoma

T. 9 N., R. 24 E.,

Sec. 3: NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Copies of the Decision Document and Final Amendment are available for public review in the New Mexico State Office, U.S. Post Office and Federal

Building, Santa Fe, New Mexico; at the Albuquerque District Office, 3550 Pan American Freeway, NE, Albuquerque, New Mexico; or at the Oklahoma Resource Area Office, 200 NW Fifth Street, Room 548, Oklahoma City, Oklahoma, during regular office hours. Individual copies of the document are available from the Oklahoma Area Manager, Bureau of Land Management, 200 NW Fifth Street, Room 548, Oklahoma City, Oklahoma, 73102, telephone (405) 231-4481.

Any person who participated in the planning process and who has an interest which may be adversely affected by approval of the FMP amendment may file a protest on or before April 26, 1982. A protest may raise only those issues which were submitted for the record to the District Manager during the planning process. The protest shall be in writing and shall be filed with the State Director, Bureau of Land Management, New Mexico State Office, P.O. Box 1449, Santa Fe, New Mexico 87501. The protest shall contain the name, mailing address, telephone number, and interest of the person filing the protest; a statement of the issue or issues being protested; a statement of the part of the amendment being protested; a copy of all documents addressing the issue or issues that were submitted during the amendment process by the protesting party or an indication of the date the issue or issues were discussed for the record; and a short, concise statement explaining why the District Manager's decision was wrong.

Implementation of the decision will begin no sooner than 30 days after publication of this notice or upon resolution of any protest received by the State Director.

Dated: March 17, 1982.

L. Paul Applegate,

District Manager, Albuquerque Bureau of Land Management.

[FR Doc. 82-8052 Filed 3-24-82; 8:45 am]

BILLING CODE 4310-84-M

Bureau of Reclamation

Supplemental Water Service Contract Negotiations, Rapid Valley Unit, Pick-Sloan Missouri Basin Program, South Dakota; Intent To Negotiate a Water Service Contract

In accordance with procedures established by the Department of the Interior concerning public participation in water service and repayment negotiations, the Bureau of Reclamation

through the Regional Director of the Upper Missouri Region intends to begin negotiating a contract with the Rapid Valley Water Service Company (RVWSC) to provide up to 600 acre-feet of water annually from Pactola Reservoir to meet future demands. The proposed contract will be prepared pursuant to section 9(c)(2) of the Reclamation Act of August 4, 1939 (53 Stat. 1186).

RVWSC provides domestic and residential water to its customers located downstream of Rapid City, South Dakota, adjacent to Rapid Creek. The service area has been expanding because of rural subdivision development. The natural flow rights to Rapid Creek are not sufficient to meet RVWSC customers' demands during dry periods.

Payment for the water will be negotiated at a rate of \$16, which is comparable to the rate currently paid by the City of Rapid City. In addition to the \$16 per acre-foot charge, an operation and maintenance (O&M) charge of 2 percent of the estimated annual O&M allocated to M&I water will be assessed to RVWSC. A contract administration fee of \$100 will also be charged.

All meetings scheduled by the Bureau of Reclamation with RVWSC for the purpose of discussing terms and conditions of the proposed contract will be open for public observation. Advance notice of meetings will be furnished to those parties having submitted a written request for a meeting schedule at least 1 week prior to any meeting. Requests should be addressed to Regional Director, Bureau of Reclamation, Attention Code UM-440, P.O. Box 2553, Billings, Montana 59103.

A proposed draft contract will be made available for public review following completion of contract negotiations. Thereafter, a public meeting may be held, if necessary, and a 30-day period will be allowed to receive written comments from the public. All written correspondence concerning the proposed contract will be available to the general public pursuant to the terms and procedures of the Freedom of Information Act of September 6, 1966 (80 Stat. 383), as amended.

For further information on scheduled contract negotiating sessions and copies of the proposed contract form, please contact William Crosby, Chief, Economics and Repayment Branch, Division of Water and Land, at the address stated above or by telephone (406) 657-6413.

Dated: March 18, 1982.

Aldon D. Nielsen,

Acting Assistant Commissioner of Reclamation.

[FR Doc. 82-7970 Filed 3-24-82; 8:45 am]

BILLING CODE 4310-09-M

INTERSTATE COMMERCE COMMISSION

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 to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. This presumption shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication (or, if the application later becomes unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full

effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the Compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract".

Please direct status inquiries to the Ombudsman's Office, (202) 275-7326.

Volume No. OP1-51

Decided: March 18, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

FF-580, filed March 10, 1982. Applicant: A P X INTERNATIONAL, 851B Main Street, Hackensack, NJ 07601. Representative: Gabrielle Devincenzo, 91 Woodland Avenue, River Edge, NJ 07661, (202) 265-3931. As a freight forwarder, in connection with the transportation of *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between New York, NY, on the one hand, and, on the other, points in the U.S.

FF-590, filed March 9, 1982. Applicant: AALCO FORWARDING, INC., 5747 Imperial Way, SW., Port Orchard, WA 98366. Representative: Robert J. Gallagher, 1000 Connecticut Ave., NW., Suite 1200, Washington, DC 20036, (202) 785-0024. As a freight forwarder, in connection with the transportation of (a) *household goods and unaccompanied baggage*, and (b) *used automobiles*, between points in the U.S.

MC 35690 (Sub-5), filed March 9, 1982. Applicant: CENTRAL N.Y. COACH LINES, INC., 66 Calder Ave., Box 250, Yorkville, NY 13495. 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, in special and charter operations, beginning and ending at points in Cayuga, Chenango, Cortland, Herkimer, Lewis, Madison, Montgomery, Oneida, Onondaga and

Oswego Counties, NY, and extending to points in the U.S. (except AK and HI).

MC 99680 (Sub-17), filed March 10, 1982. Applicant: NORTH SHORE & CENTRAL ILLINOIS FREIGHT CO., 7701 W. 95th Street, Hickory Hills, IL 60457. Representative: James C. Hardman, 33 N. La Salle Street, Chicago, IL 60602. Over regular routes, transporting *general commodities* (except classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), between New Harmony, IN, and Evansville, IN, from New Harmony over Indiana Hwy 69 to junction Indiana Hwy 62, then over Indiana Hwy 62 to Evansville and return over the same route, serving all intermediate points and points in Posey County, IN, as off-route points.

Note.—Applicant intends to tack this authority with its existing regular-route authority.

MC 109571 (Sub-2), filed March 9, 1982. Applicant: REILE'S TRANSFER AND DELIVERY, INC., 54 South 27 1/2 Street, Fargo, ND 58103. Representative: Mike Miller, P.O. Box 1897, Fargo, ND 58107-1897, (701) 237-3166. Transporting (1) *paper and paper products*, and (2) *building materials*, between points in the U.S. (except AK and HI), under continuing contract(s) with International Corporation of Stamford, CT, in (1) above, and Pierce Roofing and Sheet Metal, Inc., and Thompson Roofing Company, both of Fargo, ND, in (2) above.

MC 111941 (Sub-43), filed March 9, 1982. Applicant: PIERCETON TRUCKING COMPANY, INC., P.O. Box 233, Laketon, IN 46943. Representative: Norman R. Garvin, 1301 Merchants Plaza, East Tower, Indianapolis, IN 46204-3491, (317) 638-2175. Transporting *general commodities* (except classes A and B explosives and household goods), between points in the U.S. (except AK and HI), under continuing contract(s) with A. E. Staley Manufacturing Company, of Decatur, IL.

MC 118811 (Sub-21), filed March 9, 1982. Applicant: LAWRENCE MCKENZIE TRUCKING SERVICE, INC., P.O. Box 135, Winchester, KY 40391. Representative: William L. Willis, Suite 702, McClure Building, Frankfort, KY 40601, (502) 227-7384. Transporting *metal products*, between points in Boyd County, KY, on the one hand, and, on the other, points in AR and OK.

MC 125951 (Sub-78), filed March 9, 1982. Applicant: SILVEY REFRIGERATED CARRIERS, INC., 3035 South 72nd St., Suite 200, Omaha, NE 68124. Representative: Robert M. Cimino (same address as applicant), (492) 393-

5005. Transporting *paper and paper products*, between Omaha, NE, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 133420 (Sub-7), filed March 11, 1982. Applicant: TRI-STATE TRANSPORT, INC., 1532 West Anaheim Street, P.O. Box 2168, Long Beach, CA 90801. Representative: William J. Lippman, Steele Park, Suite 588, 50 South Steele Street, Denver, CO 80209, (303) 322-0800. Transporting *hazardous materials, and commodities designated sensitive* by the Department of Defense, between points in the U.S.

MC 143730 (Sub-9), filed March 9, 1982. Applicant: PENINSULA TRUCKING CO., INC., 705 Morehouse Drive, New Castle, DE 19720. Representative: Richard M. Ochroch, 316 South 16th Street, Philadelphia, PA 19102, (215) 735-2707. Transporting *meats, meat products and meat by-products and articles distributed by meat-packing houses*, between points in the U.S., (except AK and HI), under continuing contract(s) with Hygrade Food Products Corporation, of Detroit, MI.

MC 149030 (Sub-2), filed March 8, 1982. Applicant: COUSINS LEASING CORPORATION, One Arnold Drive, Huntington, NY 11743. Representative: George Car Pezold, 120 Main Street, Huntington, NY 11743, (516) 427-0100. Transporting (1) *such commodities* as are dealt in or used by manufacturers and distributors of plastic and paper bags; (2) *such commodities* as are dealt in or used by manufacturers and distributors of paper bags; (3) *such commodities* as are dealt in or used by manufacturers and distributors of plastic and paper products; and (4) *banking supplies*, between points in the U.S. (except AK and HI) under continuing contract(s) with Equitable Bag Co., Inc., of Long Island City, NY, and Samson Midamerica, Inc., of Indianapolis, IN, in (1) above; Samson Paper Bag Co., Inc., of Huntington, NY, and Samson Midatlantic, Inc., of Savage, MD, in (2) above; Trio Packaging Corp., of Huntington, NY, and Nicos Polymers & Grinding, Inc., of West Babylon, NY, in (3) above; and Control Papers Company, Inc., of Summit, NJ, in (4) above.

MC 150891 (Sub-2), filed March 9, 1982. Applicant: COMMERCIAL TRANSFER MOVING AND STORAGE CO., 901 E. Glendale Avenue, Sparks, NV 89431. Representative: Glade L. Hall, 330 East Liberty, Suite 200, Reno, NV 89501, (702) 322-9495. Transporting *pulp, paper and related products; lumber and wood products; rubber and plastic*

products; furniture and fixtures; clay, concrete, glass or stone products; and metal products, between points in the U.S. (except AK and HI), under continuing contract(s) with Scott Paper Company, of Philadelphia, PA.

MC 154460 (Sub-5), filed March 9, 1982. Applicant: "Q" CARRIERS INC., 14086 Rutgers St. N.E., Prior Lake, MN 55372. Representative: Randall D. Quiring (same address as applicant), (612) 445-8718. Transporting *general commodities* (except classes A and B explosives and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Minnetonka, Inc., of Minnetonka, MN.

MC 157061, filed March 9, 1982. 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, (901) 526-4114. Transporting *paper products*, between points in Garland County, AR, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 157760 (Sub-1), filed March 11, 1982. Applicant: PROFESSIONAL COACH DELIVERIES, INC., PO Box 15223, Milwaukee, WI 53215. Representative: John L. Bruemmer, PO Box 927, Madison, WI 53701, (608) 257-9521. Transporting *buses*, between points in the U.S.

MC 160810, filed March 9, 1982. Applicant: JOHN ROWLAND, d.b.a. ROWLAND TRUCKING, 639 East Grand Avenue, Springfield, OH 45505. Representative: David Earl Tinker, 1000 Connecticut Avenue, NW., Suite 1112, Washington, DC 20036-5391, (202) 887-5868. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Cascade Corporation of Springfield, OH.

MC 160891, filed March 8, 1982. Applicant: A SOUTHERN REGIONAL VAN LINES, INC., P.O. Box 547, Metairie, LA 70004. Representative: Marshall Kragen, 1919 Pennsylvania Ave., NW., Suite 300, Washington, DC 20006, (202) 466-3778. Transporting *household goods and furniture and fixtures*, between points in the U.S. (except AK, HI, WA, OR, CA, and AZ).

MC 160901, filed March 8, 1982. Applicant: HAPES TRUCK LINE, INC., Route 1, Garden City, KS 67846. Representative: Clyde N. Christey, Ks Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612, (913) 233-9629. Transporting *food and related products*,

between points in Finney County, KS, on the one hand, and, on the other, points in the U.S.

MC 160930, filed March 9, 1982. Applicant: ALL POINTS VAN & STORAGE, INC., P.O. Box 1092, Jacksonville, NC 28540. Representative: Robert J. Gallagher, 1000 Connecticut Ave., NW., Suite 1200, Washington, DC 20036, (202) 785-0024. Transporting *household goods*, between points in NC, on the one hand, and, on the other, points in MD, VA, WV, NC, SC, GA, FL, and DC.

MC 160960, filed March 11, 1982. Applicant: MIDAMERICAN FREIGHT, INC., 10 South LaSalle St., Suite 1600, Chicago, IL 60603. Representative: Daniel C. Sullivan (same address as applicant), (312) 263-1600. Transporting *such commodities* as are dealt in or used by wholesale or retail department stores, food business houses, and construction companies, between points in the U.S. (except AK and HI).

Volume No. OP2-57

Decided: March 18, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 9692 (Sub-6), filed March 3, 1982. Applicant: ROBERT D. ECKERT, 219 North President Ave., Lancaster, PA 17603. Representative: Christian V. Graf, 407 N. Front St., Harrisburg, PA 17101-1295, 717-236-9318. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of rugs, carpets, and linoleum (except commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with (a) J. J. Haines & Company, Inc., (b) Landis-Haines Co., and (c) The Jos. M. Zamoiski Co., all of Baltimore, MD.

MC 58522 (Sub-15), filed March 3, 1982. Applicant: RIVER TRAILS TRANSIT LINES, INC., Highway 20, West, Galena, IL 61038. Representative: Richard A. Westley, 4506 Regent St., Suite 100, P.O. Box 5086, Madison, WI 53705-0086, 608-238-3119. Transporting *passengers and their baggage*, in round-trip charter and special operations, beginning and ending at points in IL and IA, and extending to points in the U.S. (including AK but excluding HI).

MC 108393 (Sub-156), filed March 8, 1982. Applicant: SIGNAL DELIVERY SERVICE, INC., 1010 Jorie Blvd., Oak Brook, IL 60512. Representative: J. A. Kundtz, 1100 National City Bank Bldg., Cleveland, OH 44114, 216-566-5639. Transporting *metal products and waste or scrap materials*, between points in the U.S. (except AK and HI), under

continuing contract(s) with Metal Mark, Inc., of Chicago, IL.

MC 139382 (Sub-2), filed March 9, 1982. Applicant: DWIGHT PARKER TRUCKING CO., INC., P.O. Box 149, Hugo, OK 74743. Representative: Richard Hubbert, P.O. Box 10236, Lubbock, TX 79408, 806-763-9555. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with The Goodluck Glove Company, Division of Illinois Glove Company, of Hugo, OK.

MC 145812 (Sub-5), filed March 5, 1982. Applicant: MARYLAND CONTINENTAL EXPRESS, INC., 129 Overhill Dr., Hagerstown, MD 21740. Representative: Dixie C. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740, 301-797-6060. Transporting *screen and screening*, between points in the U.S. (except AK and HI), under continuing contract(s) with Keystone Seneca Wire Cloth Co., of Hanover, PA.

MC 147573 (Sub-3), filed March 8, 1982. Applicant: OAK ISLAND EXPRESS, INC., 2 Sixth St., Jersey City, NJ 07302. Representative: Peter Wolff, 722 Pittston Ave., Scranton, PA 18505, (717) 342-7595. Transporting *general commodities* (except classes A and B explosives, household goods, and those requiring special equipment), between points in the U.S. (except AK and HI), under continuing contract(s) with K Mart Corporation, of Troy, MI, F. W. Woolworth Co., of New York, NY, and The Sperry and Hutchinson Co., of New York, NY.

MC 150412 (Sub-2), filed March 9, 1982. Applicant: VERNON EQUIPMENT, INC., 725 Brea Canyon Rd., Suite 4, P.O. Box 701, Walnut, CA 91789. Representative: J. A. Kundtz, 1100 National City Bank Bldg., Cleveland, OH 44114, 216-566-5639. Transporting *such commodities* as are dealt in by retail department stores, between points in the U.S. (except AK and HI), under continuing contract(s) with Britannia Sportswear, Division of Schoenfeld Industries, Inc., of Seattle, WA.

MC 151383 (Sub-10), filed March 3, 1982. Applicant: NICKELL TRUCKING CO., 4901 West 51st St., Tulsa, OK 74107. Representative: Fred Rahal, Jr., Suite 305 Reunion Center, 9 East Fourth St., Tulsa, OK 74103, 918-583-9000. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except

AK and HI), under continuing contract(s) with (a) Yaffe Iron and Metal Company, Inc., of Muskogee, OK, (b) Ventair Corporation of Tulsa, OK, (c) Geograph-Pioneer Drilling Equipment Service, Division of Geosource, Inc., of Oklahoma City, OK, (d) Area Lighting Standards, Inc., of Tulsa, OK, (e) Arrow Engineering, Inc., of Tulsa, OK, and (f) Superior Welding, Inc., of Bartlesville, OK.

MC 159792 (Sub-1), filed March 4, 1982. Applicant: MID-AMERICA DAIRYMEN, INC., P.O. Box 1837 S.S.S., Springfield, MO 65805. Representative: E. R. Grant (same address as applicant), 417-865-9641 ext. 328. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between the facilities used by Grand Enterprises, Inc., and its affiliates (1) at those points in the U.S. in and east of ND, SD, NE, CO, OK, TX, and (2) between points in CA, on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, CO, OK, TX.

MC 160042 (Sub-1), filed March 8, 1982. Applicant: GEORGE J. STORRIE, INC., 25454 Graceland Circle, Dearborn, MI 48125. Representative: John W. Bryant, 900 Guardian Bldg., Detroit, MI 48226, 313-963-3750. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of containers, between points in Knox County, OH, Navarro County, TX, Harrison County, MS, Hamilton County, TN, and Mineral County, WV, on the one hand, and, on the other, points in AL, AZ, AR, CO, CT, DE, FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, NE, NH, NJ, NM, NY, NC, ND, OH, OK, PA, RI, SC, SD, TN, TX, UT, VT, VA, WV, WI, WY, and DC.

MC 160833, filed March 3, 1982. Applicant: OBIE LACEFIELD, 1609 Wyatt Parkway, Lexington, KY 40505. Representative: William L. Willis, 702 McClure Bldg., Frankfort, KY 40601, 502-227-7384. Transporting *cement*, between points in Clark County, IN, on the one hand, and, on the other, points in Fayette County, KY.

MC 160913, filed March 8, 1982. Applicant: ROE STEPHENSON TRUCKING, P.O. Box 8, Teasdale, UT 84723. Representative: Stuart L. Poelman, P.O. Box 3000, Salt Lake City, UT 84110, (801) 521-9000. Transporting (1) *coal and coal products* between points in Sevier and Emery Counties, UT, on the one hand, and, on the other, points in CO; (2) *farm products* between points in CO and points in Wayne County, UT.

MC 160932, filed March 9, 1982. Applicant: RISING FAST TRUCKING

CO., INC., P.O. Box 4076, Batesville, AR 72501. Representative: Robert C. Arnold (same address as applicant), 501-251-2933. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in AR, on the one hand, and, on the other, points in the U.S. (except AK and HI).

Volume No. OP4-93

Decided: March 18, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher and Williams.

MC 2866 (Sub-22), filed February 22, 1982. Applicant: TRAILWAYS EDWARDS, INC., 56 E. Third St., Williamsport, PA 17701. Representative: George M. Hanthorn, 1500 Jackson St., Dallas, TX 75201 (214) 655-7937. Transporting *passengers and their baggage and express and newspapers*, in the same vehicle with passengers, between Sybertsville, PA and Youngstown, OH, serving all intermediate points: from Sybertsville over PA Highway 93 to Interstate Highway 80, then over Interstate Highway 80 to Ohio Highway 193, then over Ohio Highway 193 to Youngstown and return over the same route.

Note.—Applicant intends to tack.

MC 100537 (Sub-2), filed March 1, 1982. Applicant: R. C. MASON MOVERS, INC., 229 Newbury St., Peabody, MA 01960. Representative: Wesley S. Chused, 15 Court Square, Boston, MA 02108 (617) 742-3530. Transporting *general commodities* (except classes A and B explosives and commodities in bulk), between points in MA and NH, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 105366 (Sub-1), filed March 3, 1982. Applicant: E. PAT FRANKHAUSER d.b.a. FRANKHAUSER'S TRUCKING, Route 1, Cumberland, WI 54829. Representative: Nancy J. Johnson, 103 E. Washington St., Box 218, Crandon, WI 54520 (715) 478-3341. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in Barron County, WI, on the one hand, and, on the other, Minneapolis, MN.

MC 113106 (Sub-108), filed March 3, 1982. Applicant: THE BLUE DIAMOND COMPANY, 6201 Pulaski Hwy., Baltimore, MD 21205. Representative: Chester A. Zyblut, 366 Executive Bldg., 1030 15th St., NW., Washington, DC 20005 (202) 296-3555. Transporting *beverages*, between points in the U.S. in and east of MI, IN, KY, TN, and AL.

MC 117386 (Sub-11), filed March 5, 1982. Applicant: L. B. TRANSPORT, INC., P.O. Box 233, Buffalo Center, IA 50424. Representative: Kenneth F. Dudley, P.O. Box 279, Ottumwa, IA 52501 (515) 682-8154. Transporting *commodities in bulk* between points in IL, IA, KS, MN, MO, NE, ND, SD, and WI.

MC 123476 (Sub-78), filed February 26, 1982. Applicant: CURTIS TRANSPORT, INC., P.O. Box 427, Arnold, MO 63010. Representative: David G. Dimit (Same address as applicant) (314) 464-1300. Transporting *petroleum products, polymers and chemicals* (except commodities in bulk), between the facilities of Amoco Chemical Corporation at points in the U.S., on the one hand and, on the other, points in the U.S. on or east of U.S. Hwy 85.

MC 133466 (Sub-3), filed February 26, 1982. Applicant: FORT CALHOUN EXPRESS, INC., 12th and Madison Sts., Fort Calhoun, NE 68023. Representative: Kelly C. Shadden (Same address as applicant) (402) 468-5511. Transporting *food and related products*, between points in Pottawattamie County, IA, and Douglas County, NE, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 135646 (Sub-7), filed March 4, 1982. Applicant: DERVAN CARTAGE SERVICE, INC., 952 N Maple St. Albany, GA. Representative: Virgil H. Smith, 74 Hwy N Box 245, Tyrone, GA 30290 (404) 969-1980. Transporting (1) *electrical fixtures and related products*, between points in Sumter County, GA, and Barbour County, AL, on the one hand, and, on the other, points in the U.S. (except AK and HI), and (2) *furniture and related products*, between points in GA and FL, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 138536 (Sub-5), filed February 26, 1982. Applicant: METROPOLITAN VAN AND STORAGE, INC., 417 Main St., Martinez, CA 94553. Representative: Jim Pitzer, 15 S Grady Way, Suite 321, Renton, WA 98055-3273 (206) 235-1111. Transporting *business records, furniture, fixtures, office supplies, and equipment*, between points in the U.S. (except AK and HI).

MC 138956 (Sub-21), filed February 25, 1982. Applicant: ERGON TRUCKING, INC., 202 E Pearl St., Jackson, MS 39201. Representative: Donald B. Morrison, P.O. Box 22628, Jackson, MS 39205 (601) 948-8820. Transporting *drilling compounds and sand*, (1) between points in Terrebonne and Iberia Parishes, LA, on the one hand, and, on the other, points in AL, AR, MS and TX, (2)

between points in OK and TX, (3) between points in St. Mary Parish, LA, on the one hand, and, on the other, points in Canadian and Beckham Counties, OK, and (4) between points in Pike County, AR, Custer County, OK, and New Orleans, LA, on the one hand, and, on the other, points in AL, AR, IL, KS, LA, MD, MS, NV, NM, ND, OK, TN, TX, UT and WY.

MC 139177 (Sub-8), filed March 5, 1982. Applicant: MAIERS TRANSPORT & WAREHOUSING CO., INC., 515 25th Ave. North, St. Cloud, MN 56301. Representative: Val M. Higgins, 1600 TCF Tower, 121 S. 8th St., Minneapolis, MN 55402 (612) 333-1341. Transporting *food and related products*, between points in Towner County, ND, on the one hand, and, on the other, points in SD, NE, KS, OK, MN, IA, MO, WI, IL, MI, IN, and OH.

MC 149576 (Sub-10), filed March 1, 1982. Applicant: TRANS AMERICAN TRUCKING SERVICE, INC., P.O. Box 1247 Nixon Station, Edison, NJ 08818. Representative: R. M. McGraw (Same address as applicant) (201) 985-2182. Transporting *chemicals and related products*, between points in the U.S., (except AK and HI), under continuing contract(s) with NL Chemicals/NL Industries, Inc., of Highstown, NJ.

MC 144246 (Sub-9), filed March 8, 1982. Applicant: LARSEN TRUCKING, INC., 7703 Sunset Dr., Omaha, NE 68127. Representative: James F. Crosby, 7363 Pacific St., Suite #210B, Omaha, NE 68114 (402) 397-9900. Transporting *metal products*, between points in MO, on the one hand, and, on the other, points in OH, MI, IN, KY, WI, IL, MN, IA, ND, SD, NE, KS, OK, TX, and CO.

MC 149576 (Sub-11), filed March 1, 1982. Applicant: TRANS AMERICAN TRUCKING SERVICE, INC., P.O. Box 1247 Nixon Station, Edison, NJ 08818. Representative: R. M. McGraw (Same address as applicant) (201) 985-2182. Transporting *food and related products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Zerega Macroni, of Fairlawn, NJ.

MC 149576 (Sub-12), filed March 1, 1982. Applicant: TRANS AMERICAN TRUCKING SERVICE, INC., P.O. Box 1247 Nixon Station, Edison, NJ 08818. Representative: R. M. McGraw (Same address as applicant) (201) 985-2182. Transporting *food and related products* between points in the U.S. (except AK and HI), under continuing contract(s) with Haagen-Dazs Ice Cream, of Woodbridge, NJ.

MC 158276, filed February 24, 1982. Applicant: STAGECOACH BUSLINES, INC., P.O. Box 586, Council Bluffs, IA

51502. Representative: Michael J. Ogborn, P.O. Box 82028, Lincoln, NE 68501 (402) 475-6761. Over regular routes transporting (1) *passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, from Harlan, IA to Omaha, NE serving all intermediate points: (a) from Harlan over IA Highway 44 to junction IA Highway 191, then over IA Highway 191 to junction U.S. Highway 6, then over U.S. Highway 6, to Omaha, and return over the same route, (b) from Harlan over U.S. Highway 59 to junction IA Highway 83, then over IA Highway 83 to junction IA Highway 191, then over IA Highway 191 to junction U.S. Highway 6, then over U.S. Highway 6 to Omaha, and return over the same route, and (2) *passengers and their baggage*, in special or charter operations, between points in Cass, Douglas, Lancaster, Otoe, Sarpy, and Washington Counties, NE, and Audubon, Cass, Fermont, Harrison, Mills, Montgomery, Page, Pottawattamie and Shelby Counties, IA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 159986 (Sub-2), filed February 24, 1982. Applicant: AMAZON INDEPENDENT TRANSPORTATION, INC., 12480 24th Ave., Marne, MI 49435. Representative: Edward Malinzak, 900 Old Kent Bldg., Grand Rapids, MI 49503 (616) 459-6121. Transporting (1) *furniture and fixtures*, and (2) *machine parts*, between points in Kent County, MI, on the one hand, and, on the other, points in AL, AR, CA, FL, GA, MO, NJ, and TX.

MC 160656, filed March 3, 1982. Applicant: T. P. LEASING, INC., P.O. Box 5450, N Little Rock, AR 72119. Representative: L. Ann Henderson, 2500 McCain Blvd., Suite 103, N Little Rock, AR 72116 (501) 758-1058. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in Pulaski County, AR, on the one hand, and, on the other, points in TX, LA, MS, OK, MO, TN, KS, MD, IL, KY, and VA.

MC 160726, filed March 1, 1982. Applicant: DONALD WAYNE SANTEE d.b.a. TONTO, Route 7, Box 358, Menomonie, WI 54751. Representative: Stanley C. Olsen, Jr., 5200 Willson Rd., Suite 307, Edina, MN 55424 (612) 937-8855. Transporting *forest products, lumber and wood products*, between points in Clark, Eau Claire, Jackson and Trempealeau Counties, WI, and Colfax, WI, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 160807, filed March 1, 1982. Applicant: BRADLEY-COLLIER TRUCKING CO., INC., 1526 29th Ave., Gulfport, MS 39501. Representative: Thomas F. Bradley, 4496 Kendall Ave.,

Gulfport, MS 39501 (601) 864-4938. Transporting *brick and tile products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Tri-State Brick & Tile Co., Inc., of Jackson, MS.

MC 160856, filed March 5, 1982. Applicant: WOLVERINE EXPEDITING, INC., 39115 Maple St., Wayne, MI 48184. Representative: William B. Elmer, 615 E. Eighth St., Traverse City, MI 49684 (616) 941-5313. Transporting *such commodities* as are dealt in or used by manufacturers and distributors of motor vehicles, between points in MI and OH.

Volume No. OP4-94

Decided: March 18, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 118846 (Sub-26), filed March 12, 1982. Applicant: DALE JESSUP, INC., Rural Route #1, Camby, IN 46113. Representative: Walter F. Jones, Jr., 1111 E. 54th St., Indianapolis, IN 46220 (317) 257-4066. Transporting *plastics, plastic products, pharmaceutical products, and health aids*, between points in the U.S. (except AK and HI), under continuing contract(s) with Nice-Pak Products, Inc., of Mt. Vernon, NY.

MC 143956 (Sub-32), filed March 5, 1982. Applicant: GARDNER TRUCKING CO., INC., P.O. Drawer 493, Walterboro, SC 29488. Representative: Steven W. Gardner (same address as applicant), (404) 233-0001. Transporting *kitchen appliances and related products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Caloric Corporation, of Topton, PA.

MC 143956 (Sub-33), filed March 8, 1982. Applicant: GARDNER TRUCKING CO., INC., P.O. Drawer 493, Walterboro, SC 29488. Representative: Steven W. Gardner (same address as applicant), (803) 549-2026. Transporting *leather products, housewares, recreational games and products, tools, hoses and pipes, automotive equipment, and security devices*, between points in De Kalb County, GA, Wayne and Van Wert Counties, OH, and Allegheny County, PA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 144826 (Sub-2), filed March 8, 1982. Applicant: COMET TRUCKING, INC., 6 Stuart Rd., Chelmsford, MA 01824. Representative: Dominic J. DiSalvo (same address as applicant), (617) 256-6551. Transporting (1) *rubber and plastic products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Sterilite Corporation, of Townsend, MA; (2) *food and related products*, between points in

the U.S. (except AK and HI), under continuing contract(s) with Stickney & Poor Spice Co., of Chelmsford, MA, and (3) *such commodities* as are dealt in or used by the medical industry, between points in the U.S. (except AK and HI), under continuing contract(s) with C. R. Bard, Inc., of N. Reading, MA.

MC 154846 (Sub-11), filed March 12, 1982. Applicant: A & Q ENTERPRISES, INC., d.b.a. GREATWESTERN TRANSPORTATION SYSTEM, 2022 Kent Ave., Grand Island, NE 68801. Representative: Jack L. Shultz, P.O. Box 82028, Lincoln, NE 68501, (402) 475-6761. Transporting *metal products*, between points in Stanton and Madison Counties, NE, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 158196 (Sub-1), filed March 5, 1982. Applicant: BANKS WRIGHT, d.b.a. WRIGHT MOTOR LINES, Box 177, Armagh, PA 15920. Representative: Dixie E. Newhouse, 1329 Pennsylvania Ave., P.O. Box 1417, Hagerstown, MD 21740, (301) 797-6060. Transporting (1) *iron and steel and related products*, between points in IN, IL and OH, on the one hand, and, on the other, points in NY and PA, (2) *prefabricated buildings and building materials*, between points in OK, GA and PA, on the one hand, and, on the other, points in the U.S. (except AK and HI), and (3) *mining locomotives*, between points in Indiana County, PA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 160936 (Sub-1), filed March 11, 1982. Applicant: PRB ENTERPRISES, INC., 2609 Mockingbird Lane, Granite City, IL 62040. Representative: Steven L. Weiman, Suite 200, 400 N. Frederick Ave., Gaithersburg, MD 20877, (301) 340-8565. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Michigan Metals, of Granite City, IL.

MC 160996, filed March 12, 1982. Applicant: DISTRIBUTION EXPRESS, INC., 2880 N. 1112th St., Milwaukee, WI 53222. Representative: William C. Dineen, 710 N. Plankinton Ave., Milwaukee, WI 53203, (414) 273-7410. Transporting *general commodities* (except classes A and B explosives, commodities in bulk, and household goods), between points in the U.S. (except AK and HI), under continuing contract(s) with Hansen Storage Company, of Milwaukee, WI.

Volume No. OP4-96

Decided: March 18, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 71836 (Sub-3), filed March 11, 1982. Applicant: FLEGEL TRANSFER CO., P.O. Box 1065, Roseburg, OR 97470. Representative: David C. White, 2400 SW 4th Ave., Portland, OR 97201, (503) 226-6491. Transporting *general commodities* (except classes A and B explosives and commodities in bulk), between points in Coos, Curry, Douglas, Jackson, Josephine, Klamath, Lake and Lane Counties, OR.

MC 143776 (Sub-47), filed March 10, 1982. Applicant: C.D.B. INCORPORATED, 155 Spaulding Ave., SE., Grand Rapids, MI 49506. Representative: C. Michael Tubbs, (same address as applicant), (800) 253-9527. Transporting *automotive filters and cartridges*, between points in the U.S. (except AK and HI), under continuing contract(s) with Lee Filter Corporation, of Edison, NJ.

MC 148616 (Sub-6), filed March 11, 1982. Applicant: TRANSPORT WEST, INC., P.O. Box 2015, Eugene, OR 97402. Representative: Gene E. Cook (same address as applicant), (503) 689-6615. Transporting *lumber and wood products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Duco-Lam, Inc., of Drain, OR, American Laminators, of Swisshome, OR, Bohemia, Inc., of Eugene, OR, and Rossboro Lumber Co., of Springfield, OR.

Note.—This proceeding was originally filed as a Petition for Modification of its existing permit No. MC-136476 Sub 8, by the addition of the four above-named shippers. It is here being treated as an extension of authority under MC-148616.

MC 151806, filed March 8, 1982. Applicant: HARRY E. PEEK, SR., INC., 105 Olde Greenwich Dr., Fredericksburg, VA 22401. Representative: Gary M. Nuckols, P.O. Box 240, Fredericksburg, VA 22401, (703) 373-1818. Transporting *new furniture, furnishings and appliances*, between points in the U.S. (except AK and HI), under continuing contract(s) with Gallahan's Furniture & Appliances, Inc., of Fredericksburg, VA.

MC 159556 (Sub-2), filed March 11, 1982. Applicant: COLE TRUCK LINE, INC., 9106 Talton, Houston, TX 77078. Representative: Claude W. Ferebee, 3910 FM 1960 W., Suite 106, Houston, TX 77068, (713) 537-8156. Transporting *pulp, paper and related products, and waste or scrap materials*, between points in AR and TX, on the one hand, and, on the other, points in AL, AR, GA, IL, IN, LA, MO, MS, NE, OH, OK, TN and TX.

MC 159556 (Sub-3), filed March 11, 1982. Applicant: COLE TRUCK LINE, INC., 9106 Talton, Houston, TX 77078.

Representative: Claude W. Ferebee, 3910 FM 1960 W., Suite 106, Houston, TX 77068, (713) 537-8156. Transporting *such commodities* as are dealt in or used by wholesale, retail and chain grocery and food business houses, between Little Rock, AR, on the one hand, and, on the other, points in TX.

MC 160206, filed March 10, 1982. Applicant: DON P. or MARY G. KAY, d.b.a. KAY TRUCKING, Rt. 2, Box 9178, Stock St., 14th Loop, Show Low, AZ 85901. Representative: Mary G. Kay (same address as applicant), (602) 537-4430. Transporting (1) *lumber and wood products*, between points in AZ, on the one hand, and, on the other, points in AZ, NM and TX, and (2) *building materials and clay, concrete, glass or stone products*, (a) between points in TX, on the one hand, and, on the other, points in AZ, CA and NM, (b) between points in CA, on the one hand, and, on the other, points in AZ, and (c) between points in AZ.

MC 160896, filed March 8, 1982. Applicant: NICHOLAS TRANSPORT, INC., 5551 North-330 East, Marion, IN 46952. Representative: Donald W. Smith, P.O. Box 40248, Indianapolis, IN 46240, (317) 846-8655. Transporting *general commodities* (except household goods, classes A and B explosives and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with General Tire Company, of Marion, IN.

MC 160936, filed March 9, 1982. Applicant: PRB ENTERPRISES, INC., 2609 Mockingbird La., Granite City, IL 62040. Representative: Steven L. Weiman, 444 N. Frederick Ave., Suite 200, Gaithersburg, MD 20877, (301) 840-8565. Transporting *metal products and machinery*, between points in IL, OH, AL, TN and DE, on the one hand, and, on the other, points in the U.S. (except AK and HI).

Volume No. OP4-98

Decided: March 18, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 30867 (Sub-227), filed March 9, 1982. Applicant: CENTRAL FREIGHT LINES, INC., 5601 West Waco Dr., Waco, TX 76703. Representative: Phillip Robinson, P.O. Box 2207, Austin, TX 78768, (512) 476-6391. Over regular routes, transporting *general commodities* (except household goods as defined by the Commission and commodities in bulk), (1) between Hillsboro, TX and Corsicana, TX, from Hillsboro over TX Hwy 22 to Corsicana, (2) between Hearne, TX and Marquez, TX, from Hearne over U.S. Hwy 79 to

Marquez, (3) between Bryan, TX and Madisonville, TX, from Bryan over U.S. Hwy 190 to Madisonville, (4) between Carlos, TX and Livingston, TX, from Carlos over TX Hwy 30 to Huntsville, then over U.S. Hwy 190 to Livingston, (5) between Brenham, TX and Montgomery, TX, from Brenham over TX Hwy 105 to Montgomery, (6) between Seguin, TX and Luling, TX, from Seguin over U.S. Hwy 90 to Luling, (7) between Timpson, TX, and Center, TX, from Timpson over TX Hwy 87 to Center, (8) between Kirbyville, TX and Bleakwood, TX, from Kirbyville over TX FM 636 to Bleakwood, (9) between Athens, TX and Trinidad, TX, from Athens over U.S. Hwy 175 to junction U.S. Hwy 175, TX Hwy 274, near Kemp, then over TX Hwy 274 to Trinidad, (10) between Tyler, TX and the junction of TX Hwy 155 and TX FM 346, from Tyler over TX FM 2493 to Flint, then over TX FM 346 to junction Hwy 155, (11) between Henderson, TX and Arp, TX, from Henderson over TX Hwy 64 to junction TX Hwy 135, then over TX Hwy 135 to Arp, (12) between Henderson, TX and Overton, TX from Henderson over TX Hwy 323 to Overton, (13) between the junction of TX Hwy 42 and TX Hwy 135 and the junction of TX Hwy 42 and U.S. Hwy 79, from the junction of TX Hwy 42 and TX Hwy 135 over TX Hwy 42 to junction U.S. Hwy 79, (14) between Longview, TX and the junction of TX Hwy 300 and U.S. Hwy 271, from Longview over TX Hwy 300 to junction U.S. Hwy 271, (15) serving all intermediate points in (1) through (14) above, and the off-route points of Anderson, Bedias, Ben Hur, Cawton, Concord, Cross, Donie, Edge, Fallon, Farrar, Fetzer, Flynn, George, Grimes, Hilltop Lakes, Iola, Jewett Mine Site, Keith, Kemp, Limestone Electric Generating System, Louetta, Magnolia, Mesa, Millican, Normangee, Personville, Pinkston, Richards, Robbins, Singleton, and Zack, and (16) between San Antonio, TX and Cuero, TX, from San Antonio over U.S. Hwy 87 to Cuero, serving the termini and junction of U.S. Hwy 87 and TX Hwy 123 and the junction of U.S. Hwy 87 and TX Hwy 80 as points of joinder only. Condition: to the extent the certificate granted in this proceeding authorizes the transportation of classes A and B explosives, it shall be limited in point of time to a period expiring 5 years from its date of issue.

Note.—Applicant intends to tack this authority with its existing operating rights.

MC 107077 (Sub-7), filed March 8, 1982. Applicant: WAGNER MOVING & STORAGE, INC., 1719 N. 8th St., P.O. Box 1177, Paducah, KY 42001. Representative: George M. Catlett, Suite 700-702 McClure Bldg., Frankfort, KY

40601, (502) 227-7384. Transporting *general commodities* (except classes A and B explosives and commodities in bulk), between points in Ballard, Caldwell, Callaway, Carlisle, Christian, Crittenden, Fulton, Graves, Hickman, Livingston, Lyon, Marshall, McCracken, and Trigg Counties, KY; Alexander, Gallatin, Hardin, Jackson, Johnson, Massac, Pope, Pulaski, Saline, Union, and Williamson Counties, IL; Cape Girardeau, New Madrid, Scott, and Mississippi Counties, MO; and Obion, Weakley, Henry, Stewart, Montgomery, and Lake Counties, TN, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 114287 (Sub-1), filed March 8, 1982. Applicant: HEIDEMA TRUCKING, INC., 166 E. Lakewood Blvd., Holland, MI 49423. Representative: Elaine M. Conway, 10 S. LaSalle St., Suite 1600, Chicago, IL 60603, (312) 263-1600. Transporting (1) *such commodities* as are dealt in or used by grocery, drug and department, (2) *food ingredients*, and (3) *agricultural products*, in bulk, between points in MI, IL, and IN, on the one hand, and, on the other, points in IA, IL, IN, KY, MI, MN, MO, OH, and WI.

MC 130837 (Sub-1), filed March 8, 1982. Applicant: 20th CENTURY TOURS, INC., 127 Aldrich Rd., Youngstown, OH 44515. Representative: Boyd B. Ferris, 50 W Broad St., Columbus, OH 43215, (614) 464-4103. As a broker at Youngstown, OH, in arranging for the transportation of *passengers and their baggage*, in charter or special operation, between points in OH and PA, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 136267 (Sub-11), filed March 10, 1982. Applicant: BELS PRODUCE CO., INC., P.O. Box 348, Montrose, MI 48457. Representative: Martin J. Leavitt, P.O. Box 400, Northville, MI 48167, (313) 349-3980. Transporting *apple products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Bowman Apple Products Company, Inc., of Mt. Jackson, VA.

MC 144867 (Sub-10), filed March 8, 1982. Applicant: R & J TRANSPORT, INC., 929 N 24th St., Manitowoc, WI 54220. Representative: Michael J. Wynaard, 150 E Gilman St., Madison, WI 53703, (608) 256-7444. Transporting *machinery*, between points in Rock County, WI, Winnebago County, IL, and Erie County, OH, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 151337 (Sub-1), filed March 3, 1982. Applicant: PROFIT BY AIR, INC., P.O. Box 388, Valley Stream, NY 11582.

Representative: Edward D. Greenberg, 1054 Thirty-first St., NW., Washington, DC 20007, (202) 342-5200. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI).

MC 153287 (Sub-3), filed March 11, 1982. Applicant: DRESSER TRANSPORTATION SERVICE, INC., 400 West Wilson Bridge Rd., Worthington, OH 43085. Representative: George C. Sanders, 4445 Weaver Court North, Hilliard, OH 43026, (614) 438-3455. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in Shelby County, TN, and Brown and Portage Counties, WI, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 154127 (Sub-3), filed March 5, 1982. Applicant: A. LUURTSEMA PRODUCE, INC., 5367 School St., P.O. Box 67, Hudsonville, MI 49426. Representative: Michael D. McCormick, 1301 Merchants Plaza, Indianapolis, IN 46204, (317) 638-1301. Transporting *such commodities* as are dealt in or used by food services distributors, between points in the U.S. (except AK and HI), under continuing contract(s) with BIL-MAR Foods, Incorporated, of Zeeland, MI, and Fearn International, Inc., of Franklin Park, IL.

MC 157677 (Sub-1), filed March 5, 1982. Applicant: STAR LEASING, INC., 200 Court Square Bldg., 300 James Robertson Parkway, Nashville, TN 37201. Representative: Warren A. Goff, 109 Madison Ave., Memphis, TN 38103, (901) 526-2900. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between those points in the U.S. in and east of MT, WY, CO, and NM.

MC 159647, filed March 8, 1982. Applicant: J TRANSPORT, INC., P.O. Box 1003, Gainesville, GA 30503. Representative: Mitchell King, Jr., P.O. Box 5711, Greenville, SC 29606, (803) 288-6000. Transporting *plastic pipe and related articles*, between points in the U.S. (except AK and HI), under continuing contract(s) with Spiral Engineered Systems, of Norcross, GA.

MC 160097, filed March 8, 1982. Applicant: A. D. WEAVER t/a WEAVER MOTOR SERVICE, 460 Rodi Rd., Pittsburgh, PA 15235. Representative: David M. O'Boyle, 2310 Grant Bldg., Pittsburgh, PA 15219, (412) 471-1800. Transporting *metal products*, between points in the U.S. (except AK and HI), under continuing contract(s)

with Sanford Steel Products Co., of Heidelberg, PA.

MC 160857, filed March 5, 1982. Applicant: LYNDA A. BOOKER, d.b.a. ODYSSEY TOURS, 2604 E. Broad St., Richmond, VA 23223. Representative: Calvin F. Major, 200 W. Grace St., P.O. Box 5010, Richmond, VA 23220, (804) 649-7591. To operate as a broker, at Richmond, VA, in arranging for the transportation of passengers and their baggage, between points in VA, on the one hand, and, on the other, points in the U.S., including HI, but excluding AK.

Volume No. OP4-100

Decided: March 18, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams. (Member Carleton not participating.)

MC 32967 (Sub-7), filed February 11, 1982, as previously notice in the Federal Register issue of March 5, 1982, and republished this issue. Applicant: ATLANTIC COAST EXPRESS, INC., 2170 N. Fleet St., Elizabeth, NJ 07201. Representative: Edward D. Greenberg, 1054 31st St., NW., Washington, DC 20007, (202) 342-5277. Transporting general commodities (except classes A and B explosives, commodities in bulk, and household goods), in containers or trailers, (1) between Baltimore, MD, Boston, MA, Chicago, IL, Cleveland, OH, Detroit, MI, New York, NY, Norfolk, VA, Philadelphia, PA, and Providence, RI, on the one hand, and, on the other, points in OH, IN, IL, MN, MI, WI, IA, MO, and KS, and (2) between Chicago, IL, Cleveland, OH, and Detroit, MI, on the one hand, and, on the other, points in NY, PA, MD, and WV.

Note.—The purpose of this republication is to correct the scope of authority sought.

MC 35737 (Sub-11), filed March 5, 1982. Applicant: CASSELL TRUCK LINES, INC., 1515 N. Washington St., P.O. Box 125, Wichita, KS 67201. 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, household goods and commodities in bulk), between St. Louis, MO, and points in AR, IA, KS, MO, NE, and OK.

MC 146447 (Sub-26), filed March 12, 1982. Applicant: TANBAC, INC., 2941 SW 1st Terr., Ft. Lauderdale, FL 33315. Representative: Richard B. Austin, 320 Rochester Bldg., 8390 NW 53rd St., Miami, FL 33166, (305) 592-0036. Transporting pulp, paper and related products and printed matter, between points in the U.S. (except AK and HI), under continuing contract(s) with Sydney Bag & Paper Co., of Miami, FL.

MC 147547 (Sub-25), filed March 5, 1982. Applicant: R & D TRUCKING COMPANY, INC., 4401 Mars Hill Rd., Lauderdale Industrial Park, Florence, AL 35630. Representative: Roland M. Lowell, Fifth Floor, 501 Union Bldg., Nashville, TN 37219, (615) 255-0540. Transporting matches, food and related products, between the facilities of Hunt-Wesson Foods, at points in the U.S., on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 158727, filed March 12, 1982. Applicant: WAYNE WILSON, d.b.a. CHEYENNE STAPLETON STAGE, 3516 Essex Rd., Cheyenne, WY 82001. Representative: Becky Spencer (same address as applicant), (307) 635-5176. Transporting passengers and their baggage, in special operations, between points in Cheyenne, WY and Denver, CO.

MC 158837, filed March 1, 1982. Applicant: FREIGHT SAVERS TRANSPORTATION, INC., 202 South Mount Prospect Rd., Mount Prospect, IL 60056. Representative: Robert Anderson (same address as applicant), (312) 577-7124. Transporting general commodities (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Systems Seating, Inc., and Acme Printing Inc., of Chicago, IL, Acme Burgess, Inc., of Grayslake, IL, and J & B Expeditors, Inc., of Bensenville, IL.

MC 159047, filed March 11, 1982. Applicant: D & D CYCLE WORKS, INC., Hwy 16 and 65 East, Albert Lea, MN 56007. Representative: Stephen F. Grinnell, 1600 TCF Tower, Minnesota, MN 55402, (612) 333-1341. Transporting transportation equipment and machinery, between Chicago, IL and Lincoln, NE, on the one hand, and, on the other, points in MN and WI.

MC 160957, filed March 11, 1982. Applicant: GLENWOOD TRUCKING, INC., 4 Glenwood Terrace, Clark, NJ 07066. Representative: Ronald I. Shapss, 450 Seventh Ave., New York, NY 10123, (212) 239-4610. Transporting paper and printed matter, between points in the U.S. (except AK and HI), under continuing contract(s) with the Wessel Co., of Elk Grove Village, IL.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-7948 Filed 3-24-82; 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 it is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. This presumption shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication (or, if the application later become unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

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. OP1-52

Decided: March 18, 1982.

By the Commission, Review Board No. 1, Members Parker, Chandler, and Fortier.

MC 136391 (Sub-7), filed March 8, 1982. Applicant: BILL'S MOVING, INC., d.b.a. PIONEER MOVING & STORAGE, 471 W. 5th South St., Salt Lake City, UT 84101. Representative: Irene Warr, Suite 280, 311 S. State St., Salt Lake City, UT 84111, (801) 531-1300. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI).

MC 160900, filed March 8, 1982. Applicant: MAURICE E. SEXTON, 500 N. Walnut, Townsend, MT 59644. Representative: Maurice E. Sexton (same address as applicant), (406) 266-5523. 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. (except AK and HI).

MC 160961, filed March 11, 1982. Applicant: GODBEE AND COMPANY, INC., P.O. Box 4155, Port Wentworth, GA 31407. Representative: J. L. Fant, P.O. Box 577, Jonesboro, GA 30237, (404) 477-1525. Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI).

Volume No. OP4-80

Decided: March 1, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 160007 (Sub-2), filed February 23, 1982. Applicant: DeJONG TRANSPORT, 33651 Arcadian Wy, Rt. 3, Abbotsford, BC, Canada V2S 4N3. Representative: Kenneth R. Mitchell, 2320A Milwaukee Way, Tacoma, WA 98421, (206) 383-3998. 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. (except AK and HI).

Volume No. OP4-95

Decided: March 18, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 159846, filed March 9, 1982. Applicant: JACOB H. MOBERLY, d.b.a. MOBERLY MOVING AND STORAGE, 120 Connelly St., Clovis, NM 88101. Representative: Terry L. Moberly (same address as applicant), (505) 762-4771. 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. (except AK and HI).

MC 157176, filed March 8, 1982. Applicant: DALE DEAN GRISSON, JR., d.b.a. DEAN GRISSON TRUCKING, Rt. 3, box 130-A, Chico, CA 95826. Representative: Dale Dean Grisson, Jr. (same address as applicant), (916) 895-1833. Transporting *food and other edible products and byproducts intended for human consumption* (except alcohol 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. (except AK and HI).

MC 158286 (Sub-5), filed March 8, 1982. Applicant: M. T. TRUCK LINE, INC., 4947 W. 173rd St., Country Club Hills, IL 60477. Representative: James C. Hardman, 33 N. LaSalle St., Chicago, IL 60602, (312) 236-5944. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between Hubbard, OH and Sharpsville, PA, on the one hand, and, on the other, points in the U.S. (except AK and HI). Condition: Issuance of a certificate in this proceeding is conditioned upon applicant certifying to the Commission, prior to commencing operations, that all rail service has actually terminated at specified points. The certification should be sent to the Deputy Director, Section of Operating Rights, Interstate Commerce Commission, Washington, DC 20423.

Volume No. OP4-99

Decided: March 18, 1982.

By the Commission, Review Board No. 2, Members Carleton, Fisher, and Williams.

MC 97257 (Sub-3), filed March 8, 1982. Applicant: MIDLAND TRANSPORT, INC., 56 E. 25th St., Chicago Heights, IL 60411. Representative: James C. Hardman, 33 N. LaSalle St., Chicago, IL 60602, (312) 236-5944. Transporting *general commodities* (except classes A and B explosives household goods and commodities in bulk), between Lakewood, Edinburg, Owaneco and Rochester, IL, on the one hand, and, on the other, points in the U.S. (except AK and HI). Condition: Issuance of a certificate in this proceeding is conditioned upon applicant certifying to the Commission, prior to commencing operations, that all rail service has actually terminated at specified points. The certification should be sent to the Deputy Director, Section of Operating Rights, Interstate Commerce Commission, Washington, DC 20423.

MC 160867, filed March 5, 1982. Applicant: WILLIAM DAVID CARR, Rt. 3, Box 2010—#10, Ellensburg, WA 98926. Representative: Donna Carr, Rt. 8, Box 215, Yakima, WA 98908, (509) 966-5724. 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. (except AK and HI).

MC 160877, filed March 8, 1982. Applicant: Q INTERNATIONAL COURIER, INC., d.b.a. QUICK INTERNATIONAL COURIER, 147-20 181st St., Jamaica, NY 11413. Representative: Alan Kahn, 1430 Land Title Bldg., Philadelphia, PA 19110, (215) 561-1030. Transporting *shipments weighing 100 pounds or less* if transported in a motor vehicle in which no one package exceeds 100 pounds, between points in the U.S. (except AK and HI).

MC 160917, filed March 8, 1982. Applicant: DAVID C. MERGENTHAL, d.b.a. D. M. S. TRUCKING, Star route, Box 45, Deerwood, MN 56444. Representative: Robert S. Lee, 1600 TCF Tower, 121 S 8th St., Minneapolis, MN 55402, (612) 333-1341. As a *broker of general commodities* (except household goods), between points in the U.S. (except AK and HI).

MC 160927, filed March 9, 1982. Applicant: BYRON C. CURLEY, d.b.a. CURLEY TRUCKING CO., LaCade, MO 64651. Representative: Bryon C. Curley

(same address as applicant), (816) 963-2268. 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. (except AK and HI).

MC 160937, filed March 10, 1982.

Applicant: OREN SIZER, P.O. Box 338, Rochester, MN 55903. Representative: Charles E. Dye, Swan Lake Village, Saddle Ridge #832, Portage, WI 53901, (608) 742-3579. 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. (except AK and HI).

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-7960 Filed 3-24-82; 8:45 am]

BILLING CODE 7035-01-M

[Permanent Authority Decision Volume No. OP4-97]

Motor Carriers; Republications of Grants of Operating Rights; Authority Prior to Certification

The following grants of operating rights authorities are republished by order of the Commission to indicate a broadened grant of authority over that previously noticed in the Federal Register.

An original and one copy of a petition for leave to intervene in the proceeding must be filed with the Commission within 30 days after the date of this Federal Register notice. Such pleading shall address specifically the issue(s) indicated as the purpose for republication. A copy of the pleading shall be served concurrently upon the carrier's representative, or carrier if no representative is named.

By the Commission.

Agatha L. Mergenovich,
Secretary.

MC 154957 (republication), filed July 27, 1981; published in the Federal Register issue of August 17, 1981; and republished this issue. Applicant: SILGAS, INC., 4025 Hwy 31 East, Jeffersonville, IN 47130. Representative: Michael D. McCormick, 1301 Merchants Plaza, Indianapolis, IN 46204, Phone: (317) 638-1301. In a Decision by the Commission, Division 1, acting as an Appellate Division, decided February 17, 1982, and finds on reconsideration that performance by the applicant as a

common carrier, by motor vehicle, in interstate or foreign commerce, over *irregular routes*, transporting *liquefied petroleum gas and fertilizer*, between points in Illinois, Indiana, Kentucky, Michigan, and Ohio, will serve a useful public purpose, responsive to a public demand or need. Applicant is fit, willing, and able properly to perform the granted service and to conform to statutory and administrative requirements.

Note.—The purpose of this republication is to reflect the territorial scope of authority as granted.

MC 155997 (Sub-2) (republication), filed December 10, 1981, published in the Federal Register issue of December 30, 1981; and republished this issue.

Applicant: C & W FREIGHT SERVICES, INC., P.O. Box 311, Park Ridge, NJ 07656. Representative: Anthony T. Csaszar (same address as applicant), Phone: (201) 385-4588. In a Decision by the Commission, Review Board Number 1, decided March 1, 1981, and finds that performance by the applicant as a

common carrier, by motor vehicle, in interstate or foreign commerce, over *irregular routes*, transporting (1) *food and related products*, between points in Pennsylvania, North Carolina, South Carolina, Georgia, West Virginia, Florida, Ohio, Michigan, Indiana, Illinois, Missouri, New Jersey, and the District of Columbia; (2) *printed matter, and rubber and plastic products*, between points in Pennsylvania, North Carolina, South Carolina, Georgia, West Virginia, Florida, Ohio, Michigan, Indiana, Illinois, Missouri, New Jersey, and the District of Columbia; (3) *automotive repair machinery*, between points in Bergen County, NJ, on the one hand, and, on the other, points in Pennsylvania, North Carolina, South Carolina, Georgia, West Virginia, Florida, Ohio, Michigan, Indiana, Illinois, Missouri, and the District of Columbia; and (4) *industrial filters and filter devices*, between points in New Jersey, on the one hand, and, on the other, points in Pennsylvania, North Carolina, South Carolina, Georgia, West Virginia, and the District of Columbia, will serve a useful public purpose, responsive to a public demand or need. Applicant is fit, willing, and able properly to perform the granted service and to conform to statutory and administrative requirements.

Note.—The purpose of this republication is to include points in New Jersey under the authority granted and to correctly reflect the authority as granted.

[FR Doc. 82-7959 Filed 3-24-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-143N)]

Conrail Abandonment Between Tylerdale and Washington, PA; Findings

Notice is hereby given pursuant to Section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 2 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Tylerdale and Washington in the County of Washington, PA, a total distance of 1.8 miles effective on February 23, 1982.

The Commission has decided that the net liquidation value of this line is \$569,154. If, within 120 days from the date of this publication, Conrail receives a bona fide offer for the sale, for 75 percent of the net liquidation value, of this line it shall sell such line and the Commission shall, unless the parties otherwise agree, establish an equitable division of joint rates for through routes over such lines.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-7950 Filed 3-24-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-124N)]

Conrail Abandonment Between Pompton-Riverdale and the End of The Track, NJ; Findings

Notice is hereby given pursuant to Section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 2 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Pompton-Riverdale and the End of the Track in the County of Passaic, NJ, a total distance of .34 mile effective on February 23, 1982.

The Commission has decided that the net liquidation value of this line is \$18,853. If, within 120 days from the date of this publication, Conrail receives a bona fide offer for the sale, for 75 percent of the net liquidation value, of this line it shall sell such line and the Commission shall, unless the parties otherwise agree, establish an equitable division of joint rates for through routes over such lines.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-7951 Filed 3-24-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-122N)]**Conrail Abandonment Between Spruce Street and Shabaskunk Creek, NJ; Findings**

Notice is hereby given pursuant to Section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 3 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Spruce Street and Shabaskunk Creek in the County of Mercer, NJ, a total distance of 1.4 miles effective on February 23, 1982.

The Commission has decided that the net liquidation value of this line is \$55,365. If, within 120 days from the date of this publication, Conrail receives a bona fide offer for the sale, for 75 percent of the net liquidation value, of this line it shall sell such line and the Commission shall, unless the parties otherwise agree, establish an equitable division of joint rates for through routes over such lines.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-7952 Filed 3-24-82; 8:45 am]
BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-117N)]**Conrail Abandonment Between N. Fort Wayne and La Otto, IN; Findings**

Notice is hereby given pursuant to Section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 3 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between North Fort Wayne and La Otto in the Counties of Allen, Noble and Dekalb, IN, a total distance of 11.2 miles effective on February 23, 1982.

The Commission has decided that the net liquidation value of this line is \$259,231. If, within 120 days from the date of this publication, Conrail receives a bona fide offer for the sale, for 75 percent of the net liquidation value, of this line it shall sell such line and the Commission shall, unless the parties otherwise agree, establish an equitable division of joint rates for through routes over such lines.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-7953 Filed 3-24-82; 8:45 am]
BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 115N)]**Conrail Abandonment in Bradley, IL; Findings**

Notice is hereby given pursuant to Section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 3 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between milepost 0.6 and milepost 1.5 in the County of Kankakee, IL, a total distance of 0.9 mile effective on February 23, 1982.

The Commission has decided that the net liquidation value of this line is \$29,786. If, within 120 days from the date of this publication, Conrail receives a bona fide offer for the sale, for 75 percent of the net liquidation value, of this line it shall sell such line and the Commission shall, unless the parties otherwise agree, establish an equitable division of joint rates for through routes over such lines.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-7954 Filed 3-24-82; 8:45 am]
BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-114N)]**Conrail Abandonment Between Edgemoor and Kentmere, DE; Findings**

Notice is hereby given pursuant to Section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 3 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Edgemoor and Kentmere in the County of New Castle, DE, a total distance of 2.7 miles effective on February 23, 1982.

The Commission has decided that the net liquidation value of this line is \$259,127. If, within 120 days from the date of this publication, Conrail receives a bona fide offer for the sale, for 75 percent of the net liquidation value, of this line it shall sell such line and the Commission shall, unless the parties otherwise agree, establish an equitable division of joint rates for through routes over such lines.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-7955 Filed 3-24-82; 8:45 am]
BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-159N)]**Conrail Abandonment Between Ciba and Toms River, NJ; Findings**

Notice is hereby given pursuant to Section 308(e) of the Regional Rail

Reorganization Act of 1973 that the Commission, Review Board Number 2 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Ciba and Toms River in the County of Ocean, NJ, a total distance of 2.6 miles effective on February 23, 1982.

The Commission has decided that the net liquidation value of this line is \$145,442. If, within 120 days from the date of this publication, Conrail receives a bona fide offer for the sale, for 75 percent of the net liquidation value, of this line it shall sell such line and the Commission shall, unless the parties otherwise agree, establish an equitable division of joint rates for through routes over such lines.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-7956 Filed 3-24-82; 8:45 am]
BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-No. 162N)]**Conrail Abandonment Between Chauncey and Eastview, NY; Findings**

Notice is hereby given pursuant to Section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 2 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between Chauncey and Eastview in the County of Westchester, NY, a total distance of 5.7 miles effective on February 23, 1982.

The Commission has decided that the net liquidation value of this line is \$1,060,457. If, within 120 days from the date of this publication, Conrail receives a bona fide offer for the sale, for 75 percent of the net liquidation value, of this line it shall sell such line and the Commission shall, unless the parties otherwise agree, establish an equitable division of joint rates for through routes over such lines.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-7957 Filed 3-24-82; 8:45 am]
BILLING CODE 7035-01-M

[Docket No. AB-167 (Sub-185N)]**Conrail Abandonment Between New Providence and Quarryville, PA; Findings**

Notice is hereby given pursuant to Section 308(e) of the Regional Rail Reorganization Act of 1973 that the Commission, Review Board Number 2 has issued a certificate authorizing the Consolidated Rail Corporation to abandon its rail line between New

Providence and Quarryville in the County of Lancaster, PA, a total distance of 2.4 miles effective on February 23, 1982.

The Commission has decided that the net liquidation value of this line is \$89,033. If, within 120 days from the date of this publication, Conrail receives a bona fide offer for the sale, for 75 percent of the net liquidation value, of this line it shall sell such line and the Commission shall, unless the parties otherwise agree, establish an equitable division of joint rates for through routes over such lines.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-7958 Filed 3-24-82; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-216 (Sub-1)]

Norfolk, Franklin & Danville Railway Co.—Abandonment Between South Hill, VA and Blanche, NC; Findings

The Commission has issued a certificate authorizing Norfolk, Franklin and Danville Railway Company to abandon its 79.8 mile rail line between Blanche, NC (milepost 196.9) and South Hill, VA (milepost 117), in the Counties of Mecklenburg and Halifax, VA, and Granville, Person, and Caswell, NC. The abandonment certificate will become effective 30 days after this publication unless the Commission finds that: (1) a financially responsible person has offered financial assistance (through subsidy or purchase) to enable the rail service to be continued; and (2) it is likely that the assistance would fully compensate the railroad.

Any financial assistance offer must be filed with the Commission and served concurrently on the applicant, with copies to the Section of Finance, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this Notice. Any offer previously made must be remade within this 10 day period.

Information and procedures regarding financial assistance for continued rail service are contained in 49 U.S.C. 10905 and 49 CFR 1121.38.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-7949 Filed 3-24-82; 8:45 am]

BILLING CODE 7035-01-M

Publication of Commission Press Release Summary

AGENCY: Interstate Commerce Commission.

ACTION: Final Decision.

SUMMARY: On December 28, 1981 (46 FR 62717), the Commission announced that, in an effort to cut agency costs, it would restrict press box service and advise-of-all-proceedings participation. A daily Press Release Summary would be available by subscription, to anyone desiring the service.

The Commission has selected TSI, a private contractor, to distribute Commission decisions and notices to the public for a fee. As a result, the contractor service and daily Press Release Summary will be implemented. Box service will be curtailed as delineated in the Notice of December 28, 1981.

EFFECTIVE DATES: The contractor distribution service and the Press Release Summary will be initiated April 5, 1982. The existing box service will be terminated April 2, 1982.

FOR FURTHER INFORMATION CONTACT: George Godding, 202-275-0993
Edward Fernandez, 202-275-7591
Kathleen King, 202-275-0956

SUPPLEMENTARY INFORMATION: The Commission has reviewed and considered all comments and suggestions. The majority of the commentors requested that the service not be stopped and offered to pay a "reasonable fee" for its continuation. Being unable to supplement our budget with receipts of this nature, the Commission has elected to adopt the contractor option which appears to best meet the needs of the current box holders, additional commentors and the Commission. As a result, the following procedures are adopted. The background of the proceeding was discussed in (46 FR 62717) and (47 FR 7887).

The Press Release Summary subscription program will be initiated April 5, 1982. As explained in the initial notice (46 FR 62717), the Press Release Summary is a daily listing of all decisions, orders, notices and authorities served and issued by the Commission. The summary shows the docket number, case title, decision body and decision. For Entire Commission and Division cases a short summary of the action taken is also included. There will be a yearly fee of \$160.00 for the Summary. A sample copy or information about the Press Release Summary can be obtained by calling the individuals indicated above.

The Commission is now accepting subscriptions for the Press Release Summary. Persons interested in subscribing should send their name, address and annual subscription fee of \$160.00 to: Interstate Commerce Commission, Office of the Secretary,

Room 2221, Washington, DC 20423, Attention: Press Release Summary.

Checks or money orders (no cash) should be made out to: ICC Press Release and the fee must accompany all requests. The subscription period is continuously open and the mailing list will be updated weekly with new service to begin on Mondays. Subscribers not wishing to have the Press Release Summary mailed to them may elect to pick it up at the Commission. The points of pick-up will be either with the contractor (TSI—see below), if a Press Box is maintained, or at Room 2223. Subscribers should specify if copies will be picked up.

Individuals, whether or not they are subscribers to the Press Release Summary, interested in obtaining the full text of a particular item, may call 800/424-5403 a toll/free number and obtain copies from TSI, a private contractor. This and other services will be provided by TSI as outlined below.

Press box service (daily distribution of all Commission releases to box holders) by the Commission will be discontinued for all except the working press and other government agencies, April 2, 1982. Boxes for the press and government agencies will be maintained in Room 2223 and copies will be available at the regular release time of 12:30 p.m. A copy of the Press Release Summary, together with copies of all decisions, will continue to be made available for review in the Press Room at ICC's Washington headquarters (Room 2227) on the day of release.

Through a negotiated process the Interstate Commerce Commission has agreed to permit TS Infosystems, Inc., to sell either singly or through a standing order (subscription) process the daily notices, orders and decisions released by ICC. TSI offers a wide range of services, including subscription box service of all ICC releases, subscription by case type (i.e. MC, AB, FD, etc.) and mail, over-the-counter or phone requests for specific items less than 90 days old. (Documents older than 90 days, will be handled in accordance with 49 CFR 1002.1).

TSI has been selected based on past experience and technical competence. ICC has every reason to believe TSI will be a responsible and effective source of material for parties not of record. It should be clear, however, to present box holders and interested parties that the Commission is not responsible for continuing box service and TSI is operating as a private entity and not as an extension of ICC. If TSI or a subsequent contractor cannot be maintained, ICC accepts no

responsibility to ensure the availability of this type of service.

The TSI services and fees are as follows: TS INFOSYSTEMS, INC. (TSI) proposes the following schedule of prices for services rendered in the reproduction and distribution of formal documents issued by the Interstate Commerce Commission.

STANDING ORDER Documents, .08 per page *
 Document Orders, .15 per page
 4-Hour Service on Document Orders, .25 per page
 Self-Service Copies, .10 per page
 Packing & Handling of Special/Larger Orders, .75 per order
 VISA/Master Charge, 7% surcharge
 Postage/COD Orders, Cost
 Other Delivery, Cost
 Large/Special Documents, Varies

Inquiries regarding subscriptions for the contractor services should be addressed to: Ms. Marie Dolhon, TS Infosystems, Inc., 10905 Fort Washington Road, Fort Washington, MD 20744, (301) 292-0100.

Decided: March 22, 1982.

By the Commission, Chairman Taylor, Vice Chairman Gilliam, Commissioners Gresham, Clapp and Sterrett.

Agatha L. Mergenovich,
 Secretary.

[FR Doc. 82-8039 Filed 3-24-82; 8:45 am]
 BILLING CODE 7035-01-M

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development

Housing Guaranty Program; Investment Opportunity

The Agency for International Development (A.I.D.) has authorized guaranties of loans to the Government of Sri Lanka (Borrower) as part of A.I.D.'s overall development assistance program. The proceeds of these loans, amounting to twenty-five million dollars (\$25,000,000), will be used to finance shelter projects for low income families residing in Sri Lanka. The following is the address of Borrower:

SRI LANKA

Project: 338-HG-001—\$25,000,000, Dr. S. Rajalingam, Director of Economic Affairs, Telex: FORAID COLOMBO 1232, Cable: FORAID

By this notice of investment opportunity, the above Borrower is soliciting expressions of interest from U.S. lenders or investment bankers to

* The price for standing order or subscription services may decrease if there is sufficient demand for this service.

counsel on loan timing, structure and features, and to manage the loans or underwritings. Interested investment bankers or lenders should contact the Borrower that the address listed above no later than March 28, 1982. Selection of investment bankers and/or lenders and the terms of the loans are initially subject to the individual discretion of the Borrower and thereafter subject to approval by A.I.D. The lenders and A.I.D. shall enter into a Contract of Guaranty, covering each of the loans. Disbursements under the loans will be subject to certain conditions required of the Borrower by A.I.D. as set forth in an implementation agreement between A.I.D. and the Borrower.

The full repayment of the loans will be guaranteed by A.I.D. The A.I.D. guaranty will be backed by the full faith and credit of the United States of America and will be issued pursuant to authority in section 222 of the Foreign Assistance Act of 1961, as amended (the "Act").

Lenders eligible to receive an A.I.D. guaranty are those specified in section 238(c) of the Act. They are: (a) U.S. citizens; (2) domestic U.S. corporations, partnerships, or associations substantially beneficially owned by U.S. citizens; (3) foreign corporations whose share capital is at least 95 percent owned by U.S. citizens; and, (4) foreign partnerships or associations wholly owned by U.S. citizens.

To be eligible for and A.I.D. guaranty, the loans must be repayable in full no later than the thirtieth anniversary of the disbursement of the principal amount thereof and the interest rates may be no higher than the maximum rate established from time to time by A.I.D.

Information as to the eligibility of investors and other aspects of the A.I.D. housing guaranty program can be obtained from:

Director, Office of Housing, Agency for International Development, Room 625, SA/12, Washington, D.C. 20523, Telephone: (202) 632-9637

Dated: March 19, 1982.

Peter M. Kimm,
 Director, Office of Housing.

[FR Doc. 82-7924 Filed 3-24-82; 8:45 am]
 BILLING CODE 6116-01-M

DEPARTMENT OF JUSTICE

Antitrust Division

U.S. v. Acorn Engineering Co.; Final Judgment

Pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. 16(b), the

Department of Justice publishes, herewith, a Comment it received on the proposed Final Judgment in *U.S. v. Acorn Engineering Co.*, Civil No. 80-33-88TEH (N.D. Ca.), together with its Response thereto.

Joseph H. Widmar,
 Director of Operations.

February 8, 1982.

Re *U.S. v. Acorn Engineering Co.* Civil No. 80-3388 TEH (N.D. Calif.)

Howard J. Parker, Esq.,
 Trial Attorney, Antitrust Division, U.S. Department of Justice, Federal Building, 450 Golden Gate Avenue, Box 36046, San Francisco, Ca.

Dear Mr. Parker: I appreciate receipt of the information contained in your letter of February 5 regarding former Super Secur marketing people.

At your suggestion, I telephoned Mr. Stepp last Friday and have received today from Acorn, the proposed final judgment in the above entitled matter, together with a list of the assets involved in the proposed divestiture.

Since speaking to you I have again read the proposed judgment and am concerned about Section XVIII. As I read this Section, any purchaser is bound by the judgment. This is a broad statement and, for example, would prohibit the purchaser, for a 10 year period, from reselling the assets to any other person engaged in the "vandal-resistant plumbing fixture business in the United States". (Section XVI B.)

If my reading of these Sections is correct, we, as a purchaser, could not resell the former Super-Secur assets for ten (10) years to almost any other plumbing fixture manufacturer. To some degree, all plumbing fixture manufacturers make vandal-resistant products for the institutional and commercial markets. In my mind, this could be a substantial impediment to the transaction.

Our company would be most reluctant to enter the prison fixture market via the purchase of the Acorn-Super Secur assets if we knew at the outset that a resale some years later could be made only to a Company having no involvement in the vandal-resistant fixture field.

I would appreciate the benefit of your views on the breadth of Section XVIII of the proposed final judgment, particularly its applicability to Section XVI.

Yours very truly,

John L. Palmer.

U.S. Department of Justice, Antitrust Division,

San Francisco, Calif. March 8, 1982.
 Re *United States v. Acorn Engineering Company*, Civil No. 80-3388 TEH (N.D. Calif.)

Mr. John L. Palmer,
 Chairman of the Board, Bradley Corporation,
 P.O. Box 446, Menomonee Falls, Wis.

Dear Mr. Palmer: This is in response to your letter of February 8, 1982 to Howard Parker regarding the meaning of Sections XVI and XVIII of the proposed final judgment in the above-referenced case.

It is our understanding of the meaning of Section XVI and XVIII of the proposed final judgment that those provisions concern only Acorn's capital stock and those assets which it retains after the divestiture of the Super Secur assets, and would impose no restraint on a purchaser of the assets which the proposed judgment requires to be divested, except as noted below.

Section VI enjoins Acorn from reacquiring the divested Super Secur assets except upon approval by the plaintiff or the court. Acorn, therefore, would have to obtain such approval prior to any such reacquisition.

Sincerely yours,

Polly L. Frenkel,

Trial Attorney, Antitrust Division.

[FR Doc. 82-9055 Filed 3-24-82; 8:45 am]

BILLING CODE 4410-01-M

Proposed Settlement Decree in Action Under the Resource Conservation and Recovery Act, and the Clean Air in Which the United States Seeks Abatement of Pollution

In accordance with Departmental Policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that on March 1, 1982, a proposed partial consent decree in *United States v. Franklin J. Dusek; Helena Chemical Co.; and Tex-Ag Company*, Civil Action No. CA B-80-110 was lodged in the United States District Court for the District of Texas.

The settlement decree concerns a former pesticide formulation site which has not been operated since its acquisition by the defendant Franklin J. Dusek, the current owner of the site which is located in Mission, Texas. The decree provides for remedial actions relating to surface contamination on the site and on nearby parcels. The Department of Justice will receive, for thirty (30) days from the date of publication of this notice, written comments related to the proposed partial consent decree. Comments should be addressed to the Assistant Attorney General, Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and refer to *United States v. Franklin J. Dusek*, DJ Ref. 90-7-1-91.

The proposed partial consent decree between Plaintiff and Defendant Franklin J. Dusek may be examined at the office of the Environmental Protection Agency, First International Building, 1201 Elm Street, Dallas, Texas 75270 and at the Environmental Enforcement Section, Land and Natural Resources Division, Department of Justice, Room 1515, 10th and Pennsylvania Avenue, NW., Washington, D.C. 20530. A copy of the partial consent decree may be obtained in person or may mail from the Environment Enforcement Section, Land

and Natural Resources Division, Department of Justice. All requests for copies must be accompanied by a check covering reproduction costs (\$0.10 per page) in the amount of \$1.40 made payable to the Treasurer of the United States.

Carol E. Dinkins,

Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 82-8053 Filed 3-24-82; 8:45 am]

BILLING CODE 4410-01-M

Proposed Consent Decree in Action To Enjoin Discharge of Water Pollutants

In accordance with Departmental policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that a proposed consent decree in *United States v. Sharon Steel Corporation*, Civil Action Nos. 79-0011 C(H) and 80-0031 C(H) has been lodged with the United States District Court for the Northern District of West Virginia. The proposed consent decree requires the defendant, Sharon Steel Corporation, to close its Fairmont, West Virginia coke plant, and dispose of waste materials on the plant site, in settlement of the United States' claims for violations of the Clean Air Act, 42 U.S.C. 7401 *et seq.*, and the Clean Water Act, 33 U.S.C. 1251 *et seq.*

The Department of Justice will receive written comments for thirty (30) days from the date of publication of this notice. Comments should be addressed to the Assistant Attorney General of the Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and refer to *United States v. Sharon Steel Corporation*, (D.J. Ref. No. 90-5-2-3-1088).

The proposed consent decree may be examined at the Office of the United States Attorney, Northern District of West Virginia, 1125-1141 Chapline Street, Wheeling, West Virginia or 300 Third Street (U.S. Post Office Building), Elkins, West Virginia 26241; at the Region III Office of the Environmental Protection Agency, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106; and at the Environmental Enforcement Section, Land and Natural Resources Division, Department of Justice, Room 1254, 10th and Pennsylvania Avenue, NW., Washington, D.C. 20530. A copy of the proposed decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division, Department of Justice. In requesting a copy of the decree, please send a check or money order in the amount of \$6.20 (\$0.10 per page reproduction cost)

payable to the Treasurer of the United States.

Carol E. Dinkins,

Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 82-9054 Filed 3-24-82; 8:45 am]

BILLING CODE 4410-01-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 82-18]

Performance Review Board; Senior Executive Service

The Civil Service Reform Act (4314(c)(4)) requires that appointments of individual members to a Performance Review Board be published in the *Federal Register*.

The performance review function for the Senior Executive Service in the National Aeronautics and Space Administration is being performed by the NASA Performance Review Board and the NASA Senior Executive Committee. The latter performs this function for senior executives who report directly to the Administrator or the Deputy Administrator. The following individuals will be serving on the Committee and the Board as of March 1, 1982:

Senior Executive Committee

Hans Mark, Chairperson

Walter B. Olstad

Philip E. Culbertson

Thomas P. Murphy, Deputy Assistant Secretary for Personnel, Department of Health and Human Services (Indefinite Term)

Performance Review Board

Philip E. Culbertson, Chairperson

Carl E. Grant, Executive Secretary

Thomas J. Lee (Term expires July 1984)

Angelo Guastaferrro (Term expires July 1984)

John E. O'Brien (Term expires July 1982)

David R. Braunstein (Term expires July 1985)

Franklin D. Martin (Term expires July 1983)

Richard H. Petersen (Term expires July 1983)

Clifford E. Charlesworth (Term expires July 1983)

Louis B. DeAngelis (Term expires July 1983)

Thomas N. Tate, Counsel to the Subcommittee on Space Science and Applications, Committee on Science and Technology, House of Representatives (Indefinite Term)

Hans Mark,

Deputy Administrator.

[FR Doc. 82-7921 Filed 3-24-82; 8:45 am]

BILLING CODE 7510-01-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Council on the Arts, Literature Panel; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the Literature Panel to the National Council on the Arts will be held on April 15, 1982, from 9:00-6:30 p.m. and on April 16, 1982, from 9:00 a.m.-4:30 p.m. in room 1422 of the Columbia Plaza Office Complex, 2401 E Street, NW., Washington, D.C. 20506.

A portion of this meeting will be open to the public on April 16, 1982, from 9:00 a.m.-4:30 p.m.

The remaining sessions of this meeting on April 15, 1982, from 9:00 a.m.-6:30 p.m. are for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the Federal Register of February 13, 1980, these sessions will be closed to the public pursuant to subsections (c) (4), (6) and 9(b) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Mr. John H. Clark, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6070.

John H. Clark,

Director, Office of Council and Panel Operations, National Endowment for the Arts,
March 19, 1982.

[FR Doc. 82-8043 Filed 3-24-82; 8:45 am]

BILLING CODE 7537-01-M

National Council on the Arts; Media Arts (Programming in the Arts); Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the Media Arts (Programming in the Arts) to the National Council on the Arts to be held on April 14-15, 1982, from 9:00 a.m.-5:30 p.m. in the 12th floor screening room of the Columbia Plaza Office Complex, 2401 E Street, NW., Washington, D.C.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National

Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the Federal Register of February 13, 1980, these sessions will be closed to the public pursuant to subsections (c) (4), (6) and 9(b) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Mr. John H. Clark, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call (202) 634-6070.

John H. Clark,

Director, Office of Council and Panel Operations, National Endowment for the Arts,
March 19, 1982.

[FR Doc. 82-8044 Filed 3-24-82; 8:45 am]

BILLING CODE 7537-01-M

NUCLEAR REGULATORY COMMISSION

[Docket Nos. STN-50-528-OL, STN-50-529-OL, and STN-50-530-OL]

Arizona Public Service Co., et al.; (Palo Verde Nuclear Generating Station, Units 1, 2 and 3 Operating License Proceeding); Public Hearing on Application for Operating Licenses

March 19, 1982.

On July 25, 1980, the U.S. Nuclear Regulatory Commission (the Commission) published in the Federal Register a notice of receipt of an application for facility operating licenses for Palo Verde Nuclear Generating Stations Units 1, 2 and 3 and notice of opportunity for hearing (45 FR 49732).¹ Such licenses would authorize Arizona Public Service Company, Salt River Project Agricultural Improvement and Power District, Southern California Edison Company, El Paso Electric Company, and Public Service Company of New Mexico (Joint Applicants) to possess, use and operate Palo Verde Nuclear Generating Station, Units 1, 2 and 3, three pressurized water nuclear reactors (the facilities) located on the Joint Applicants' site in Maricopa County, Arizona, approximately 36 miles west of the City of Phoenix.

In response to the July 25, 1980 notice, Patricia Lee Hourihan submitted a petition for leave to intervene and request for hearing. The petition was granted by the Atomic Safety and

¹ The July 25, 1980, notice is a clarification of an earlier notice published in the Federal Register (45 FR 46941-43) on July 11, 1980.

Licensing Board (Board) which ordered that a hearing be held.

The matter having come before the Board at the prehearing conferences held in Phoenix, Arizona on December 2, 1980 and November 18, 1981, and during the telephone conference call on March 15, 1982, and all parties having been present and participating,² a date for the commencement of an evidentiary hearing in this proceeding has been agreed upon.

All persons who have requested the opportunity to make a limited appearance will be afforded an opportunity to state their views or to file a written statement on the first day of the hearings or at such other times at the Licensing Board may for good cause designate.

Wherefore, it is ordered, in accordance with the Atomic Energy Act, as amended, and the Rules of Practice of the Commission, and please take notice, that an evidentiary hearing in this proceeding shall convene at 10:00 a.m., local time, Tuesday, April 27, 1982, at the Federal Building,³ 230 N. First Avenue, Phoenix, Arizona 85025. The hearing shall be conducted continuously day to day until all evidence on matters outstanding has been received or until continued by further order of the Board.

Members of the public are invited to attend the hearing.

For the Atomic Safety and Licensing Board.
Robert M. Lazo,

Chairman, Administrative Judge.

[FR Doc. 82-8048 Filed 3-24-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-322-OL]

Long Island Lighting Co. (Shoreham Nuclear Power Station Unit 1); Prehearing Conference and Opportunity for Limited Appearance Statements

March 19, 1982.

Statements by the Public

Members of the public are invited to present oral and written limited appearance statements to the Atomic Safety and Licensing Board presiding in this proceeding on the application of the Long Island Lighting Company for a license to operate the Shoreham Nuclear Power Station. The Shoreham Nuclear Power Station is a one unit Boiling Water Reactor now under construction

² The Intervenor, Ms. Hourihan, elected not to participate in the March 15, 1982 telephonic prehearing conference.

³ The number of the courtroom will be available at the Office of the Clerk of the United States District Court (Room 1400).

on the north shore of Long Island, New York in the Town of Brookhaven in Suffolk County.

The oral and written public appearance statements may be made by any person who is not a party to this proceeding at either of the two following sessions:

April 13, 1982, 7:00-10:00 p.m. at: Riverhead County Center, Legislative Hearing Room, Center Drive, Riverhead, New York 11901.

April 14, 1982, 7:00-10:00 p.m. at: Suffolk County Legislative Building, County Complex, Legislative Hearing Room, Veterans Memorial Highway, Hauppauge, New York 11788.

Those who wish to speak may submit their names at the above locations as early as one half-hour before the commencement of the public appearance sessions. In order to give as many people as practicable an opportunity to be heard, oral statements will be limited to five minutes but written statements may be any reasonable length. Those who speak may also submit written statements. Written statements may be presented at the public appearance sessions or they may be mailed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Both oral and written statements will be maintained with the official record of this proceeding. A limited appearance statement is not evidence which is directly considered as part of the formal litigation in this proceeding. However, persons making limited appearance statements may give their position on the issues to be decided, and they may propose questions they wish answered by LILCO and the NRC staff and by the evidence in the upcoming hearing. The Board will consider these questions to the extent they are within the scope of the proceeding.

Prehearing Conference

Pursuant to 10 CFR 2.752 of the Commission's rules of practice, Counsel for all parties are directed to appear at a prehearing conference beginning at 9:30 a.m. on April 14, 1982 in the Suffolk County Legislative Building, County Complex, Legislative Hearing Room, Veterans Memorial Highway, Hauppauge, New York.

The public is invited to attend the prehearing conference. However, there will be no opportunity for members of the public to participate.

The Atomic Safety and Licensing Board will consider all pending prehearing matters, including:

(1) Simplification, clarification, and specification of the issues;

(2) The necessity or desirability of amending the pleadings;

(3) The obtaining of stipulations and admissions of fact and of the contents and authenticity of documents to avoid unnecessary proof;

(4) Identification of witnesses and the limitation of the number of expert witnesses, and other steps to expedite the presentation of evidence;

(5) The setting of a hearing schedule, including the order in which issues will be heard; and

(6) Such other matters as may aid in the orderly dispositions of the proceeding.

The Atomic Safety and Licensing Board will also consider coordination of parties and issues (including the designation of lead examiners and the combining of testimony of parties on a joint panel), pending any remaining discovery matters, the schedule and procedures for discovery, negotiation and submission of on-site and off-site emergency planning issues, and any other appropriate matter.

The parties are directed to discuss the above matters in advance in order to agree on or at least coordinate their respective positions at the prehearing conference.

For the Atomic Safety and Licensing Board.
Bethesda, Maryland, March 19, 1982.

Lawrence Brenner,
Chairman, Administrative Judge.

[FR Doc. 82-8049 Filed 3-24-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-256]

Public Service Co. of Colorado; Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 26 to Facility Operating License No. DPR-34 issued to the Public Service Company of Colorado, which revised Technical Specifications for operation of the Fort St. Vrain Generating Station (the facility) located in Platteville, Colorado. The amendment is effective as of the date of issuance.

The amendment revises the Technical Specifications to:

(1) Permit the interspace between primary and secondary closures of the steam generator modules to be maintained at a pressure slightly above cold reheat steam pressure; and

(2) Set a limit on the possible release of primary coolant activity through the primary closure seals of no greater than 1.4 curies per day.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since this amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated January 8, 1982; (2) Amendment No. 26 to Facility Operating License No. DPR-34; and (3) the Commission's related Safety Evaluation. These items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555 and at the Greeley Public Library, City Complex Building, Greeley, Colorado. A copy of items (2) and (3) may be obtained upon request to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland this 18th day of March, 1982.

For the Nuclear Regulatory Commission,
Robert A. Clark,
Chief, Operating Reactors Branch No. 3,
Division of Licensing.

[FR Doc. 82-8050 Filed 3-24-82; 8:45 am]

BILLING CODE 7590-01-M

PRESIDENT'S COMMISSION FOR THE STUDY OF ETHICAL PROBLEMS IN MEDICINE AND BIOMEDICAL AND BEHAVIORAL RESEARCH

Notice is hereby given pursuant to section 10(a)(2) of the Federal Advisory Committees Act, that the nineteenth meeting of the President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research will be held at the Federal Building, Room 556, 275 Peachtree Street, Atlanta, Georgia from 9 a.m. to 3:45 p.m., with a site visit from 4:15 p.m. to 5:15 p.m. at the West End Medical Center, on Friday, April 2, 1982 and at the Martin Luther King, Jr. Chapel, Morehouse College, 830

Westview Drive, SW., Atlanta, Georgia from 9 a.m. to 5 p.m. on Saturday, April 3, 1982.

The meeting will be open to the public, subject to limitations of available space. The agenda for Friday, April 2 will include, among other things, testimony on the ethical implications of differences in the availability of health services, based upon place of residence, income and insurance coverage. The agenda for Saturday, April 3 will include, among other things, a continuation of Friday's hearing and Commission deliberation, and testimony on the role of education and training of health professionals in patient-provider communication.

During Friday afternoon at approximately 3:30 p.m., and Saturday afternoon at approximately 4:45 p.m., fifteen minutes will be devoted to comments from the floor on the subject of any of the agenda items, *limited to three minutes per comment*. Written suggestions and comments will be accepted for the record from those who are unable to speak because of the constraints of time and from those unable to attend the meeting.

Records shall be kept on all Commission proceedings and will be available for public inspection at the Commission office, located in Suite 555, 2000 K Street, NW., Washington, D.C. 20006.

For further information, contact Andrew Burness, Public Information Officer, at (202) 653-8051.

Alexander M. Capron,
Executive Director.

[FR Doc. 82-8042 Filed 3-24-82; 8:45 am]

BILLING CODE 6820-AV-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 22425; 70-6702]

Central Power and Light Co.; Proposed Issuance and Sale of Long Term Unsecured Debt Securities

March 19, 1982.

In the matter of Central Power and Light Company, P.O. Box 2121, Corpus Christi, Texas 78403 (70-6702).

Central Power and Light Company ("CP&L"), an electric utility subsidiary of Central and South West Corporation, a registered holding company, has filed an application-declaration and an amendment thereto with this Commission pursuant to Sections 6(a) and 7 of the Public Utility Holding Company Act of 1935 ("Act") and Rule 50(a)(5) thereunder.

CP&L proposes to issue and sell up to \$75,000,000 in principal amount of long-term unsecured debt securities with a final maturity of not greater than 30 years. CP&L seeks an exception from the competitive bidding requirements of Rule 50 pursuant to subparagraph (a)(5) to negotiate the sale of the securities to an underwriting group represented by several major investment banking firms.

CP&L plans to issue and sell up to \$150,000,000 of debt securities in 1982, including the \$75,000,000 of securities proposed herein. Notice of CP&L's proposal to issue and sell up to \$75,000,000 of first mortgage bonds was issued on January 8, 1982 (HCAR No. 22359). The unsecured securities are proposed because the earnings test of CP&L's First Mortgage Bond Indenture, as amended, restricts the amount of first mortgage bonds CP&L may issue to an amount below its requirements for 1982. Generally, additional bonds may not be authenticated under the Indenture unless the net earnings of CP&L for a 12-month period ending within 90 days preceding such authentication was equal to at least twice the interest for one year on all bonds to be outstanding under the Indenture immediately after such authentication and on all other indebtedness of CP&L then secured by a lien on CP&L's property equal or prior to the lien of the Indenture. In computing CP&L's net earnings for purposes of determining earnings coverage under the Indenture, a deduction for maintenance, repairs, and depreciation must be made in an amount equal to at least 15% of CP&L's gross operating revenues, after deducting from such revenues the cost of electricity purchased for resale.

CP&L asserts that the proposed exception from competitive bidding is justified because of CP&L's earnings coverage problem, as well as the limited size and frequency of its long term unsecured debt offerings. CP&L proposes, and is hereby authorized, forthwith, (a) to negotiate with and select one or more investment banking firms to act as underwriters for the securities and (b) to negotiate the price and other terms upon which the securities will be issued to the public.

The net proceeds from sale of the securities will be used by CP&L to repay short-term borrowings incurred or expected to be incurred to finance construction expenditures, as well as fuel exploration and development expenditures, estimated to total \$237,000,000 in 1982 and \$249,000,000 in 1983.

No funds generated from the sale of the securities or any of the borrowings retired thereby have been or will be utilized to pay the cost of any facilities

which would not be needed to provide service to customers of CP&L if it were not part of the Central and South West System. No expenditures will be made by CP&L for the construction or acquisition of any facility not so needed prior to the time all proceeds from the proposed issuance and sale of unsecured debt securities have been expended. For the purposes of the foregoing representation, it is assumed that none of the facilities, construction or acquisition of which would be part of any proposal forming the subject of the proceedings in *Central and South West Corporation, et al.* (Admin. Proc. File No. 3-4951) would be needed to provide service to customers of CP&L if it were not part of the Central and South West System.

The application-declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by April 12, 1982, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the applicant-declarant at the address specified above. Proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-7976 Filed 3-24-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 22421; 70-6707]

Georgia Power Co.; Proposed Transactions Related to Financing of Pollution Control Facilities

March 19, 1982.

In the matter of Georgia Power Company, 333 Piedmont Avenue, N.E., Atlanta, Georgia 30308 (70-6707).

Georgia Power Company ("Georgia"), an electric utility subsidiary of The Southern Company, a registered holding company, has filed an application-declaration with this Commission

pursuant to Sections 6(b) and 12(d) of the Public Utility Holding Company Act of 1935 ("Act") and Rules 44 and 50 thereunder.

In order to comply with state environmental standards, Georgia must construct certain pollution control, solid waste disposal and industrial development facilities ("Facilities") for use at its Branch, Scherer and Vogtle plants located in Putnam, Monroe and Burke Counties, Georgia, respectively. It is proposed that a Development Authority of each county ("Authority") issue tax exempt, revenue bonds ("Revenue Bonds") in amounts based on the cost of the Facilities at the plant in its county ("Project"). The aggregate principal amount of Revenue Bonds to be issued by the three Authorities will not exceed \$100 million.

Georgia would enter into a separate Loan Agreement with each Authority. The Bonds would provide for loans of the proceeds from the sale of the Revenue Bonds to Georgia. Georgia would issue a non-negotiable promissory note ("Note") evidencing the loan. The proceeds would be deposited with a Trustee ("Trustee") under a trust indenture to be entered into between the Authority and the Trustee, pursuant to which the Revenue Bonds are to be issued and secured, and would be applied by Georgia to pay the costs of acquiring, constructing, installing and equipping the facilities. Payments under the Note(s) will be made at times and in amounts corresponding to the payments of the principal of, premium, if any, and interest on the Revenue Bonds as they become due upon maturity, redemption, declaration of otherwise.

The Loan Agreements provide for the assignment to the Trustee of the Authority's interest in, and of the moneys receivable by the Authority thereunder. They will also obligate Georgia to pay the fees and charges of the Trustee and will provide that Georgia may at any time, so long as it is not in default thereunder, prepay the amount due under the Note, including interest thereon, in whole or in part.

The Revenue Bonds will be redeemable (i) not later than 10 years from the date of issuance, in whole or in part, at the option of Georgia, initially with a premium of up to 3% of the principal amount and declining by not less than 1/2 of 1% annually thereafter, and (ii) in whole, at the option of Georgia, in certain other extenuating cases, at the principal amount thereof plus accrued interest, but without premium. The Revenue Bonds will mature in from one to 30 years from the first day of the month in which they are initially issued and may, in the case of a

maturity of 15 to 30 years and if advisable for marketability purposes, be entitled to the benefit of mandatory redemption sinking funds calculated to retire a portion of the aggregate amount of the issue prior to maturity.

In order to obtain the benefit of ratings for the Revenue Bonds equivalent to the rating of Georgia's outstanding first mortgage bonds, Georgia may determine to secure its Note obligations by delivering to the Trustee, a series of its first mortgage bonds, to be held as collateral, ("Collateral Bonds"). The principal amount of the Collateral Bonds would be equal to the principal amount of the Revenue Bonds. The Collateral Bonds will be issued under a supplemental indenture to the indenture securing Georgia's outstanding first mortgage bonds ("Indenture"), will bear interest at a rate equal to the interest rate to be borne by the related Revenue Bonds, and will mature on the maturity date of such Revenue Bonds. The supplemental indenture will provide, however, that the obligation of Georgia to make payment with respect to the Collateral Bonds will be satisfied to the extent that payments are made under the Note sufficient to meet payments when due on the related Revenue Bonds.

Because interest accrues in respect of the Collateral Bonds until satisfied by payments under the Note, annual interest charges on the Collateral Bonds would be included in computing the interest earnings requirement of the Indenture which restricts the amount of first mortgage bonds which may be issued and sold. The Collateral Bonds would be issued on the basis of unfunded net property additions.

As an alternative to, or in conjunction with Georgia's securing its obligations through the issuance of the Collateral Bonds, Georgia may obtain a bank Letter of Credit to be delivered to the Trustee. The Letter of Credit would be an irrevocable obligation of the bank to pay to the Trustee, upon request, an amount necessary to pay the principal of, and accrued interest on, the Revenue Bonds when due. Georgia would agree to pay to the bank, on demand, all amounts drawn under the Letter of Credit, as well as certain fees and expenses. The Letter of Credit would obtain for the Revenue Bonds the benefit of a rating equivalent to the credit rating of the bank.

As a further alternative to, or in conjunction with, securing its obligations under each Agreement and Note and in order to obtain a "AAA" rating for the Revenue Bonds by Standard and Poor's Corporation, Georgia may obtain separate policies of

insurance from an insurance company guaranteeing the payment when due of the principal of and interest on each series of the Revenue Bonds. Such insurance policies would be in effect for the term of the related Revenue Bonds and would be non-cancelable by the insurance company for any reason. In addition, Georgia may be obligated to make payments of certain specified amounts into separate escrow funds and to increase the amount on deposit in such funds under certain circumstances. The amount in each escrow fund would be payable to the insurance company as indemnity for any amounts paid pursuant to the related insurance policy in respect of principal, of, or interest on, the related Revenue Bonds.

The Revenue Bonds will be sold by the Authorities pursuant to arrangements with one or more underwriters. In accordance with the laws of the State of Georgia, the interest to be borne by the Revenue Bonds will be fixed by the respective Boards of Directors of the Authorities and will be either a fixed rate or a rate which will fluctuate in accordance with a specified prime or base rate or rates, and, if Collateral Bonds are issued, such a fluctuating rate will not exceed a specified maximum rate or fall below a specified minimum rate. While Georgia will not be party to the underwriting arrangements for the Revenue Bonds, such arrangements will provide that the terms of the Revenue Bonds and their sale by the Authorities shall be satisfactory to Georgia. Georgia has been advised that the interest rates on obligations, the interest on which is tax exempt, recently have been and can be expected at the time of issue of the Revenue Bonds to be at least three to four percentage points lower than the rates on obligations of like tenor and comparable quality, interest on which is fully subject to federal income taxation. Georgia may grant an Authority, a lien on the Project or certain other property of Georgia. Such lien would be subordinate to the lien of the Mortgage and will be assigned by the Authority to the Trustee.

The application-declaration and any amendments thereto are available for public inspection through Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by April 12, 1982, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the applicant-declarant at the address specified above. Proof of service (by affidavit or, in the case of an attorney at law, by

certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-7977 Filed 3-24-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 12312; 812-5084]

Kidder, Peabody Premium Account Fund; Application

March 19, 1982.

In the matter of Kidder, Peabody Premium Account Fund, 10 Hanover Square, New York, New York 10005 (812-5084).

Notice is hereby given that Kidder, Peabody Premium Account Fund ("Applicant"), an open-end, diversified, management investment company registered under the Investment Company Act of 1940 ("Act"), filed an application on January 15, 1982, and an amendment thereto on March 15, 1982, requesting an order of the Commission, pursuant to Section 6(c) of the Act, exempting Applicant from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder, to the extent necessary to permit Applicant to value its assets using the amortized cost method of valuation. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant states that it was organized as a Massachusetts business trust on January 13, 1982, and that its investment adviser is Webster Management Corporation ("Adviser"), a wholly-owned subsidiary of Kidder, Peabody & Co. Incorporated ("Kidder, Peabody"). Applicant further states that its shares will be offered exclusively to participants in the Kidder, Peabody Premium Account Program ("KPPA") of Kidder, Peabody, a broker-dealer registered under the Securities Exchange Act of 1934. According to the application, a KPPA account will be an integrated financial services account offered by Kidder, Peabody to its customers, which will permit them to

effectively utilize the free credit cash balances in their Kidder, Peabody securities margin accounts ("Securities Account") by investing such balances on a no less than weekly basis in the Applicant thereby earning a return on the investment pending utilization of such monies either in the Securities Account or through a VISA check/credit card account maintained by Bank One of Columbus, N.A., Columbus Ohio.

Applicant represents that its investment objective is to provide as high a level of current income consistent with preservation of capital and maintenance of liquidity. Applicant states that it intends to invest in a variety of short-term money market instruments issued or guaranteed by the United States Government or its agencies or instrumentalities, obligations of United States regulated banks and savings and loan associations having assets of \$1 billion or more, high grade commercial paper, high grade corporate obligations maturing in one year or less and certificates of deposit of \$100,000 or less of United States regulated banks and savings institutions having less than \$1 billion in assets which are fully insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation. According to the application, Applicant may also enter into repurchase agreements with respect to securities in which it may invest, but that any repurchase agreements maturing in more than seven days are limited to 10% of Applicant's total assets computed with any other illiquid assets it may hold. Applicant states that securities which collateralize such repurchase agreements may have remaining maturities in excess of one year and that any such collateralizing securities will not affect the dollar-weighted average portfolio maturity. Applicant further states that it may invest in securities which were originally issued with maturities in excess of one year provided that at the time of purchase the remaining time to maturity is less than one year.

As here pertinent, Section 2(a)(41) of the Act defines value to mean: (1) with respect to securities for which market quotations are readily available, the market value of such securities, and (2) with respect to other securities and assets, fair value as determined in good faith by an investment company's board of directors.

Rule 22c-1 provides, in part, that no registered investment company or principal underwriter there for issuing any redeemable security shall sell, redeem or repurchase any such security except at a price based on the current

net asset value of such security which is next computed after receipt of a tender of such security for redemption or of an order to purchase or to sell such security.

Rule 2a-4 provides, as here relevant, that the current net asset value of a redeemable security issued by a registered investment company used in computing its price for the purpose of distribution, redemption and repurchase shall be an amount which reflects calculations made substantially in accordance with the provisions of that rule, with estimates used where necessary or appropriate. Rule 2a-4 further states that portfolio securities with respect to which market quotations are readily available shall be valued at current market value, and that other securities and assets shall be valued at fair value as determined in good faith by an investment company's board of directors. Prior to the filing of the application, the Commission expressed its view that, among other things, Rule 2a-4 under the Act requires that portfolio instruments of "money market" fund be valued with reference to market factors, and it would be inconsistent generally with the provisions of Rule 2a-4 for a "money market" fund to value its portfolio instruments with over 60-day maturities on an amortized cost basis (Investment Company Act Release No. 9786, May 31, 1977).

Applicant requests an exemption from the provisions of Section 2(a)(41) of the Act, and Rules 2a-4 and 22c-1 thereunder, to the extent necessary to permit it to value its portfolio securities using the amortized cost method of valuation. In support of its request, Applicant represents that its board of trustees has determined that, absent unusual circumstances, amortized cost value reflects fair value of its portfolio securities and that the amortized cost method of valuation is preferable and appropriate for the Applicant. Applicant states that it has been the experience of its Adviser with respect to securities within Applicant's investment policy, that with respect to securities maturing in 120 days or less, there is normally a negligible discrepancy between market value and the amortized cost value of such security. Accordingly, Applicant believes that valuation of its assets on the amortized cost basis, by enabling the maintenance of a stable price per share while at the same time allowing a flow of investment income less subject to fluctuation that under procedures whereby its dividend would be adjusted by all realized and unrealized gains and losses, will benefit its shareholders.

Section 6(c) of the Act provides, in part, that upon application the Commission may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant asserts that its application meets the standards of Section 6(c) of the Act in light of its management policies, and consents to the imposition of the following conditions to any order granting the requested relief:

1. In supervising Applicant's operations and delegating special responsibilities involving portfolio management to Applicant's investment adviser, the board of trustees of Applicant undertakes—as a particular responsibility within the overall duty of care owed to its shareholders—to establish procedures reasonably designed, taking into account current market conditions and Applicant's investment objectives, to stabilize Applicant's net asset value per share, as computed for the purpose of distribution, redemption and repurchase, at \$1.00 per share.

2. Included within the procedures to be adopted by the board of trustees of the Applicant shall be the following:

(a) Review by the board of trustees, as it deems appropriate and at such intervals as are reasonable in light of current market conditions, to determine the extent of deviation, if any, of the net asset value per share as determined by using available market quotations from the \$1.00 amortized cost price per share, and the maintenance of records of such review.¹

(b) In the event such deviation from the \$1.00 amortized cost price per share exceeds ½ of 1 percent, a requirement that the board of trustees will promptly consider what action, if any, should be initiated by it.

(c) Where the board of trustees believes the extent of any deviation from the \$1.00 amortized cost price per

share may result in material dilution or other unfair results to investors or existing shareholders, it shall take such action as it deems appropriate to eliminate or to reduce to the extent reasonably practicable such dilution or unfair results, which may include: selling portfolio instruments prior to maturity to realize capital gains or losses, or to shorten the average maturity of portfolio instruments; withholding dividends; or utilizing a net asset value per share as determined by using available market quotations.

3. Applicant will maintain a dollar-weighted average portfolio maturity appropriate to its objective of maintaining a stable net asset value per share; provided, however, that Applicant will not (a) purchase any instrument with a remaining maturity of greater than one year, or (b) maintain a dollar-weighted average portfolio maturity which exceeds 120 days.²

4. Applicant will record, maintain, and preserve permanently in an easily accessible place a written copy of the procedures (and any modifications thereto) described in paragraph 1 above, and will record, maintain and preserve for a period of not less than six years (the first two years in an easily accessible place) a written record of its board of trustees' considerations and actions taken in connection with the discharge of their responsibilities, as set forth above, to be included in the minutes of the board of trustees' meetings. The documents preserved pursuant to this condition shall be subject to inspection by the Commission in accordance with Section 31(b) of the Act, as if such documents were records required to be maintained pursuant to rules adopted under Section 31(a) of the Act.

5. Applicant will limit its portfolio investments, including repurchase agreements, to those United States dollar-denominated instruments which its board of trustees determines present minimal credit risks, and which are of "high quality" as determined by any major rating service or, in the case of any instrument that is not rated, of comparable quality as determined by its board of directors.

6. Applicant will include in each of its quarterly reports, as an attachment to Form N-1Q, a statement as to whether any action pursuant to paragraph 2(c) above was taken during the preceding

²In fulfilling this condition, if the disposition of a portfolio security results in a dollar-weighted average portfolio maturity in excess of 120 days, Applicant will invest available cash in such a manner as to reduce the dollar-weighted average portfolio maturity to 120 days or less as soon as reasonably practicable.

fiscal quarter and, if any such action was taken, will describe the nature and circumstances of such action.

Notice is further given that any interested person may, not later than April 13, 1982, at 5:30 p.m., submit to the Commission in writing, a request for a hearing on the application accompanied by a statement as to the nature of his or her interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he or she may request that he or she be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein will be issued as a course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-7978 Filed 3-24-82; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 22422; 70-6721]

Middle South Utilities; Proposed Issuance and Sale of Common Stock

March 19, 1982.

In the matter of Middle South Utilities, 225 Baronne Street, New Orleans, Louisiana 70112 (70-6721).

Middle South Utilities ("Middle South"), a registered holding company, has filed a declaration with this Commission pursuant to Sections 6(a) and 7 of the Public Utility Holding Company Act of 1935 ("Act") and Rule 50 thereunder.

Middle South proposes to issue and sell, in one or more sales from time to time not later than November 12, 1982, subject to the competitive bidding requirements of Rule 50, not more than

¹To fulfill this condition, Applicant intends to use actual quotations or estimates of market value reflecting current market conditions chosen by its board of trustees in the exercise of its discretion to be appropriate indicators of value which may include, *inter alia*, (1) quotations or estimates of market value for individual portfolio instruments, or (2) values obtained from yield data relating to classes of money market instruments published by reputable sources, or from independent pricing services.

10,000,000 authorized but unissued shares of its common stock, \$5 par value. The net proceeds to be derived from the sale of the common stock will be applied by Middle South toward the reduction of its then outstanding bank loans, for the purchase of common stock from its subsidiaries, and for other corporate purposes. Middle South presently intends to sell the entire 10,000,000 shares of additional common stock in a single sale in May 1982. The amount of Middle South's outstanding bank loans at the time of the May sale is estimated to be \$78,000,000. The declaration states that if market conditions at the time of the offering of the securities are unfavorable, Middle South may amend its declaration to seek an exemption from Rule 50 so that it may offer the additional common stock through a negotiated sale to underwriters and subsequent public offering, or through private sale.

The declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by April 19, 1982, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the declarant at the address specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the declaration, as filed or as it may be amended, may be permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-7979 Filed 3-24-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 12313; 812-5103]

Natwest Capital Corp.; Application

March 19, 1982.

In the matter Natwest Capital Corporation, Suite 3700, United Energy Plaza, 600 Travis Street, Houston, Texas 77002 (812-5103).

Notice is hereby given that Natwest Capital Corporation ("Applicant") filed an application on February 2, 1982, and an amendment thereto on March 15,

1982, for an order of the Commission pursuant to Section 6(c) of the Investment Company Act of 1940 ("Act") exempting Applicant from all provisions of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant states that it was organized under the laws of Delaware on December 23, 1981, by National Westminster Bank PLC ("NWB"), commercial bank organized under the laws of England. All the outstanding shares of Applicant's capital stock will be owned by Natwest Holdings, Inc., which is a wholly-owned subsidiary of NWB. Applicant's sole business would be the provision of funds to NWB or its subsidiaries, and substantially all of Applicant's assets will consist of amounts receivable from NWB or such subsidiaries.

According to the application, the Commission has granted NWB an order for an exemption pursuant to Section 6(c) of the Act exempting NWB from all provisions of the Act (Investment Company Act Release No. 11210 (June 10, 1980)). Such order was reissued on September 10, 1980 (Investment Company Act Release No. 11346). Information with respect to NWB, including a description of its business and English banking regulation to which NWB is subject, is included in NWB's application requesting that order (File No. 812-4617).

Applicant states that it proposes to issue and sell in the United States debt securities ("Securities") the proceeds of which would be advanced to, or deposited with, NWB or subsidiaries of NWB. The terms of such advances or deposits would allow Applicant to make timely payments of principal of and premium, if any, and interest on such securities. Applicant further states that payment of principal of and premium, if any, and interest on any Securities would be unconditionally guaranteed by NWB, and therefore holders of such Securities could be considered as holders of obligations of NWB. Such guarantees may, however, be extended on a subordinated basis in order to comply with the provisions of certain other securities issued and sold by NWB outside the United States. In any event, such guarantees will rank *pari passu* with other debt securities of NWB having the same degree of subordination and prior to the claims of holders of NWB's common stock.

Applicant states that the terms of NWB's guarantees—e.g., whether such guarantees have senior or subordinated

status—would determine the nature of the Securities issued and sold by Applicant. In any event, such Securities will rank *pari passu* with other securities of Applicant having the same degree of subordination and prior to the holders of Applicant's common stock. In the case of any public offering of such Securities in the United States, the Applicant and NWB would, prior to such offering, file a registration statement with the Commission under the Securities Act of 1933 ("1933 Act") and would not sell such Securities until the registration statement was declared effective by the Commission and the related indenture was qualified under the Trust Indenture Act of 1939. Applicant undertakes to ensure, as an express condition of any order granting its application, that (i) in the case of any public offering, the Applicant and NWB would comply with the prospectus delivery and other disclosure requirements of the 1933 act and the rules and regulations thereunder in connection with the offering and sale of such Securities, and (ii) in the case of an offering of Securities in the United States not requiring registration under the 1933 Act (including sales of commercial paper), any offeree to whom such Securities are offered will be provided prior to any sale of such Securities to that offeree with a memorandum which (a) describes the businesses of Applicant and NWB, (b) describes material differences between United States and United Kingdom generally accepted accounting principles, and (c) contains any other information regarding NWB which NWB is required, pursuant to the terms of its order under Section 6(c) of the Act, to provide to offerees of its securities. This memorandum will be at least as comprehensive as those customarily used in such offerings of debt securities in the United States and will be updated periodically to reflect material changes in Applicant's and NWB's respective financial status. Similarly, any disclosure documents required under the 1933 Act would be updated as required by law to reflect material changes in the respective financial positions of the Applicant and NWB.

Applicant represents that it will not issue and sell any Securities until it has received an opinion of special United States counsel as to the applicability of the 1933 Act or any exemption therefrom. Applicant further represents that, prior to issuance, the Securities will have received one of the three highest investment grade ratings from at least one nationally recognized statistical rating organization and that

its United States counsel shall certify that such a rating has been received; provided, however, that no such rating shall be required to be obtained if in the opinion of such counsel, having taken into account for the purposes thereof the doctrine of "integration" referred to in Rule 146, 1933 Act Release Nos. 4434 (December 6, 1961), 4552 (November 6, 1962) and 4708 (July 9, 1964) and various "no-action" letters made public by the Commission, an exemption from registration is available with respect to such issue under the 1933 Act.

Applicant undertakes that, in connection with any issuance of Securities, the Applicant and NWB would appoint an agent to accept service of process in any action based on such Securities or the guarantees thereof and instituted in any state or federal court by any holder thereof, such appointment and consent to be irrevocable until all amounts due or to become due on such Securities or the guarantees thereof have been paid. Applicant states that Applicant and NWB will expressly accept the jurisdiction of any state or federal court in the city and state of New York in respect of any action, and will also be subject to suit in any other court in the United States having jurisdiction.

Section 3(a)(3) of the Act defines "investment company" to include any issuer which is engaged or proposes to engage in the business of investing, reinvesting, owning, holding, or trading in securities, and owns or proposes to acquire investment securities having a value exceeding 40 per centum of the value of that issuer's total assets (exclusive of government securities and cash items) on an unconsolidated basis. Applicant states that it may be considered to be an investment company because deposits or amounts receivable will constitute substantially all its assets.

Section 6(c) of the Act provides in part that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security, or transaction, or any class or classes of persons, securities, or transactions, from any provision or provisions of the Act, if and to the extent that an exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Applicant submits that it is appropriate in the public interest and consistent with the protection of

investors and the purposes fairly intended by the policy and provisions of the Act for the Commission to grant this application because, due to the close relationship between Applicant and NWB, and NWB's guarantee of the Securities, the purchase of the Securities will be the equivalent of purchasing obligations of NWB, which has been granted an exemption from the provisions of the Act pursuant to Section 6(c) of the Act for issuance of commercial paper and the proposed issuance of other debt securities directly. Applicant represents that NWB's utilization of Applicant as a financing vehicle by which to issue the Securities will in no way affect investor protection as holders of the Securities will ultimately look to NWB.

Notice is further given that any interested person may, not later than April 13, 1982, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his/her interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he/she may request that he/she be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-7980 Filed 3-24-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 18574]

Boston Stock Exchange, Inc.; Filing of Amendment to Proposed Rule Change and Order Approving Proposed Rule Change

March 19, 1982.

In the matter of Boston Stock Exchange, Inc., One Boston Place, Boston, Massachusetts 02108.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on March 16, 1982, the Boston Stock Exchange, Inc. ("BSE") filed with the Securities and Exchange Commission an amendment to a proposed rule change as described herein.¹

The proposed amendment retains Chapter XIII of the BSE rules and, by deleting the phrase "in an issue solely listed on the Exchange" from Chapter XV, Sections (l) and (m) of the BSE rules, provides that those sections apply to dealer-specialist transactions in both solely and dually listed issues. In addition, the proposed amendment would delete the description of the ITS Plan relating to limit orders included in Chapter XV, Section (g) of the proposed rule change.

Interested persons are invited to submit written data, views and arguments concerning the submission by April 15, 1982. Persons desiring to make written comments should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to File No. SR-BSE-81-8.

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change which are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those which may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Room, 1100 L Street, NW., Washington, D.C. Copies of the filing and of any subsequent amendments also will be available for inspection and copying at

¹ Notice of the proposed rule change was given by issuance of a Commission release. Securities Exchange Act Release No. 18137 (October 1, 1981), 46 FR 50449 (October 13, 1981). The proposed rule change would amend BSE rules relating to the regulation of BSE specialists.

the principal office of the above-mentioned self-regulatory organization.

The Commission finds that the proposed rule change together with the amendment thereto are consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges and, in particular, the requirements of section 6 and the rules and regulations thereunder.

The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of this amendment, in that the Commission received no comments with respect to their proposed rule change as originally filed and the amendments as filed herein clarify various provisions of the proposed rule change. The Commission therefore believes that the filing should be approved without additional delay.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change referenced above be, and hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-7981 Filed 3-24-82; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 18573; File No. SR-CBOE-82-3]

Chicago Board Options Exchange, Inc.; Filing of Proposed Rule Change
March 19, 1982.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on February 22, 1982, the Chicago Board Options Exchange, Inc. ("CBOE") filed with the Securities and Exchange Commission the proposed rule change as described herein. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

The proposed rule change would amend CBOE Rule 9.3 which provides, in relevant part, that member organizations must report to the exchange the termination of employment or affiliation of a registered representative. Under the proposed rule change, member organizations would be required only to report "terminations for cause." These reports would be made on the Uniform Termination Notice for Securities Industry Registration (Form U-5).¹

¹ The term "termination for cause" would be defined to include any termination where:

(1) the Registered Representative has been discharged or has been permitted to resign; (2) there

Additionally, the CBOE proposes to amend its Rule 17.1(b) to clarify its disciplinary jurisdiction over former members and associated persons. Under the rule, the exchange retains disciplinary jurisdiction over former members and associated persons with respect to matters that occurred prior to their termination provided that the exchange gives the former member or associated person written notice of the commencement of an inquiry into such matters within one year of the receipt of a written report of the termination. Pursuant to the proposed rule change, this notice requirement would not apply to a person who at any time after termination again becomes a member or a person associated with a member.

The CBOE's stated purpose for the changes to its Rule 9.3 is to enable it to focus better on terminations that may require investigation. The CBOE notes that the National Association of Securities Dealers and the New York Stock Exchange receive all termination notices for registration purposes, a purpose not shared by the CBOE. The CBOE's stated purpose for the changes to its Rule 17.1 is to clarify the disciplinary jurisdiction of the CBOE. The statutory basis claimed for the proposed changes to both rules are Sections 6(b)(5) and 6(b)(6) of the Act.

In order to assist the Commission in determining whether to approve the proposed rule change or institute proceedings to determine whether the proposed rule change should be disapproved, interested persons are invited to submit written data, views and arguments concerning the submission by April 15, 1982. Persons desiring to make written comments should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 500 North

is reason to believe that the Registered Representative, while employed by or associated with the member organization, may have violated any provision of any securities law or regulation or any agreement with or rule of any governmental agency or self-regulatory body, or engaged in conduct that may be inconsistent with just and equitable principles of trade; or (3) the Registered Representative is or was recently the subject of one or more of the following:

(a) any investigation or proceeding conducted by any governmental agency or self-regulatory body which has jurisdiction over the securities, insurance, banking, real estate or commodities industry;

(b) a refusal of registration, censure, suspension, expulsion, fine or any disciplinary action by any governmental agency or self-regulatory body having jurisdiction over the securities, insurance, banking, real estate or commodities industry;

(c) any major complaint of or any legal proceeding brought by a customer of the member organization; or

(d) any conviction involving a felony or misdemeanor (other than minor traffic violation).

Capitol Street, Washington, D.C. 20549. Reference should be made to File No. SR-CBOE-82-3.

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change which are filed with the commission, and all written communications relating to the proposed rule change between the Commission and any person other than those which may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Room, 1100 L Street, NW., Washington, D.C. Copies of the filing and of any subsequent amendments also will be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-7982 Filed 3-24-82; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 18575; File No. SR-NASD-79-1]

National Association of Securities Dealers, Inc.; Filing of Proposed Rule Change

March 19, 1982.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on March 8, 1982, the National Association of Securities Dealers, Inc. ("NASD") filed with the Securities and Exchange Commission Amendment No. 1 to a proposed rule change originally filed on January 22, 1979 (SR-NASD-79-1), as described herein. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

The proposed rule change, as amended, would amend Schedule D, Part I, C.3(e) of the NASD's By-Laws to require a registered market maker to clear and settle through the facilities of a registered clearing agency transactions in all securities on which quotes are made through the National Association of Securities Dealers Automatic Quotation System ("NASDAQ securities") when such facilities are located within 25 miles of the market maker. Notwithstanding this requirement, a market maker may clear and settle transactions through any registered clearing agency using a

continuous net settlement system, may enter into a correspondent clearing arrangement with and NASD member that clears through a continuous net settlement clearing facility may settle transactions "ex-clearing" provided both parties to the transaction agree, or may use direct mail settlement.

The NASD believes that the proposal will promote the use of clearing facilities by registered NASDAQ market makers and will encourage the development of a national system for the prompt and accurate clearance and settlement of securities transactions, as mandated by Section 17A(a)(2) of the Act. The NASD further believes that the proposal is in furtherance of, and in compliance with, Section 15A(b)(6) of the Act, which requires that the rules of a registered national association of brokers and dealers be designed to foster cooperation and coordination with persons engaged in clearing and settling securities transactions.

The NASD indicates in its filing that the proposal may impose a burden on competition to the extent that NASDAQ market makers who do not currently clear transactions through a registered clearing agency will be required to create clearing arrangements that satisfy the proposed rule change. The NASD believes that the burden is minimal, is curtailed as a practical matter by the alternatives specified in the Amendment, is outweighed by the benefits associated with facilitating the development of the national clearance and settlement system, and, therefore, is in furtherance of the Act.

In order to assist the Commission in determining whether to approve the proposed rule change or institute proceedings to determine whether the proposed rule change should be disapproved, interested persons are invited to submit written data, views and arguments concerning the submission by April 15, 1982. Persons desiring to make written comments should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to File No. SR-NASD-79-1.

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change which are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those which may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the

Commission's Public Reference Room, 1100 L Street, NW., Washington, D.C. Copies of the filing and of any subsequent amendments also will be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-7983 Filed 3-24-82; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 795]

Intention To Cancel Registrations of Certain Investment Advisers

March 18, 1982

Notice is hereby given that the Securities and Exchange Commission intends to issue an order pursuant to Section 203(h) of the Investment Advisers Act of 1940 ("Act") cancelling the registrations of those investment advisers whose names appear in the attached Appendix.

Section 203(h) provides, in pertinent part, that if the Commission finds that any person registered under Section 203, or who has pending an application for registration filed under that section, is no longer in existence or is not engaged in business as an investment adviser, the Commission shall by order cancel the registration of such person.

On January 30, 1979, the Commission announced the adoption of certain new and revised integrated disclosure requirements under the Act, including a substantially revised Form ADV, the application for registration as an investment adviser.¹ These requirements, which became effective on July 31, 1979, included a provision, set forth in revised Rule 204-1(a) under the Act, that every registered investment adviser whose registration was effective or whose application for registration was pending on July 31, 1979, shall amend its application for registration by filing a complete revised Form ADV with the Commission on or prior to that date.

All registrants were advised of the foregoing requirement to amend their applications for registration in a communication dated February 12, 1979, and were also mailed copies of revised registration Form ADV in April 1979. In addition, all registrants were sent a follow-up reminder, dated June 12, 1979, regarding the new requirements. On May 28, 1980, each non-responding

¹ Investment Advisers Act Release No. 664 (January 30, 1979).

registrant was sent an additional notice by certified mail, with return receipt requested. That notice stated that if the registrant did not file a revised Form ADV or did not submit a Form ADV-W² to withdraw its registration voluntarily, the staff would conclude that the registrant was no longer in business as an investment adviser and would recommend to the Commission that its registration be cancelled. Many of the letters were returned unopened and all further attempts to locate the registrants at the addresses designated in their Form ADV applications for registration have been unsuccessful.

Pursuant to paragraph (b) of Rule 204-1, an investment adviser must promptly file an amendment to its application for registration when its address changes or when certain other information becomes inaccurate in a material manner.³

Since the registrants named in the Appendix have not filed a revised registration Form ADV as required by Rule 204-1(a) under the Act and have not filed any amendments to their application for registration as required by Rule 204-1(b) under the Act, the Commission believes that reasonable grounds exist to support a finding that these registrants are no longer in existence or are not engaged in business as investment advisers.

Notice is further given that any interested person may, not later than April 21, 1982, at 5:30 P.M. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. At any time after said date, the Commission may issue an order cancelling any or all of the registrations of the registrants named in the Appendix hereto upon the basis of the information stated herein unless an order for hearing on said cancellation shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including

² Notice of withdrawal from registration as investment adviser.

³ Pursuant to Section 204 of the Act and Rule 204-1 thereunder, an investment adviser must also file annual supplements (Form ADV-S) providing the Commission with certain information about their business activities.

the date of the hearing (if ordered) and any postponements thereof.

By the Commission.
George A. Fitzsimmons,
Secretary.

Appendix

Atlanta Regional Office

Ap-Pre Capital Management, 801-11633
Ashbaugh Investment, 801-11741
AZV Investments, Inc., 801-13603
Beebe, Samuel James, 801-13162
Boston Portfolio Management, Inc., 801-08796
Broderick, James H. & Associates, 801-13669
Carson, Robert Howard Jr., 801-13161
Castello, Joseph E., 801-11423
CM National Enterprises, Inc. 801-10471
Cornerstone Investment Advisory, 801-12229
Cross, Emory C. & Associates, Inc., 801-08714
Daniel, Charles Lewis, 801-09494
Eaton, Wayne G. Tax & Investment Advisor, 801-12102
Equity Endowment Management, Inc., 801-07327
Equity Investment Advisory Service, 801-13280
FCSI, Inc., 801-13825
Feldman Jere, 801-12236
Fiduciary Advisory, Corp., 801-11198
Financial Management of the South, Inc., 801-08563
Fund Consultants, Inc. 801-08635
Gaulrapp, James F., Investment Counsel, 801-09032
Glick, L. J., Investment Advisor, 801-11152
Gold Coast Financial, Corp., 801-12879
Groover, James Robert, 801-12378
Group Investor Advisors, Inc. 801-11343
Hicks, Alfred E., 801-09854
Hom Lee Min, 801-08033
Insurance & Investment Consultants, Inc., 801-14615
Integrated Investment Management, 801-13042
Investing Concepts, 801-07496
Investment & Economic Advisors, Inc., 801-12110
Investment Financial Consultants, Inc., 801-14114
Investment Services, Corp. 801-10050
Investors Forecast, 801-02809
JPC Investments, 801-14157
Klein, Gerald Edward, 801-11878
Kleiner, Jack, 801-05651
Lau Financial Group, Inc., 801-13896
Lazarus, Joel T., 801-06659
Leavitt, L. M., 801-11309
Lehr, J. H. Financial Service, 801-09446
Lepore, William C., 801-13449
Lewis, William C., 801-11466
Manley, William Collin, 801-14479
Market Timing Service, 801-08688
Martin, Peter Terrance, 801-09791

McDaniel, Robert Henry, 801-14128
McGrath, John Barrington, 801-03878
McNeely, Samuel Sidney Third, 801-11211
Moore, Charles Willard, 801-12137
Neither Bull nor Bear Advisory, 801-09761
Niego, Edward V., 801-14664
North America Financial Center, 801-11684
Nurses Financial Newsletter, 801-13212
One World Commodity Signals, Inc., 801-10389
Overby, Joseph R. Investment Services, Inc., 801-14556
Palmer Investment Advisory, Co., 801-08883
Penrose, Gilbert & Associates, Inc., 801-12277
Pension Services, Inc., 801-07760
PMH Management, Corp., 801-08179
Preis, Joseph Marvin, 801-14305
Professional Associates of Atlanta, 801-12630
Prudential Advisory Counselor, 801-13128
Rainne, William Ogg Jr., 801-12385
Reele, George William Jr., 801-12386
Rissman Investment Counseling Corp., 801-10622
Rogers, Thomas Arthur, 801-12261
Root, R. P. Co., 801-09692
S. C. Associates, Inc., 801-10989
Sanders Financial Management, Inc., 801-09107
Security Market Letter, 801-09290
Select A Stock, 801-06566
Smith, Macon & Co., 801-01659
Smits, Alfred Jules Jr., 801-12483
Southeast Trust Investment Management, 801-10315
Southard, James Henry, 801-08462
Sparkman, S. M., 801-13370
Spiva, George Anthony, 801-11158
Stafford, John Nelson, 801-05997
Stock Market Laboratory, Inc., The, 801-06107
Strawberry Dispatch, 801-12621
Strum, Melvin Charles Jr., 801-09238
Sumner, Stephen J. Investment Counsel, 801-07873
Technical Trader, 801-13166
Thurston, John Kent Associates, 801-10147
Turn Key Construction, Co, 801-12338
Tynberg, David Investment Advisor, 801-07924
United Financial Advisors, 801-09541
Univest Financial Services, 801-14690
Upton, William W. B. Associates, 801-10951
Ursus, Taurus, Co., 801-08522
V & J Enterprises, 801-12601
Wallace, John F. Second, 801-14497
Warren, Robert Alan, 801-14125
Waterfall Enterprises, 801-13881
Wetherbee, Daniel Lewis, 801-10285
Whittaker, Sam Edwin, 801-14717
Williams Stock Research, 801-11540

Willis, James E. Investment Counselor, 801-13416
Wood, William Stock Recorder, 801-08775
Woolworth, Philip Mather, 801-12500

Boston Regional Office

Alderman, Morris David, 801-10447
Beateau, Robert John, 801-12690
Belak, Lindsay Scott, 801-13295
Bengston, Nils Martin, 801-12159
Boston Letter Investment Advisory, The, 801-07491
Buxton Company, 801-11520
Captial Advisors, Inc., 801-11442
Carye, Edward Francis, 801-11572
Cochrane, (J. Warren Jr., 801-06524
Colley, Donald 801-12224
Congress Street Investment Corp., 801-12567
Contratech Investment Advisory Services, 801-11584
Coogan, James Francis, 801-10828
Cooper, Philip Associates, 801-13027
Dana, Edward Salisbury, 801-10898
Davis, Dean Harding & Scott, Inc., 801-09877
DeBeaumont, Pierre Stuart, 801-12343
Dunning, James Robert Jr., 801-13160
Equity Consultants, Inc., 801-09369
Financial Management Services, Co., 801-08829
Financial Planning Consultants, 801-09547
Fitzgerald, Thomas Henry, Jr., 801-12196
Global Inference, 801-11908
Gray, Charles G. Ltd., 801-09167
Greene, Edward Xonaphus, 801-04901
H.M.S. Research Institue, 801-07634
Hayes Brothers Securities, Inc., 801-07588
Horowitz, Nathan Alan, 801-12910
Hoth, Frederick Milton, 801-07781
Hoyt, James p., 801-07907
ICO Securities Management, 801-14369
Income Management Corp. 801-10163
Inside Activity, 801-09150
Investment Management, 801-10083
Jackson Associates, 801-09336
Jerome, Evans Scott, 801-11155
Johnston, James Robert, 801-12150
Kelley, Phillip Paul, 801-10536
Keppelman, Peter S., 801-07887
Kroker, Robert Kenneth, 801-12609
Lake, Donald Francis, 801-12306
Legeyt, Earl T. Sr., Investment Adviser, 801-10751
Leonard, James Birdsell, 801-10690
Liberty Advisors, Inc., 801-10444
Mauder, John Gates, 801-10069
McCann Reports, 801-10014
Meketa, James Associates, Inc., 801-14519
Merton, Robert Cox, 801-11509
Middlemas, John Newton, 801-11731
Narragansett Financial Group, Inc., 801-13715

- New England Capital Management, Inc., 801-13806
 No-Load Fund Digest, 801-11614
 Nutmeg Investment Service, 801-11998
 Oftring Marsolais Management Co., Inc., 801-09714
 Oltsch, Harry Arthur, 801-03720
 Option Assoc., Inc., 801-14372
 Option Management Corp., 801-13201
 Option World, 801-08918
 Palmer Investment Advisory Co., 801-08803
 Performance Group, 801-14093
 Personal Financial Consultants, Inc., 801-11642
 Perspective Advisory Co., 801-12358
 Professional Money Management, 801-11889
 Provident National Assurance, Co., 801-08146
 Reynards Investment Service, 801-05619
 Rhoades Crawley & Associates, Inc., 801-09745
 Sacchetti, Raymond Michael, 801-13706
 Schuster, Harvey M. & Co., Inc., 801-03967
 Scientific Systems, Inc., 801-11988
 Seigal, Byron J., 801-11470
 Sommer, George Rudolph, 801-07218
 Stevens & Associates, 801-09936
 Stock Dynamics, 801-07521
 Super Growth, 801-09407
 Vector Management Co., Inc., 801-05925
 Vitagliano, Francis Michael, 801-10676
 Wells, Alden R. Monetary Report, 801-04167
 William, Noon Durkin, 801-11146
 World Wide Enterprises, Inc., 801-10276
- Chicago Regional Office*
- Accuvest Research Consultants, 801-10217
 Advisare Management Co., 801-08678
 Allen Investment Co., 801-11895
 American Equity Service Corp., 801-10756
 Anderson Consulting, 801-12615
 Aquarius Report, 801-09038
 Ark Investment Co., 801-12375
 ASI Financial Corporation, 801-04693
 Associated Equity Advisory Services, Inc., 801-11667
 Barbret, Harold Joseph, 801-14655
 Bazell, Norman Irving CLU, 801-05884
 Beta Management, Inc., 801-08995
 Boyd Watterson & Co., 801-10056
 Brown, David S. & Associates, 801-03480
 Brown, Stephen Kugelman, 801-10189
 Burnett, Wayne Clark, 801-06003
 Capital Management of Kentucky, Inc., 801-13176
 Caribbean Investment Consultants, 801-08483
 Carlson, Clifford John, 801-10945
 Castoe, Lawrence T., 801-04714
 Cazal, John Merel, 801-12390
 Cerf, Lawrence Drake, 801-11147
 Clark, Robert Braman, 801-06843
 Clifford, Donald, 801-10175
 Cole, Robert Barnes, 801-12474
 Cole, Thompson & Barry, Inc., 801-07152
 Collins, Sidney James, 801-07558
 Computer Systems Management Co., 801-12032
 Consolidated Investment Services, 801-11897
 Coon, Jeremy W. & Co., 801-06155
 Coyle Investments, Inc., 801-11039
 Cragin Lang Free & Smythe, Inc., 801-09496
 Curries Reports, 801-04328
 Dempsey Tegeler & Co., Inc., 801-02681
 Dennison Co., The, 801-06331
 Doughty, J.R. & Associates, 801-13172
 Dow Digest, 801-08711
 Dynacounsel, Inc., 801-10656
 E & E Securities, Inc., 801-06861
 Educator & Executive Counsel Corp., 801-07412
 Elvidge, Robert J., MD., 801-02545
 Equity Analysts, 801-14626
 Ewing, Wibur Rae, 801-11795
 Executive Development Co., 801-09786
 Financial & Employee Benefits Plan, 801-14671
 Financial Aspects, 801-10011
 Financial Service Co., 801-12731
 Fordham, David G., Jr., 801-10294
 FOS Financial Corp., 801-14107
 Gambol, Frank Clarence, 801-08622
 Godfrey & Co., Inc., 801-07837
 Goldy, David L., 801-08451
 Hall, John T., Inc., 801-09817
 Halle, Will S. & Co., 801-12730
 Hanratty, William J., Dr., 801-12349
 Hansen, A.S., Inc., 801-06996
 Harris, Joseph L. & Co., 801-13936
 Harron, Michael O'Donnell, 801-12197
 Hasse, Roger Leroy, 801-12290
 Hoener, Gordon John, 801-12674
 Hops Technical Letter, 108-10750
 Houston, W.G. & Co., 801-01504
 Howe, Robert Henry, 801-08209
 Huffman, Douglas Theodore, 801-10084
 I.M.A. Advisory Services, Inc., 801-05443
 Independent Financial Services, 801-11149
 Individuals Financial Services, Inc., 801-09573
 Investment Management Corp., 801-05401
 Investment Planning, 801-00837
 Investment Services & Co., 801-14649
 Investors Arbitrage Service, 801-10640
 Investors Systems, Inc., 801-09710
 JCS Financial Adviser, 801-08384
 Katz, Larry Securities Management, Inc., 801-09779
 Keating, Edward J. Management Agency, Inc., 801-11290
 Koch, Michael Ayars, 801-12341
 Korosec, Louis Bernard, 801-09602
 Kramer, Ron & Associates, Inc., 801-07856
 Lamson Brothers & Co., 801-11287
 Levins Reports, 801-04779
 Lizzo, John Samuel, 801-08785
 Logic Study Corp., 801-09558
 Lupinski, O.T., 801-05582
 Mann Investment Advisory Service, 801-12905
 Marcus, Michael D. & Co., 801-01750
 Marischen, Robert Joseph, 801-12249
 Masters & Associates, 801-13972
 Mathys, David Albert, 801-10247
 McClenahan Corp., 801-09163
 McFarlane, Allan Lawrence, 801-09811
 Medi Fund Financial Corp., 801-07802
 Midwest Financial Analysts, 801-12816
 Mitchell, Willie Edward, 801-11618
 Monterey Market Letter, 801-03034
 Morris, Jerry Lynn, 801-10913
 Mundt, Michael, J., 801-11857
 Murray, Fred George, 801-05575
 Mutual Funds Update, Inc., 801-05664
 Newhard Cook Advisory Services, Inc., 801-14502
 Nicholas Fanale Investment Advisory Service, 801-08654
 Nooker International Investment Letter, 801-10145
 North Shore Research Associates, 801-04326
 Oakes & Associates, 801-11952
 Oakland Financial Group, Inc., 801-07264
 Omega Investment Co., 801-06462
 Option Analysis Guides, Inc., 801-10674
 Option Values, 801-12940
 Option Advisory Service, 801-09303
 Options Data Search, Inc., 801-14643
 Overnight, Inc., 801-11495
 Paden, Noble & Co., 801-12736
 Pappas Investment Management, 801-11854
 Patterson, Joseph C. Associates, 801-03737
 Performance Associates, Inc., 801-11342
 Phillips, James A. & Co., 801-11041
 Physicians Investment Trust, 801-11162
 Radcliffe, Donald E., 801-13662
 Ramson Investment Services, 801-08702
 Resource Management, 801-10634
 Resource Management Corp., 801-08840
 Richmond, Frank L. Associates, 801-08625
 Ringer Investment & Financial Services, 801-14703
 RMT Investment Services, 801-06395
 Robbins, Robert E., 801-13928
 Rubel, S.M. & Co., 801-03622
 Rundle, Donald & Associates, 801-10162
 S.D. Hi Growth Enterprises, Inc., 801-09412
 Satellite Co., 801-13033
 Savage, Terry Lee Investment Adviser, 801-12155
 Schaffers Investment Advisory Services, 801-10367
 Schmidt, Kathleen C., 801-11920
 Scholes, Myron Samuel, 801-11502
 Securities Research & Counseling, 801-07901
 Security Investors, Inc., 801-10979
 Seger, Ralph L., Jr., 801-03414

Sells, Allen Richard, 801-13675
 Seward Securities, 801-10320
 Siegler, Edward N. & Co., 801-03832
 Skinner, Robert Russell, 801-10507
 Small Investors Guide, 801-09820
 Smeekens, John Peter, 801-09344
 Solomon, Maximilan & Co., Inc., 801-06648
 Spoken Word of Wall Street, 801-11295
 Stevenson Analyst Reports, 801-09711
 Stobart, Richard Joseph, 801-12620
 Stock Watch, Inc., 801-09776
 Stocks of the Future, 801-07520
 Stonehenge Investment Services, 801-09068
 Taking Stock Financial Services, Inc., 801-13318
 Tamco, Inc., 801-04232
 Tarrant, Stanley Russel, 801-10181
 Tatum Eason, Co., 801-11471
 Technitrade, 801-13102
 Tera, Robert, 801-08461
 Thirgen Group, Inc., The, 801-08695
 Totembroker, 801-05506
 Traders Letter, 801-09327
 Traders Stock Selection Service, 801-08296
 Trigon Investment Counsel, 801-08958
 Tully, John J. & Co., 801-09352
 Ullman, S.G. & Co. A Sole Proprietorship, 801-08271
 University Advisory Service, 801-04986
 Ustruck, Donald Henry, 801-14374
 Venture Funding, Inc., 801-11958
 Viator Research, 801-14714
 Wall Street Selector, 801-01715
 West, David A. Investment Adviser, 801-12131
 Whitmore Co., 801-03789
 Winneke, Gregory John, 801-13080
 Yohannan, Robert Sam, 801-12847
 Younger, Valgene T., 801-10570
 Zahler, Marvin Investment Security Trustee, 801-12793

Denver Regional Office

Allied Management Service, 801-06492
 Andes, James Robert, 801-08732
 Billings, David & Co., Inc., 801-14702
 Bush, W.A. Investment Advisory, 801-10801
 Clark, Cary Daniels, 801-12872
 Davidson, William Stanley, 801-14126
 Davis, Carrington Bowen, 801-14002
 DR Financial Services, 801-13634
 Financial Strategy Co. AZ, 801-11262
 Hamilton Investment Adviser, 801-10354
 Investment Enterprises, Inc., 801-07354
 Joy Flower Investment Advisory, 801-12473
 Research Analysis & Development, Inc., 801-09869
 Schaffner Advisors, 801-12189
 Securities Counseling, Inc., 801-11256
 Sheltons Tax Service, 801-12331
 Small Investment Opportunities, 801-10705
 Sprout, James Phillip, 801-13961
 Stockwatch, 801-12780

Sutton, Justin C., 801-12339
Fort Worth Regional Office
 Armadale, Inc., 801-13394
 Barrett, Dudley Roudolph, 801-12346
 Brown, Robert Spencer, 801-12681
 Business Financial Services, 801-12605
 Business Investment Service, 801-14195
 Doane, Dale A., 801-12245
 Drake, William Daniel Jr., 801-10332
 Economic & Financial Consulting Group, Inc., 801-14637
 Federated Financial Advisers, 801-14421
 Financial Clinic, Inc., 801-11979
 Financial Management & Advisory Clinic, Inc., 801-11792
 Hargis, H. Jack Co., 801-11245
 Henderson, William McCoy, 801-13914
 Indian Fiduciary Services, Inc., 801-13637
 Institutional Financial Services, Inc., 801-14744
 Jones, Robert Hartley, 801-10654
 Littell, Jack R., 801-13944
 Lynn, Meagher & Co., 801-13967
 McCarthy, Joe K., Inc., 801-14777
 Ormond, Michael, 801-10839
 Professionals Financial Group of San Antonio, Inc., 801-11118
 Securities Analyst, 801-10938
 Share America, 801-10605
 Stock Market Calendar, 801-11243
 Vastola, Nicholas Louis, 801-13313

Los Angeles Regional Office

Abrams & Associates, 801-14473
 Adams Market Letter, 801-09777
 All States Management Co., 801-03974
 Analyst, 801-06994
 Anderson, Donald King, 801-09693
 Angle, Robert Thomson, 801-13206
 Balanced Computer Planning Corp., 801-08364
 Belmont Investment Service, 801-08549
 Berger, Peter Samuel, 801-12113
 Bess Research & Investment Corp., 801-12849
 Bibbs Management Co., 801-10278
 Blake Investment Co., 801-09362
 Boaz, R. C. Co., 801-11355
 Boe, Wesley Leonard, 801-12526
 Borg, Gerrit, 801-10258
 Boston Administrative & Research Co., Inc., 801-08014
 Brown, Ronald Bob, 801-12051
 Brown, William Winslow, 801-12612
 Bullbear Indicator, Inc., 801-06404
 Burkart, Bruce Howard, 801-11093
 Businessmans Stock Market Letter, 801-09209
 C.A. Management, Corp., 801-09122
 Cal Lind Securities, Corp., 801-06267
 California Municipal Statistics, Inc., 801-00164
 Campbells, Don G Moneyviews, 801-10027
 Capital Growth Advice, Inc., 801-07210
 Carter, Edwin Price, 801-12410
 Cass Quincy Associates, Inc., 801-09666

Cazenove, Inc., 801-10426
 Centennial Advisors, Inc., 801-10747
 Charter Securities Management, Corp., 801-04343
 Cloran Fix II, 801-12580
 Colchamiro, Leon Charles, 801-12172
 Competitive Capital Corp., 801-08011
 Conn, Maurice H., 801-02378
 Consolidated Investment Advisors, Inc., 801-14427
 Cornell, S. Douglas & Co., 801-12142
 Cornish, Joel M. Investment Counsel, 801-08570
 Coronado Management, Corp., 801-08719
 Corporate Financial Services, 801-10625
 Cross, Louis Robert, 801-10416
 Cumulo Management, Inc., 801-08248
 Davidian, John Reports, 801-13121
 Davies, G. L., 801-13582
 Davis, Carl Lee, 801-10031
 Decision Models, Inc., 801-09314
 Depositors Management, Corp., 801-10144
 Dimensional Planning Group, 801-08405
 Dual Vest Research, Corp., 801-08120
 Dunn, Michael Arthur, 801-13558
 East West Investors Group, Inc., 801-09463
 East West Investors Research, Inc., 801-08039
 Economic Advisory Consultants Securities Corp., 801-08989
 Elbee Financial Corp., 801-08905
 Equity Consultant, 801-12087
 Evans, Mark Glenmore, 801-11698
 Farrington, William Benford, 801-11426
 Favero, Dennis Vincent, 801-09987
 Financial Dimensions Publishing, 801-12573
 Financial Dynamics International, 801-13528
 First California Co., Inc., 801-00185
 Fong, Gracina Ding, 801-06890
 Forde, Stephen & Co., 801-11015
 French, Winfred Leyman, 801-09261
 Gibbs, Allison Defrance, 801-10408
 Gordon, Kenneth Raymond, 801-14595
 Graphic Decisions, Inc., 801-07799
 Greve, Joseph Terrence, 801-11034
 Guidelines Research Report, 801-08636
 Hackett, Charles E & Co., 801-06623
 Halbert, Hargrove Advisors, 801-12282
 Hall, Lowell L. Investment Counsel, 801-03014
 Hanson, Boesel & Co., 801-10704
 Hanson, Laird Allen Second, 801-09241
 Hard Facts, 801-14612
 Harlan, Kenneth Robert, 801-14620
 Hawkins, Harold Ray, 801-13903
 Heath & Co., 801-03927
 Hite, James William, 801-13920
 Holmberg, Ronald Edward, 801-13365
 Hoogs, Robert C., 801-04543
 Huff, Robert Craig, 801-09824
 Ifeld, Don Kayley, 801-07854
 Independent Financial Advisors, Inc., 801-09534

- Inger, E. E. & Co., Inc., 801-06329
 Innovative Enterprises, Inc., 801-05584
 Interinvest (America) Ltd., 801-10873
 Investment Advisers West, Inc., 801-08849
 Islander Investment Management, 801-08334
 Iversen, Roderick S. Investment Management, 801-10714
 Jackson, Carl Edward, 801-07237
 Jensen, E. S. & Co., 801-09063
 Jones Investment Co., The, 801-10527
 Jones, Olin Clifton, 801-12799
 Kahan, Richard, 801-14525
 Kahn, Gladys Shirley, 801-11048
 Kalikerinos, Archibald, 801-08990
 Kaufman, Norman Allan, 801-06442
 Kay Cyril Investments, 801-04339
 Kelley, Kalon, 801-05044
 Kitsianis, John, 801-05811
 Las Dave & Associates, 801-08402
 Last, J. T. & Co., 801-04089
 Lauff, John Junior, 801-12835
 Ledzinski, Jerome M. Certified Financial Planner, 801-12708
 Lee Smith & Associates, 801-09469
 Lido Stock Service, 801-10459
 Lincoln Los Angeles, 801-08434
 Lord, Robert, 801-03095
 Madding, Gordon Francis, 801-12076
 Management Service, 801-08619
 Marquard, Steven Sandel, 801-12782
 Matheson Homer & Co., 801-09384
 Mayo, Geoffrey Girdler, 801-00544
 McCormick, Robert L., 801-08189
 McCune, Allan Porter, 801-12734
 McDaniel, James C., 801-06971
 McKee, Donald H., 801-00335
 Michael, Warren Stanley, 801-13074
 Miller, Joseph Hennessy, 801-08585
 Money Supervisory Service 801-09315
 Montgomery, Edwin J. Sr., 801-02531
 Morgan, William R., 801-09146
 Multi Lateral Financial Services, Inc., 801-09214
 Murphy, Nelson Edward, 801-11268
 Nae Research Associates, Inc., 801-10565
 National Association for Employee Benefits, Inc., 801-14481
 Nelson, Joseph Eugene, 801-07161
 Newkirk, Wallace Humphrey, 801-09450
 O'Keefe North Arrow Enterprises, 801-11997
 O'Keefe, Paul, 801-12576
 Omega Investment Co., 801-14131
 Owens, J. L. & Co., 801-13077
 Participant Services, Ltd., 801-13220
 Pathfinder Investment Co., 801-09682
 PCA Management, Corp., 801-13870
 PDL Financial, 801-12966
 Pegasus Management Corp., 801-08217
 Phillips, S. H. & Co., 801-14375
 Pierce Investors Service, 801-08317
 Piper, John S., 801-02960
 Postma, James Lee, 801-10359
 Power, Robert S. Associates, 801-09154
 Preservation Group, 801-11226
 Private Investors, 801-12351
 Real Estate Factors, Ltd., 801-10338
 Reed Financial Resources, 801-14422
 Reiter, Errol, 801-12623
 Riley, Norman Oswald, 801-08980
 RJB Enterprises, Ltd., 801-14010
 Robinson, Lester B., 801-00433
 Royce, Ltd., 801-04136
 RRB Corp., 801-14129
 Ryder, Stilwell, Inc., 801-07345
 Salant, Richard, Corp., 801-09318
 San Francisco Investment Corp., 801-07697
 Sanders & Sanders, 801-05143
 Saunders, Jonathan Edwin, 801-11511
 Saunders, Russell Dale, 801-07312
 Schaffer & Hathaway, Inc., 801-10300
 Scheffey & Courtney, 801-09721
 Scime, Thomas Anthony, 801-13197
 Securities Supervision, Corp., 801-02095
 Selector, 801-11504
 Setterdahl, Kenneth Charles, 801-05825
 Shapiro, E. Joseph, 801-06109
 Shelley, J. Richard AIA, 801-11579
 Shemanski, Philip Lucien, 801-08521
 Sibbet, James Harper, 801-13860
 Siems, Harry W., 801-00404
 Sierra California Financial Corp., 801-13498
 Sinclair, Mary Alexandra, 801-14067
 Smith, Moses Harvey, 801-12177
 Sound Money Management Corp., 801-09484
 Spencer, Ronald V., 801-04278
 Sprenger, David F. Consultant, 801-12802
 Stock Advisory Computer Service, 801-06850
 Stone, Charles Edward, 801-12133
 Synergetic Sciences, Inc., 801-06764
 Tague, Shano, 801-10755
 Technisearch Co., 801-11319
 Tip Financial Planning Corp., 801-10054
 Tobin, Wayne Investment Adviser, 801-10906
 United Stock Timing Service, 801-11967
 University Research Service, 801-11674
 Valle, David Joseph, 801-13998
 Walden Management Group, Inc., 801-07771
 Welch, David Logan, Jr., 801-13241
 Wells, James Thomas, 801-11708
 Whitmore, Fred Investment Adviser, 801-09589
 Wilson, William Geoffrey, 801-13371
 Wilt, Glenn A. Jr., Investment Counselor, 801-02573
 Wood, Burnett, Co., 801-11826
 Wood, Hart Dewit, 801-09513
 World Wide Investments, 801-11446
 Young, Robert Sun, 801-12868
 Zacher, Charles David, 801-02080
 Zimmerman, Stephan Fritz Peter, 801-10735
 1776 Advisory Corp., 801-14165
New York Regional Office
 Advisory Information Services, Ltd., 801-09177
 Advisory Investment Services, 801-04599
 Aggressivestor, Inc., 801-10748
 Allina, Joseph O., 801-03470
 Alphadex Corp., 801-07263
 American Institute of Management, 801-02071
 Apple Advisory, Inc., 801-09722
 Arbitrage Management Co., Inc., 801-07010
 Arista Investment Management, 801-09057
 Aristadata, Inc., 801-13538
 Arpel Financial Services, 801-07295
 Ash, Richard J. Associates, Inc., 801-14009
 Ashman, Wilbur Caspar, 801-08218
 Atai, Yehuda, 801-14170
 Austin Advisory Services, 801-11780
 Bachelier L & Co., 801-10341
 Banister Capital Management, 801-13344
 Bargman, Louis Stock Market Advisory, 801-08308
 Bash, Yigar Amir, 801-11176
 Bednarski, Stanislaw Henryk, 801-09149
 Bernstein, Walter Arnold 801-11231
 Best, A.M. Co., 801-06715
 Biernaski, Eugene Edward, 801-11436
 Blutter, Arthur Irving, 801-09604
 Boose, Robert Eugene Dr., 801-12827
 Bradley Woods & Co., Inc., 801-07408
 Braine, John B., Inc., 801-01700
 Brandt, Harvey, 801-05473
 Braverman, Theodore, 801-05816
 Brookdale Investors Services, Inc., 801-02127
 Brooks, David Howard, 801-11497
 Brown, William Clifford, 801-13388
 Bruno, Malcolm Lyndon, 801-12687
 Bruntaur Asset Management Co., Inc., 801-09739
 Buhl, Stephen Ellery, 801-11882
 Burns, Arthur C. Investment Counsel, 801-05041
 Burns, Robert E., 801-13299
 Callahan, Richard Charles, 801-11785
 Campbell, Jay Enterprises, 801-10815
 Carey, Richard J., 801-10578
 Carlton, Cambridge & Co, Inc., 801-06441
 Cas Investment Services of New York, 801-08671
 Cascio, Vincent, 801-12611
 Castleman, Godwin Munn, 801-05857
 Cezzaroglu, Ali Nokta, 801-10406
 Chartered New England, Corp., 801-06444
 Christian Paine & Co., Inc., 801-09078
 Cimaglia, Alex R., 801-14735
 Clancy Management Corp., 801-09926
 Clark Berne & Tax Shelter Monitor, 801-08807
 Clinard Associates, 801-09395
 CNA Counselors, Inc., 801-04496
 CNA Management Corp., 801-07875
 Cohen, Charles Oscar, 801-08260
 Comparative Systems, Inc., 801-09175
 Comprehensive Management, Ltd., 801-04015
 Computrend, Inc., 801-02909
 Conlin, John Woods, 801-14238

- Consentino, James Carl, 801-12417
 Cov Management Co., Inc., 801-06580
 Cutaia, A.F. & Co., 801-11025
 Diehl, Russell Harvey, 801-05237
 DK & B Management, Inc., 801-08119
 DLJ Realty Funding, Corp., 801-10712
 Doyle, William John, 801-13783
 Drysdale, Richard Mills, 801-10066
 Drysdale Securities Corp., 801-13072
 Duchin, Arthur Martin, 801-09785
 Dupont Glore Forgan, Inc., 801-07455
 Dupont, Walston, Inc., 801-03080
 Durning, Ronald Bresler, 801-08848
 Dynavest Capital, Inc., 801-07853
 East Jersey Computer Corp., 801-11838
 Economic Research, Inc., 801-00916
 Economics & Investment Letter, 801-02951
 Edwards & Hanly, 801-08786
 Emerging Securities Management Co., Inc., 801-08140
 Emeth Management Consultants, Inc., 801-10047
 Excelsior Research, Inc., 801-12715
 Exchange Street Management Corp., 801-12684
 Executives Capital Planning, Inc., 801-02933
 Falcon Management Co., Inc., 801-08871
 Fariston Advisory Service, Inc., 801-08396
 FD & S Management Co., Inc., 801-08064
 Fein, Hal, 801-11938
 Feinberg, Barbara Joy, 801-10355
 Feinman Market Letter, 801-09358
 Ferrara, Caesar Leonard, 801-08316
 Ferruggia Lippman, Inc., 801-08675
 Fiduciary Management, Inc., 801-10531
 Finacor, Inc., 801-07116
 Financial Management, Inc., 801-02255
 Financial Strategists, 801-12271
 First Harlem Management Corp., 801-10098
 First Multifund Advisory Corp., 801-09004
 Fitzgerald, Rebecca Ann, 801-14061
 Forecast, 801-13937
 Foster, Raymond John, 801-11408
 Frost & Sullivan, Inc., 801-13352
 Fund for Clients, 801-11796
 Galat, Stephen Alexander, 801-13346
 Galaxy Asset Management, Inc., 801-08433
 Galaxy Management Corp., 801-07504
 Gelbspan, Herbert Robert, 801-10295
 Gentrys Momentum Studies, 801-07569
 Gibbons De Brantes & Co., Inc., 801-05586
 GKS Associates, Inc., 801-06748
 Glasser, Richard Benjamin, 801-14076
 Glassman, Simon Isaac, 801-10830
 Goldner, George S., 801-11983
 Goodbody & Co., Inc., 801-07131
 Gould, Arthur, Inc., 801-09366
 Gould Position, Inc., 801-04051
 Grand Central Advisory Corp., 801-08542
 Grant, Lindsey & Co., 801-10658
 Great Peking Investment Service, 801-10454
 Gretz, Stephen Randolph, 801-11611
 Haas, G.C. & Co., 801-00898
 Halsted Advisory Corp., 801-11148
 Hardy & Co., 801-04536
 Hart, R.E. & Co., Incorporated, 801-04176
 Hayden Stone, Inc., 801-02821
 Heilman, James M. Assoc., 801-11154
 Henderson, Ian R., Inc., 801-05418
 Henner, Solomon, 801-01339
 Heron, William Julian, 801-13950
 Herzog & Co, Inc., 801-09665
 Hirsch, Gerald Paul, 801-10250
 HM Equities, 801-06412
 Homes, Coleman A., 801-12173
 Hoppin Watson, Inc., 801-07620
 Hornblower Asset Management Corp., 801-03089
 Hoyer, Walter F. & Associates, 801-07014
 Hundt, Robert W., 801-02860
 Independent Securities, Corp., 801-12463
 Intercontinental Research & Analysis Co., 801-01266
 International Investment Services, Inc., 801-13598
 International Moneyline, 801-11156
 Investment Management of Northern Westchester, 801-09576
 Investment Opportunities Forecaster, Inc., 801-05627
 Investment Strategist, 801-14072
 Investors Advisor, 801-06739
 Investors Charting Service, 801-08443
 Investors Evaluation, 801-09270
 Investors Research Advisory, 801-08735
 IRGO & Co., 801-02015
 IRI Management Corp., 801-08757
 Isabella, Nicholas Paul, 801-11006
 Jade Management, 801-11628
 JC Advisory Service, 801-11329
 Jeanneret, John Patrick, 801-09788
 Kaminski, Einan, Inc., 801-14494
 Karp, Joseph B., 801-03107
 Kelly, Christopher Gerard, 801-09632
 Kerry Corp., 801-10641
 Keston, Thomas Rein, 801-12201
 Kimerling, Andrew Bruce, 801-14193
 Kingsley, Maurice Simon, 801-02941
 Kluger, A. C. Management Co., 801-08841
 Knafel, Morton B., 801-00700
 Knickerbocker Shares, Inc., 801-07891
 Konkle, Howard Theodore, 801-11058
 Krembs, Francis Gregory, 801-07002
 Kuhn Loeb & Co., 801-00924
 La Course, William Carl, 801-06560
 Lamb, John Allen, 801-06943
 Lee Letter, 801-13367
 Leiwant Agency, 801-09639
 Lenehan, J. Robert, 801-10154
 Leyden Investment Advisory Service, 801-10794
 Leyner Dreskin & Co., 801-08643
 Lipman, David P. E., 801-05329
 Liquifund Management Corp., 801-10289
 Lockwood, Mann & Clayton, Inc., 801-08928
 Loeb, Carl M. Rhoades & Co., 801-00810
 Loeb, John L. Jr. Associates, Inc., 801-11627
 Loeb, Rhoades & Co., 801-12515
 Loeffler, X. W., 801-00827
 Lombard, Nelson & McKenna, Inc., 801-03537
 Long Island Investor, 801-05217
 Lucander & Co., 801-07580
 Lukash, S. M. & Co., 801-08341
 Lustik & Co., 801-13281
 M & M Investment Advisory Service, 801-09456
 Maass, Paul, 801-07282
 MacDonald, Morgan Scott, 801-07679
 MacHatton Investment Co., Inc., 801-11258
 Macrovest, Inc., 801-05472
 Maggin Advisory Services, Inc., 801-04499
 Malca Investment Advisory Service, 801-07538
 Manley Cooke & Co., Inc., 801-06105
 Marchese Money Management, Inc., 801-10752
 Market Analyzer, 801-12511
 Markowitz, S. Associates, Inc., 801-11059
 Mates Management Co., Inc., 801-08052
 Maxmark Investment, 801-13088
 McDonald, Paul & Co., Inc., 801-04630
 McFadden Investment Advisory, Inc., 801-09668
 McGowan, Edward M., 801-05600
 McKenna, W. L. & Associates, Inc., 801-10058
 McMillan Analysis Corp., 801-10629
 McQuillan, Patricia Fogarty, 801-04705
 McShane Co., 801-09712
 Meister, Richard Paul, 801-03688
 Meredith, James Howard, 801-07293
 Mesler, Donald Tranchand, 801-10229
 MFA Communications, Inc., 801-09308
 Mid Atlantic Consultants, Inc., 801-11578
 Miller, I. Advisory Services, Inc., 801-13205
 Minasian, Ralph, 801-03726
 Monchik, Weber Associates, Inc., 801-11491
 Morgan, Rogers & Rogers, Inc., 801-00752
 Multi Spectrum Investing Corp., 801-09112
 Murphy, John I., 801-07377
 National Investment & Financial Services, 801-14069
 Neble & Lawrence, Inc., 801-11658
 Nelson, George J., Co., 801-01606
 Neuwirth Financial Corp., 801-08000
 Neuwirth Management & Research Corp., 801-08001
 Newburger Loeb & Co., Inc., 801-07548
 Newhouse Capital Corporation, 801-09393
 Niederhoffer Cross & Zeckhauser, Inc., 801-06150
 North American Financial Services, 801-14529
 Nostelle International Consultants, Inc., 801-10754

- O'Brien, Joseph H. II Securities Management, Inc., 801-14629
 O'Brien, Al Associates, 801-09511
 O'Hara, Bryan Henry, 801-10013
 Option Account Service, Inc., 801-09066
 Options Management Report, 801-13765
 Ostriker, Jon, 801-12194
 Own Canoe Corp., 801-09127
 Pad Investment Corp., 801-13431
 Paddock, Robert Martin, 801-13823
 Pasternack, Barry Alan, 801-11418
 Performance Growth, Inc., 801-09832
 Personal Asset Management Corp., 801-08706
 Personal Finance Research, Inc., 801-12099
 Petri, Daniel Joseph, 801-11544
 Pettit, Karl D. & Co., 801-00772
 Pheifer, John Patrick, 801-14015
 Pinkhan, Robin Remick, 801-11255
 PMCS Advisers, Inc., 801-08515
 PPS Securities Corp., 801-08950
 Probe Research, Inc., 801-12324
 Purris, Jacques S., 801-10941
 Pyramid Funds Corp., 801-11632
 Quantum Science Corp., 801-03207
 Ragnar Option Corp., 801-11313
 Recorr, Charles Kenneth, 801-12866
 Reed, Harry M., 801-03845
 Regal Advisory, 801-05139
 Ricardo Associates, Inc., 801-08203
 Richardson, John J., 801-01934
 Rinfret Associates, Inc., 801-04650
 Rinfret Management Co., Inc., The, 801-08131
 Roberts, Richard J. Consultants, Inc., 801-05178
 Rodgers, Robert D. & Co., Inc., 801-14489
 Rogers, Rufus Irving, 801-00823
 Roll, Peter B., 801-02711
 Rosen, Mark I., 801-08577
 Rosenkrantz, Ehrenkrantz, Lyon & Ross, Inc., 801-08617
 Ross, Stebbins Asset Management, 801-10665
 Roth, Murray J., 801-05266
 Roth, William Walter, 801-11330
 Saddy, Frederick Lewis, 801-10763
 Sands, Eugene, 801-10745
 Sataur Capital Management Corp., 801-08078
 Saxton G. A. & Co., Inc., 801-10564
 Schapiro, M. B. Advisory, Inc., 801-12265
 Scheinman, Hochstin & Trotta, Inc., 801-03347
 Scheinman, Peter W. Corp., 801-10497
 Schickel Equity Potential Research Service, Inc., 801-05720
 Schorr, Paul Louis, 801-14607
 Schwartz & Co., 801-05410
 Scientific Systems Services, 801-08756
 Scully, John Francis, 801-05706
 Selected Investors Advisory, 801-10835
 Shaw Management Co., Inc., 801-08061
 Sheets, Lawrence St. Clair, 801-14323
 Shuchman Amos, 801-08800
 Siko Co., 801-06055
 Simon, Francis Malcolm, 801-09729
 Simplex Munditiis, 801-07527
 Simpson, Douglas Winfield, Jr., 801-10326
 Sinclair, James Edwin, 801-10508
 Smith, G. W. Enterprises, 801-08890
 Snow, C. W. Co., 801-06364
 Social Dimensions Management Corp., 801-08270
 Space Time Forecasting of Economic Trend, 801-03788
 Spectra Commodities, Ltd., 801-10473
 Speculator, 801-03342
 Starbuck, Michael, Inc., 801-13342
 Stein, Walter A., 801-08493
 Stewart Data, Inc., 801-14212
 Stock Market Appraisal, Inc., 801-13110
 Stock Market Evaluations, 801-06743
 Stock Watch, 801-11704
 Stroller, Martin Reid, 801-14548
 Stuart, Charles & Co., Inc., 801-08206
 Suarez Investments, 801-06725
 Sullivan, J. Langdon & Co., 801-00707
 Swanson Management, 801-11250
 Talabac, Leon V., 801-00698
 Target 20%, 801-12671
 TDA Associates, Inc., 801-12997
 Technically Yours, 801-05129
 Technology Growth Stocks, 801-09966
 Technology Investor, 801-09923
 Technology Reports, Inc., 801-09569
 Tecton Investors Advisory Service, Inc., 801-06614
 Time Capital Investor Advisory Service, Inc., 801-11732
 Tosini, Joseph, 801-07576
 Town Topics Financial Bureau, 801-00701
 TPA Consultants, Inc., 801-14269
 Tri Economic Research Service, 801-07444
 Tritshler, Donald, 801-05873
 Troll, John H., 801-13014
 Trovato, Joseph, 801-12745
 Ungerleider Haidas Management Corp., 801-10996
 Union Asset Managers, 801-06871
 University Applied Management Consultants Corp., 801-05864
 Valid Value Corp., 801-06386
 Versfelt, Mason & Donegan, Inc., 801-04005
 VTG Investment Advisory Service, 801-13432
 Walker, G. H. Laird, Inc., 801-07449
 Walters, Yeckes & Gallant, Inc., 801-06098
 Warburg, S. G. Securities Corp., 801-05200
 Wark, John Frederick, Jr., 801-07779
 Warren, Francis, 801-10696
 Wealth Specifics, Inc., 801-11101
 Weischedel, Herbert Rudolf, 801-11654
 Weiss, Martin D. Research, Inc., 801-10118
 Weiss, Richard H., 801-07427
 Welch, Robert Daniel Peter, 801-13553
 White, Leo Everett, 801-10845
 Whitehall Co., 801-06168
 Wiesner, Milton G. Dr., 801-13933
 Wilcap Associates, 801-14592
 Williams, Oscar Kubli, 801-12614
 Williamson, A. L. & Co., 801-10142
 Winters, Andrew Merrill, 801-00669
 Winthrop, Brown & Co., Inc., 801-10268
 Wolk, I. Louis, 801-12294
 Wollcot, Westley & Co., Inc., 801-03183
 Your Tomorrow, Inc., 801-04619
 Zarlenga, Stephen Anthony, 801-12698
 Zilenger, David Whiteside, 801-12371
 666 Equities Corp., 801-11649
- Seattle Regional Office*
 AVS Research, Inc., 801-14630
 Conspector, 801-11266
 Dumke Investment Services, 801-06559
 Economic Services, 801-07647
 Executive Investment Advisory, 801-14176
 Financial Wizards for International Investors, 801-11369
 Fisher, James Hayden, 801-13300
 FTCS Investment Advisory Service, Inc., 801-09266
 Hally, Gordon Craig, 801-09148
 Income Management, 801-10623
 Insider Indicators, Inc., 801-14558
 Investment Advisory Service of Montana, 801-9690
 Johnson, R. K. & Associates, 801-9800
 Magee, William Co., The, 801-11432
 Monetary Research Corp., 801-10470
 Nagy, William, 801-7803
 Newslog Publications, 801-9994
 O'Brien, Terrence M. Registered Investment Counsel, 801-07320
 Tax Shelter Advisers, Inc., 801-10518
 Tierney, John Francis, 801-12677
 Trendletter, 801-12939
 Williams Reports Professional Timing, 801-10239
- Washington Regional Office*
 A.R.M. Management Co., 801-08687
 A/C Investment Letter, The, 801-05180
 ABC Financial Advisor, 801-12433
 Accudata, 801-09371
 Advanced Investors Management, Inc., 801-05900
 All States Investment Service, 801-04606
 Altemus, Edward Lee, 801-07752
 Analytical Enterprises, Inc., 801-08630
 Arthur Associates, 801-12992
 Aslan Associates, Inc., 801-13482
 Asset Business & Tax Management, Inc., 801-13874
 Asset Management Co., 801-12669
 Associated Fund Management Corp., 801-08277
 Atlantic Financial & Advisory Corp., 801-1445
 Barbee, William Clifford, Jr., 801-12758
 Barnes Investment Service, 801-08044
 Basil Investment Corp., 801-10043
 Black, John Gardner, 801-11077
 Blank, Lester, 801-12005
 Boroojeni Farzad Farahmand, 801-13796
 Breedlove, Kendall Harold, 801-07645
 Bretwalda Corp., 801-02610

- Brittingham, Ernest Orlando Chip, Jr., 801-14228
 Brown, Lewellyn Alphonzo, 801-04688
 Burr, Benjamin Munroe, 801-11590
 C & P Investment Advisory Service, 801-08537
 Capital Planning Services, Inc., 801-13242
 Carleton, Hayward Cushing, 801-10599
 Carney, John Walter, Jr., 801-13859
 Centurion Service, The, 801-04300
 Comerford, William Michael, 801-14540
 Comotrends, 801-10799
 Corinthian Associates, Inc., 801-09403
 Couch, Ronald Co., 801-13912
 Counselor Investment Corp., 801-06140
 Craigmiller, Ltd., 801-09218
 Creation Organization, 801-12626
 Day, Michael G., 801-13789
 Delta Capital Management, Inc., 801-09720
 Derand Financial Services, Inc., 801-14376
 Dietrich, Kurt Edwin, 801-13168
 Donovan, John Vincent, 801-13580
 Dym, Frank & Co., 801-08917
 Ehlman & Associates, 801-11722
 Ehrlich, Robert Frank, 801-13705
 Erdner Enterprises, Inc., 801-09171
 Federalist Management Corp., 801-08324
 Financial Advisory Services, 801-07493
 Financial Advisory Services, Inc., 801-11212
 First Financial Corp. of Virginia, 801-12326
 Fontes, Donald Francis, 801-08391
 Franklin Realty Investor Service Corp., 801-11302
 Freeman, Charles B. E., 801-09445
 Fries, Malcolm Graham, 801-13477
 Gallagher, Bernard J., Jr., & Associates, 801-12595
 Go Hauw Tiang, 801-05767
 Gore, Frank Marion, 801-12090
 Greteastern Investment Management Corp., 801-08195
 Groth Kligman Moyses & Co., Inc., 801-10376
 Group Financial Services, Inc., 801-12364
 GTL Investor Service, 801-05881
 Hall, Robert, 801-05681
 Haltaman, Monroe J., Jr., Investments., 801-11153
 Hanover Advisory, 801-14297
 Harrington, S., Inc., 801-10252
 Hart, Neal Franklin, 801-12127
 Hart, Robert Harland, 801-11489
 Heidrich, George Conrad, 801-07849
 Highpoint Investors, 801-08870
 Hotaling, William Willard, Jr., 801-07886
 I & O Publishing Co., 801-06821
 Informed Investment Strategy, 801-09267
 International Money Management Corp., 801-14229
 Investment Analysis, 801-09196
 Investment Associates, 801-04833
 Investment Growth Corp., 801-07241
 Investment Services, Ltd, 801-13326
 Investment Timing & Selections, 801-14565
 Investors Advisory Service, 801-08632
 Investors Chronometer, The, 801-08460
 Investors Financial Survey, Inc., 801-07176
 Investors Safety Index, 801-10797
 Isaacs, Frederick J., 801-10063
 Jems Advisory Service, 801-07451
 Jenkins Management, 801-09164
 Johnson & Crowley, 801-08484
 Johnson, E.R. Associates, Inc., 801-11296
 Kosarowich, John Thomas, 801-12902
 Kramer, John William, Sr., 801-11352
 Kruzeski, C.J. & Associates, Inc., 801-13691
 Labco Management, Inc., 801-04835
 Lange, Elmer Arthur, 801-13040
 Larco Investment Management, 801-04493
 Leinbach, Eric Leinbach, 801-12679
 Lowenthal, Rodger Daniel, 801-14568
 Macklem, Stephen Glenn, 801-14258
 Mahon, 801-10368
 Manson, Frank Richard, 801-13410
 Market Trends, Inc., 801-07056
 Martin, John Nevin, 801-10372
 Miller, William Wyatt, Sr., 801-07860
 Mitcham, Merle Benton, 801-12250
 Mitchell, John C., 801-13844
 Multi-National Money Management Co., Inc., 801-10001
 Nancarrow, James E. Investment Adviser, 801-04801
 National Institute for Security Analysis, Inc., 801-08347
 New Energy Investment Co., 801-13096
 Niedland, Peter, Inc., A Delaware Corp., 801-09914
 O'Day, S. Richard, 801-13093
 Orr, Edwin Frank, 801-12801
 Owston, William J., 801-09483
 Performance Fund Selector Report, 801-06570
 Phillips, John Joseph, Jr., 801-04689
 Popovich, George, 801-05286
 Porteous, Douglas K., 801-01532
 Potts, Bobby Lee, 801-07657
 Robinson, James Adams, 801-05842
 Scope Investments Co., 801-12437
 Seek Investment Advisors, Inc., 801-12458
 Serendipity Service, The, 801-05408
 Singh Investment Planning Co., 801-12821
 Slack Investment Services, 801-13159
 Sonnex Inc., 801-09280
 Spillane, J.L. Co., 801-07389
 Stapleton, Lawrence Michael, 801-11678
 Stock Search Investigation & Evaluation, 801-10993
 Stowe, A.W., 801-11349
 Street, 801-09432
 Strunk Economic Report, 801-06012
 Taylor, Robert Gerald, 801-07158
 Time Wave, 801-09915
 Tucker, E., & Associates, Inc., 801-08404
 Umstead, David Allan, 801-12093
 Venture Securities Corp., 801-05069
 Vista, 801-09734
 Walker, John W., 801-11744
 Washington Forum, Inc., The, 801-09017
 Wiedlich & Associates, Inc., 801-12857
 Whelen, W.N. & Co., Inc., 801-14516
 Wills, J.W. Publishing Co., 801-11813
 Wittmaack, John Albert, 801-09894
 Wood, Christopher Simmons Winslow, 801-12068
 Woody, Edward Ronald, 801-09343
 Yampolsky, Miron, 801-14120
 Yarnall, Biddle & Co., 801-09221
 Zern, Saltzman & Co., Inc., 801-08592

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[Release No. 12315, 812-4915]

Gallatin Investment Corp.; Application

March 19, 1982.

In the matter of Gallatin Investment Corporation, P.O. Box 7048, Wilmington, Delaware 19803, (812-4915).

Notice is hereby given that Gallatin Investment Corporation ("Applicant"), a Delaware corporation, filed an application on July 7, 1981, and an amendment thereto on January 19, 1982, pursuant to Section 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting Applicant from all provisions of the Act, subject to certain conditions. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant states that it was incorporated on August 1, 1980, under the laws of the State of Delaware, and that it is a wholly owned subsidiary of GNB Corporation ("GNB"), a one-bank holding company incorporated under the laws of the Commonwealth of Pennsylvania and registered under the Bank Holding Company Act of 1956. As of December 31, 1980, GNB's total consolidated assets were approximately \$574 million. GNB's principal subsidiary is Gallatin National Bank ("Gallatin"), which is engaged in the commercial banking and trust business in Southwestern Pennsylvania.

Applicant states that it was organized in order to consolidate GNB's holdings of certain marketable securities for investment purposes under a separate corporate entity for ease of administration, accounting, record-keeping, and local tax considerations. According to the application, GNB holds all securities issued by Applicant, and no public offering of debt or equity securities issued by Applicant will be made.

Applicant represents that its only assets will be cash, investment securities that GNB or Gallatin would be permitted to hold under applicable law and regulations, and obligations between Applicant and GNB or Gallatin.

The application states that it is not anticipated that Applicant will engage in any other business. As GNB is primarily engaged through its wholly owned subsidiary, Gallatin, in the business of banking, Section 3(c)(6) of the Act excludes it from investment company status. As Gallatin is a banking institution organized under the laws of the United States and is a member of the Federal Reserve System, Sections 2(a)(5)(A) and (B) and 3(c)(3) of the Act exclude it as well from investment company status.

Section 3(a)(3) of the Act defines the term "investment company" to include any issuer which is engaged or proposes to engage in the business of investing, reinvesting, owning, holding or trading in securities, and owns or proposes to acquire investment securities having a value exceeding 40 per cent of the value of such issuer's total assets (excluding Government securities and cash items) on an unconsolidated basis.

Applicant states that under present circumstances it is excluded from investment company status for most purposes of the Act by Section 3(c)(1) of the Act. That section provides that, notwithstanding Section 3(a), an issuer is not an investment company if its outstanding securities (other than short-term paper) are beneficially owned by not more than one hundred persons and if it is not making and does not presently propose to make a public offering of its securities. According to the application, since the value of Applicant's securities does not currently exceed ten percent of the value of GNB's total assets, GNB is deemed to be the sole beneficial owner of Applicant's securities, and Applicant is therefore excluded from investment company status except for the provisions of Section 12(d)(1) of the Act. However, according to the application, it is anticipated that the value of Applicant's securities may exceed ten per cent of GNB's total assets. Under the provisions of Section 3(c)(1), the ownership of Applicant's securities would then be attributed to the owners of GNB's outstanding securities (other than short-term paper), who number more than one hundred, and thus Applicant would no longer be covered by the Section 3(c)(1) exclusion. In addition, GNB may in the future cause Applicant to invest in securities of money market funds or other investment companies, or make other investments

which may be prohibited by Section 12(d)(1) of the Act.

Rule 3a-3 under the Act provides an exclusion from investment company status for certain companies owned by companies which are not investment companies. In order for a subsidiary corporation to qualify for the exclusion provided by this rule, its parent must, among other things, meet certain criteria set forth in paragraph (a) of Rule 3a-1. That paragraph requires that no more than 45 percent of the subject corporation's total assets (excluding Government securities and cash items) consist of, and no more than 45 percent of its net income after taxes derive from securities other than Government securities, securities issued by employees' securities companies, and securities issued by certain subsidiaries or controlled corporations. These percentages are to be determined on an unconsolidated basis, except that the parent's financial statements are to be consolidated with those of any wholly-owned subsidiaries.

Applicant states that, if GNB's financial statements are consolidated with those of its wholly-owned subsidiaries, Gallatin and Applicant, it is not possible to determine with certainty whether GNB meets the 45 per cent asset and income limitations set forth in paragraph (a) of Rule 3a-1 because of the indeterminate legal status of certain of its assets and because of the variability from time to time of the amounts of those assets as a percentage of its total assets. A substantial portion of GNB's consolidated assets consists of commercial, real estate, and consumer loans, typically represented by notes, bonds, and other evidence of indebtedness. Applicant states that the legal standards for determining whether or under what circumstances such loans would be considered securities for the purposes of Rule 3a-1 are unclear, and that the factual information necessary to determine what portion of those loans would constitute securities under any particular legal standard is not readily available. Similarly, Applicant states that it is not possible to determine what portion of the income attributable to those loans would be deemed to be derived from securities. Finally, the proportion of GNB's consolidated assets and income represented by outstanding loans or by equity securities varies from time to time depending on prevailing economic conditions and other factors. Applicant concludes that there is no assurance that GNB now meets or will in the future meet the conditions of Rule 3a-1, paragraph (a), and there is thus no

assurance that Applicant will qualify for the exclusion provided by Rule 3a-3.

Applicant submits that its requested exemptive order should be granted pursuant to Section 6(c) of the Act because it is not the type of company to which the provisions of the Act were intended to apply. Applicant states that only GNB and possibly Gallatin will invest in it. Applicant notes that it will invest only in securities that could be held by GNB or Gallatin under applicable law, and that no questions under the Act would arise if such securities were held directly by GNB or Gallatin or by a division of either. Applicant states that it and its related companies are subject to supervision by various banking authorities and by the Commission. All securities of Applicant will, according to the application, be held by GNB, a bank holding company which is registered under the Bank Holding Company Act of 1956 as amended. GNB and its subsidiaries are therefore subject to regulation by the Board of Governors of the Federal Reserve System. GNB is also registered under the Securities Exchange Act of 1934, as amended, and is subject to the reporting requirements and other safeguards of that Act. Gallatin is a member of the Federal Reserve System and of the Federal Deposit Insurance Corporation, and its business is subject to regulation by various federal and state banking authorities and examination by the Comptroller of the Currency. Applicant states that it is a wholly owned subsidiary of GNB, which, as a bank holding company, is expressly excepted from investment company status, and that Applicant's purpose is only to consolidate GNB's holdings of securities into a separate corporate entity for administrative, tax, and other business reasons.

Applicant agrees that any order granted by the Commission on its application may be effective only so long as (a) GNB remains a bank holding company subject to the Bank Holding Company Act, and (b) all capital stock of Applicant is held by GNB and/or Gallatin. Applicant represents that it will take such steps as are reasonably necessary to assure that the book value of its assets, together with the assets of any other subsidiaries of GNB that either are investment companies (as that term is defined in Section 3(a) of the Act) or are excluded from the definition of an investment company solely by reason of the applicability of Section 3(b) or Section 3(c)(1) of the Act, or are exempt from registration pursuant to Section 6(c) of the Act, does not exceed one third of the book value of GNB's

consolidated assets. For these purposes Applicant may rely on GNB's regularly prepared financial statements. Applicant further represents that if it comes to the attention of Applicant's Board of Directors that the book value of such assets exceeds the limitation set forth above, Applicant will use its best efforts to bring itself into compliance with such limitation within a reasonable time thereafter.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security or transaction or any class or classes of persons, securities, or transactions from any provision of the Act or any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Applicant submits that for the reasons stated above granting its requested exemptive order is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than April 12, 1982, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-8030 Filed 3-24-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 12316; 812-5024]

Guardian Insurance and Annuity Co., Inc.; Application

March 19, 1982.

In the matter of The Guardian Insurance & Annuity Company, Inc., The Guardian/Value Line Separate Account, and GLICOA Association, Inc., 201 Park Avenue South, New York, NY 10003 and Value Line Securities, Inc., 711 Third Avenue, New York, NY 10017, (812-5024).

Notice is hereby given that The Guardian Insurance & Annuity Company, Inc. (the "Company"), The Guardian/Value Line Separate Account (the "Account"), GLICOA Associates, Inc. ("GLICOA"), and Value Line Securities, Inc. ("Value Line") (together, "Applicants"), filed an application on November 27, 1981, and an amendment thereto on February 8, 1982, for an order of the Commission pursuant to Section 11 of the Investment Company Act of 1940 ("act") approving certain offers of exchange and pursuant to Section 6(c) of the Act granting exemptions to the extent requested from Section 2(a)(32), 2(a)(35), 22(c), 26(a), 26(a)(2)(C), 27(c)(1), 27(c)(2), and 27(d) of the Act and Rule 22c-1 thereunder. The Account, a separate account of the Company, is registered under the Act as a unit investment trust. The Company is the sponsor-depositor for the Account. The Account was established for the purpose of funding single premium and flexible premium individual deferred variable annuity contracts ("Contracts"). GLICOA and Value Line are the principal underwriters of the Contracts. All interested persons are referred to the application on file with the Commission for a statement of the facts and representations contained therein, which are summarized below.

Applicants state that the application was filed to permit Applicants to offer flexible payment Contracts the provisions of which are similar or identical to those of the single payment Contracts currently being issued. Applicants have previously been granted an exemptive order of the Commission (Investment Company Act Release No. 11788 dated May 21, 1981) in connection with such single payment Contracts.

The minimum initial purchase payment under the flexible premium Contracts is \$500, with additional payments of at least \$100 accepted. However, if the Contract is purchased by or in connection with an employer sponsored plan or through employee payroll deductions, the minimum initial payment is \$50. The Company does not impose an initial sales charge on purchase payments. If, however, a Contract is totally or partially surrendered during any of the years in which a contingent deferred sales charge applies, a means is provided for the Company to recover its sales expenses. The contingent deferred sales charge for flexible payment Contracts will be the lesser of 5% of the total payments made during the 72 months immediately preceding the date of withdrawal, or 5% of the amount being withdrawn. In any Contract year after the first, 10% of the total premiums paid under the flexible payment contract in the last 72 months immediately preceding the date of the withdrawal can be withdrawn without application of the charge. The maximum amount of the contingent deferred sales charge during the 72 months immediately preceding the date of withdrawal will never exceed 5% of the total of payments made during such period. If a contractowner requests a partial redemption which results in reducing the value of his Contract to less than \$250 on the date of redemption, the Company will redeem the total Contract and pay the remaining balance to the contractowner. Such involuntary surrender would be subject to the contingent deferred sales charge if the charge would otherwise be applied.

Other charges under the flexible payment Contracts are any applicable state premium taxes, charges for the Company's administrative expenses and for its assumption of mortality and expense risks. Applicants state that premium taxes will be deducted either from Contract payments or from the Contract value upon annuitization as determined by applicable state law. Applicants further state that prior to annuitization, the Company will deduct a charge of \$35 from the flexible payment Contract value as of each anniversary of the issue date. This charge will cover the Company's administrative expenses and is guaranteed. The Company assumes a mortality risk, including a Death Proceeds risk and an expense risk. For assuming these risks, the Company makes a daily charge of 1% on an annual basis against the value of the assets of each subdivision of the Account. Of this,

.65% is for the mortality and death benefits risk and .35% is for the expense risk.

Where permitted by state law, applicable regulations and the applicable retirement plan, a contractowner may before and after the annuity commencement date transfer all or part of the value of his Account subdivision(s) to another or other Account subdivision(s), provided that he may have accumulations in no more than four subdivisions at any one time. Pre-annuity transfers may be made up to 30 days before the annuity commencement date only. The Company reserves the right to limit the frequency to not more than one per 30 days. After the annuity commencement date, a contractowner may transfer all or a part of the annuity units credited to his account effective December 31st, provided certain conditions are met. Prior to the date annuity payments begin, each transfer will be based upon the appropriate accumulation unit values as of the valuation date coincident with or next following the date transfer instructions are received by the Company. Where such transfer is requested after annuity payments have begun, the number of annuity units in the old subdivision will be changed to reflect the units in the new subdivision based upon their respective values the December 31st next following receipt of the instructions by the Company. No charge will be made by the Company for effecting any transfer.

Applicants state that all assets of the Account are held in custody for safekeeping by the Account. The assets of each subdivision are physically segregated from the assets of other subdivisions. If issued, shares of the underlying mutual funds in each subdivision may be left on deposit with the shareholder servicing agent(s) of the underlying funds. The Account will maintain a record of all purchases and redemptions for shares of the underlying funds held in each subdivision.

Contingent Deferred Sales Charge

Section 2(a)(35) of the Act defines "sales load" as the difference between the price of a security to the public and that portion of the proceeds from its sale which is received and invested, less any portion of such difference deducted for trustee's or custodian's fees, insurance premiums, issue taxes, or administrative expenses or fees which are not properly chargeable to sales or promotional activities. Applicants request an exemption from the provisions of Section 2(a)(35) to the extent necessary to permit the offer of the flexible payment Contracts with the described

contingent deferred sales charge pricing arrangement.

Section 27(c)(2) of the Act provides, in substance, that the issuer of a periodic payment plan certificate and a depositor or underwriter for such an issuer are prohibited from selling any such certificates unless, among other things, the proceeds of all payments, other than the sales load, on the certificates are deposited with a trustee or custodian having the qualifications prescribed in Section 26(a)(1) and are held by such trustee or custodian under an agreement containing, in substance, the trust indenture provisions required by Sections 26(a)(2) and 26(a)(3) of the Act. Section 26(a)(2)(C) of the Act provides that no payment to the depositor of, or principal underwriter for, a registered unit investment trust (or to any affiliated person or agent of such depositor or principal underwriter) shall be allowed the trustee or custodian as an expense except for payment of a fee, not exceeding such reasonable amount as the Commission may prescribe as compensation for performing bookkeeping and other administrative services of a character normally performed by the trustee or custodian. Applicants request an exemption from the provisions of these sections to the extent necessary in order to permit the offer and sale of the proposed flexible payment Contracts with the contingent deferred sales charge.

Section 2(a)(32) of the Act, in substance, defines a redeemable security as a security under the terms of which the holder is entitled to receive approximately his proportionate share of the issuer's current net assets, or the cash equivalent thereof. Section 27(d) of the Act, in substance, requires that the holder of a periodic payment plan certificate be able to surrender his certificate within a specified time and receive the value of his account and the return of sales charges in excess of a certain percentage. In order to resolve any issues concerning the applicability of Sections 2(a)(32) and 27(d), exemptive relief is sought from those sections.

Section 27(c)(1) of the Act, in pertinent part, makes it unlawful for any registered investment company issuing periodic payment plan certificates, or for any depositor or underwriter of such company, to sell any such certificate unless it is a redeemable security. Applicants request the necessary exemption from Section 27(c)(1) of the Act.

Rule 22c-1, promulgated under Section 22(c) of the Act, in pertinent part, prohibits a registered investment company issuing a redeemable security

from selling, redeeming or repurchasing any such security except at a price based on the current net asset value of such security. In order to avoid any doubt about the possibilities of an adverse interpretation of Section 22(c) or Rule 22c-1, Applicants seek an exemption from these provisions.

Further Exemptions Requested

Sections 26(a) and 27(c)(2)

Section 27(c)(2) prohibits a registered investment company or a depositor or underwriter for such company from selling periodic payment plan certificates unless the proceeds of all payments, other than the sales load, are deposited with a bank as trustee or custodian having the qualifications prescribed in Section 26(a)(1) and held under an indenture or agreement containing, in substance, the provisions required by Sections 26(a)(2) and (3) for a unit investment trust. Section 26(a)(2) requires that the trustee or custodian segregate and hold in trust all securities and cash of the unit investment trust and places certain restrictions on charges which may be made against the trust income and corpus. As pertinent here, Section 26(a)(2)(C), provides, in substance, that no payment to the depositor or principal underwriter of a unit investment trust shall be allowed the custodian bank as an expense, except a fee, not exceeding such bookkeeping and other administrative services normally performed by the custodian. Section 26(a)(3) governs the circumstances under which the trustee or custodian may resign.

Applicants request exemptions from Sections 26(a) and 27(c)(2) of the Act in order that: (1) Assets of the Account may be held under the terms and conditions and subject to the fees and charges (including the asset charge and any premium tax charges) set forth in the application rather than by a trustee or custodian pursuant to an indenture or agreement as provided in those sections; (2) certificates for shares of the underlying mutual funds may be held in an "open account" system; and (3) assets of the Account although segregated will not be required to be held in trust. Applicants consent to the foregoing exemptions being made subject to the following conditions: (1) That deductions under the flexible payment contracts for administrative services shall not exceed such reasonable amounts as the Commission shall prescribe, jurisdiction being reserved for such purpose, and (2) that the payments of sums and charges out of the assets of the Account shall not be

deemed to be exempted from regulation by the Commission by reason of the requested order, provided that Applicant's consent to this condition shall not be deemed to be a concession to the Commission of authority to regulate the payment of sums and charges out of such assets other than charges for administrative services, and Applicants reserve the right in any proceeding before the Commission or in any suit or action in any court to assert that the Commission has no authority to regulate the payment of such other sums or charges.

Section 11

Section 11(a) of the Act provides that it shall be unlawful for any registered open-end company or a principal underwriter for such a company to make or cause to be made an offer to the holder of a security of such company or of any other open-end investment company to exchange his security for a security in the same or another such company on any basis other than the relative net asset values of the respective securities to be exchanged, unless the terms of the offer have first been submitted to and approved by the Commission. Section 11(c) provides that, irrespective of the basis of exchange, the provisions of Section 11(a) shall be applicable, in part, to any offer of exchange of any securities of registered unit investment trusts for the securities of any other investment company. Applicants do not necessarily concede that Section 11 is applicable to the type of transfers described in the application. Nevertheless, because this view is not free from doubt, it is believed that it is appropriate to seek Commission approval of the proposed transfers.

Section 6(c) authorizes the Commission to exempt any person, security, or transaction, or any class or classes or persons, securities, or transactions, from the provisions of the Act and rules promulgated thereunder if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Applicants contend that the requested exemptions are necessary and appropriate in the public interest and consistent with the protection of investors and purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than April 8, 1982 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his

interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally by mail upon the Applicants at the addresses stated above. Proof of such service (by affidavit, or in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following April 8, 1982 unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 82-8029 Filed 3-24-82; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Air Traffic Procedures Advisory Committee; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. 1) notice is hereby given of a meeting of the Federal Aviation Administration Air Traffic Procedures Advisory Committee to be held from April 12, at 1 p.m., through April 16, at 1 p.m., in conference rooms 6A and B at FAA Headquarters, 800 Independence Avenue, SW., Washington, D.C.

The agenda for this meeting is as follows: A continuation of the Committee's review of present air traffic control procedures and practices for standardization, clarification, and upgrading of terminology and procedures.

Attendance is open to the interested public, but limited to the space available. With the approval of the Chairman, members of the public may present oral statements at the meeting. Persons desiring to attend and persons desiring to present oral statements should notify, not later than the day before the meeting, and information may be obtained from, Mr. L. Lane Speck, Executive Director, Air Traffic Procedures Advisory Committee, Air

Traffic Service, AAT-301, 800 Independence Avenue, SW., Washington, D.C. 20591, telephone (202) 426-3725.

Any member of the public may present a written statement to the Committee at any time.

Issued in Washington, D.C. on March 18, 1982.

L. Lane Speck,

Executive Director, ATPAC.

[FR Doc. 82-7928 Filed 3-24-82; 8:45 am]

BILLING CODE 4910-13-M

Air Traffic Procedures Advisory Committee; Reestablishment

Notice is hereby given of the reestablishment of the charter of the Air Traffic Procedures Advisory Committee. The Administrator, Federal Aviation Administration, is the sponsor of the Committee which consists of 12 experts on air traffic control procedures. The committee reviews present air traffic control procedures and practices and makes recommendations to the Administrator for the standardization, clarification, and upgrading of terminology and procedures. The functions of the Committee are solely advisory.

The Secretary of Transportation has determined that the renewal and existence of the Air Traffic Procedures Advisory Committee are necessary in the public interest in connection with the performance of duties imposed on the Federal Aviation Administration by law. Meetings of the Committee will be open to the public.

Issued in Washington, D.C. on March 18, 1982.

L. Lane Speck,

Executive Director, Air Traffic Procedures Advisory Committee.

[FR Doc. 82-7923 Filed 3-24-82; 8:45 am]

BILLING CODE 4910-13-M

[Summary Notice No. PE-82-7]

Petitions for Exemption; Summary of Petitions Received Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received, dispositions of prior petitions and corrections.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from

specified requirements of the Federal Aviation Regulations (14 CFR Chapter I), dispositions of certain petitions previously received and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATE: Comments on petitions received must identify the petition docket number

involved and must be received on or before: April 14, 1982.

ADDRESS: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-204), Petition Docket No. —, 800 Independence Avenue, SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION CONTACT:

The petition, any comments received and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the

Rules Docket (AGC-204), Room 916, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-3644.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on March 18, 1982.

John H. Cassidy,

Deputy Assistant Chief Counsel, Regulations and Enforcement Division.

PETITIONS FOR EXEMPTION

Docket No.	Petitioner	Regulations affected	Description of relief sought
22558	The Boeing Co	14 CFR 47.69(b)	To permit petitioner to operate aircraft, with a Dealer's Aircraft Registration Certificate, outside the United States for any demonstration flights and for any test purposes without the necessity of obtaining a limited exemption for each specific aircraft.
22695	Air Transport Association of America	14 CFR Part 61 and 121	To waive the required oral or written equipment examination for Part 121 qualifying certificate holders if the applicant has satisfactorily completed the approved training program. The program would be completed within the preceding 60 days of the flight maneuvers portion of the practical test.
20048	Chalk's International Airlines, Inc	14 CFR 135.175(a)	To amend exemption 3007 to allow petitioner to conduct day VFR flights in Grumman G-73 aircraft without approved airborne weather radar equipment installed in the aircraft.
22565	Mr. Kamran Moghadam	14 CFR 61.73(c)	To permit petitioner to qualify for the commercial pilot certificate with ratings for Lockheed 382 and Boeing 707/720 types under the written test provisions for former military pilots even though he has not been on active military flying status within the past 12 months.
20524	Pipe Fabricators, Inc	14 CFR 43.3	To permit petitioner's appropriately trained and certified pilots to remove, check, and reinstall magnetic chip detector plugs on Hughes 500C helicopter engines, transmissions, and tail rotor gear boxes.
21819	Air Nevada	14 CFR 135.113	To allow petitioner to operate a Cessna 404 aircraft with a passenger occupying the copilot seat.
22641	ERA Helicopters, Inc	14 CFR 121.391(a)	To allow Jet Alaska, a division of petitioner, to conduct medevac flights using Convair 580 aircraft configured for fewer than nine passengers without a flight attendant.
22690	Boeing Commercial Airplane Co	14 CFR 61.57(c)	To allow petitioner's pilots to substitute six takeoffs and landings in a 90-day period in any and/or all large transport category aircraft types produced by petitioner for the specified general experience requirements.
22693	Pennsylvania Airlines Inc	14 CFR 135.107	To allow petitioner to operate its DeHavilland DHC-6 Twin Otter Aircraft carrying 20 passengers without a flight attendant.
22569	Prestige Jet	14 CFR 135.89	To allow petitioner to operate at altitudes up to and including flight level 410 without one pilot wearing and using an oxygen mask, as long as both pilots are at the controls with quick donning masks available.
22629	Mr. Thomas J. Classen	14 CFR 135.161	To allow petitioner to operate single engine aircraft, carrying passengers, in IFR conditions without being limited to Part 135 requirements.
21381	Tennessee Airways	14 CFR 135.297(b)	To allow petitioner's pilots in command to conduct operations without satisfactorily demonstrating a nondirectional beacon approach during the sixth calendar month instrument proficiency check.
22543	Jetaway Air Service	14 CFR 135.89(b)(3)	To permit petitioner to operate Learjet 35A aircraft above 35,000 feet up to and including 41,000 feet without one pilot wearing an oxygen mask.
22701	Omniflight Helicopters, Inc	14 CFR 135.261(b)	To allow petitioner to operate helicopters from Welborn Baptist Hospital in Evansville, Indiana, without complying with the duty-time limitations.
22708	40-Mile Air, LTD	14 CFR 135.261(a)	To allow petitioner to operate its aircraft between June and October without complying with flighttime limitations.

DISPOSITIONS OF PETITIONS FOR EXEMPTION

Docket No.	Petitioner	Regulations affected	Description of relief sought disposition
22447	Embraer Aircraft Corp	14 CFR 61.31(a)(1)	To permit petitioner's commercial aircraft customers' pilots to serve as pilots in command on new or retrofitted Embraer EMB 110P1 and P2 aircraft without having the appropriate type ratings. <i>Denied 3/9/82.</i>
22357	American Airlines	14 CFR 121.578	To permit petitioner to continue to operate some of their B-747 and DC-10 aircraft up to 180 days after the compliance date of February 20, 1982, for installation of catalytic converters (Ozone). <i>Withdrawn 2/22/82.</i>
22556	American Cyanamid Co	14 CFR 121.343 and 121.359	To permit petitioner to operate a Gates Learjet Model 55 aircraft without a flight data recorder and a cockpit voice recorder. <i>Withdrawn 2/26/82.</i>
22146	Transamerica Airlines	14 CFR 121.318(b)(2)	Extension of Exemption No. 3422 which permits petitioner to operate its DC-8 airplanes until December 31, 1982, without having the required public address system microphone installed for each flight attendant seated near a floor-level exit. <i>Granted 3/10/82.</i>
22409	Interstate Airlines	14 CFR 91.305	To allow petitioner to temporarily operate B-707 aircraft in the U.S. without the required 50 percent fleet compliance with the noise standards. <i>Partial Grant 3/8/82.</i>

DISPOSITIONS OF PETITIONS FOR EXEMPTION—Continued

Docket No.	Petitioner	Regulations affected	Description of relief sought disposition
22703	Emerald Airlines	14 CFR 91.307	To allow operation in the United States under a service to small communities exemption specified two-engine airplanes identified by registration and serial number, that have not been shown to comply with the applicable operating noise limits as follows: Until not later than January 1, 1988: 6 DC-9-15F. <i>Granted 3/9/82.</i>
22116	Arista Int'l Airlines, Inc.	14 CFR 121.291(a) (b)	To permit petitioner to introduce two DC-8-62F aircraft leased from Scandinavian Airlines System into initial passenger service with a 191 and 201 passenger-seat configuration without first conducting the required full-scale passenger emergency evacuation demonstration. <i>Cancelled 2/19/82.</i>
22687	Bell Helicopter Textron	14 CFR 133.1(b) and 133.45(a)(3)	To permit external-load operations that would afford joint training for municipal firemen and pilots in the use of a suspended safety net. <i>Granted 2/25/82.</i>
18864	Continental Helicopters, Inc.	14 CFR 135.261(b)	Extension of Exemption No. 2701 which permits petitioner to assign a flight crewmember, and to permit a flight crewmember to accept an assignment, without compliance with the 10-consecutive hours rest period required during the 24-hour period preceding the planned completion of the assignment. <i>Granted 3/2/82.</i>
13416	The Sierra Academy of Aeronautics	14 CFR 63.39(b)(2)	To extend Exemption No. 2095C which permits flight engineer applicants being trained by petitioner to show that they can satisfactorily perform the normal duties and procedures in an airplane simulator rather than in flight. <i>Granted 3/10/82.</i>
21776	Louis McCollum	14 CFR 61.58(c)(1) and 91.4	Reconsideration of a Denial of Exemption to permit petitioner to serve as pilot in command of certain large aircraft without completing the proficiency or flight checks required in each particular type of aircraft. <i>Partial Grant 3/10/82.</i>
22588	Chesapeake and Potomac Airways, Inc.	14 CFR 135.261(b)	To permit petitioner to operate its helicopter in hospital emergency service without complying with the duty-time limitations for its pilots. <i>Granted 3/11/82.</i>
21789	Air Transport Association	14 CFR 61.49	To allow petitioners members and others in similar situation to retake a written or flight check without waiting 30 days provided that the Part 121 authorized instructor has given the applicant flight or ground instruction as appropriate and finds the applicant competent to pass the test. <i>Granted 3/3/82.</i>
20243	Summit Airlines, Inc.	14 CFR 121.623(a)	Extension of Exemption No. 3149 which permits petitioner to operate its CV-580 aircraft without listing at least one alternate airport for each destination airport in the flight release. <i>Granted 3/3/82.</i>
22523	Mobil Oil Exploration & Producing Southeast	14 CFR 91.23(a)(3)	To permit petitioner to operate its helicopters with a 30-minute fuel reserve rather than the required 45-minute reserve. <i>Granted 2/26/82.</i>
20410	Midwest Helicopters Airways, Inc.	14 CFR 135.261(b)	To permit petitioner's pilots to operate a helicopter after 8 hours instead of 10 hours of consecutive hours of rest. <i>Granted 2/26/82.</i>
16787	Petroleum Helicopters, Inc.	14 CFR 133.1(b) and 133.45(a)(3)	Extension of Exemption No. 2534 which permits the use of petitioner's Bell 212 and Puma SA-330 helicopters to lower and hoist harbor pilots, on an external hoist, to and from ships at sea on a test basis. <i>Granted 2/26/82.</i>
22190	Vieques Air Link, Inc.	14 CFR 135.243(a)	To permit petitioner to operate its small multiengine aircraft in commuter air carrier passenger service with pilots in command who do not hold airline transport pilot certificates. <i>Granted 3/5/82.</i>
22558	Boeing Commercial Airplane Co.	14 CFR 47.69(b)	To amend Exemption 3452 to permit petitioner to conduct multichannel autoloading avionics testing in connection with certification of this aircraft until March 12, 1982. <i>Amended 3/1/82.</i>
22359	Kenn-Air	14 CFR 135.261	To allow petitioner to operate a helicopter emergency medical evacuation service from Shands Teaching Hospital, Gainesville, Florida, with each pilot having at least 8 consecutive hours (rather than 10) of rest during any 24-hour period of duty at the contracting hospital. <i>Granted 2/24/82.</i>
22567	Air Transport Association of America	14 CFR 121.311(f)	To permit petitioner's member airlines to operate certain of their aircraft after March 6, 1982, without each flight attendant having a seat for takeoff and landing in the passenger compartment that meets the requirements of § 25.785 of FARs. <i>Granted 3/5/82.</i>
20899	United Air Lines, Inc.	14 CFR 121.311(f)	Reconsideration of the denial of petitioner's petition to permit certain of petitioner's required flight attendants to occupy passenger seats on B-727 and DC-8 aircraft which are not in compliance with Section 25.785(h). <i>Partial Grant 3/5/82.</i>
22482	Capitol Air Lines	14 CFR 135.243(a)	To permit Mr. Robert L. Singer, a commuter pilot for Petitioner, to operate multiengine airplanes even though he does not hold an airline transport pilot certificate. <i>Denied 3/8/82.</i>
22445	Southwest Airlines	14 CFR 121.391(a)(3)	To permit petitioner to use only two flight attendants aboard its B-737-200 aircraft configured with 118 or more passenger seats when all seats over 100 are blocked from use and when a third flight attendant is not available or cannot be made available without undue delay or flight cancellation. <i>Denied 3/8/82.</i>
22460	Ann Arbor Aero Service, Inc.	14 CFR Part 141	To extend petitioner's Provisional Pilot School permit for 1 year even though it did not complete the training of 10 students in the previous year. <i>Withdrawn 2/24/82.</i>
21800	Charles Curtis Harmon	14 CFR 91.90(b)(2) (i) and (iii)	To permit the petitioner to operate in Honolulu TCA, without an operable VOR or TACAN and transponder. <i>Granted 3/1/82.</i>
21594	Francis G. Gomes	14 CFR 91.90(b)(2)(i)	To permit petitioner to operate within the Honolulu, Hawaii Terminal Control Area (TCA) without having the aircraft equipped with an operable VOR or TACAN receiver. <i>Granted 3/1/82.</i>
21675	Joseph S. Ohelo Jr.	14 CFR 91.90(b)(2)(i)	To permit the petitioner to operate within the Honolulu, Hawaii Terminal Control Area (TCA) without having the aircraft equipped with an operable Transponder. <i>Granted 3/1/82.</i>
21790	James E. Lockridge	14 CFR 91.90(b)(2)(i)	To permit petitioner to operate in Honolulu TCA, without an operable VOR or TACAN and transponder. <i>Granted 3/1/82.</i>
22507	The City of New York, et al.	14 CFR 93.185(c) and 93.187	To permit petitioner's pilots to operate to and from Flushing Airport, New York, without obtaining air traffic control (ATC) authorization or establishing and maintaining two-way radio communication with LaGuardia Tower, and without prohibition on the direction of takeoff or landing. <i>Granted 12/23/81.</i>

DISPOSITIONS OF PETITIONS FOR EXEMPTION—Continued

Docket No.	Petitioner	Regulations affected	Description of relief sought disposition
21174	Texas International Airlines, Inc.....	14 CFR 91.307.....	To amend Exemption 3445 to allow operation in the United States under a service to small communities exemption specified two-engine airplanes identified by registration and serial number, that have not been shown to comply with the applicable operating noise limits as follows: Until not later than January 1, 1985: 1 DC-9-32; N3505T. <i>Granted 2/5/82.</i>
22564	Boeing Commercial Airplane Co.....	14 CFR 47.69(b).....	To amend Exemption 3445 to permit petitioner to continue hot weather thrust lapse rate takeoff data testing of its B747 aircraft using a different aircraft. <i>Amended 2/12/82.</i>
18877	Peter W. Fairchild.....	14 CFR 61.57(a).....	To permit petitioner, a certificated pilot, who has not had a flight review within the preceding 24 months to operate an aircraft in solo flight as directed by a certificated flight instructor or other designated person. <i>Denied 2/22/82.</i>

DISPOSITIONS OF PETITIONS FOR EXEMPTION

Correction

Docket No.	Petitioner	Regulations Affected	Description of relief sought disposition
18867	Frontier Airlines, Inc.....	14 CFR 121.391(a)(3).....	To permit petitioner to operate its B-737-200 airplanes with two, instead of three required flight attendants on specific flights on which a crewmember could not continue due to illness, and a replacement crewmember could not be obtained at that location without more than a 2-hour delay or flight cancellation. <i>Rescinded 1/27/82.¹</i>

¹ NOTE.—This disposition was previously published incorrectly as a grant on 3/1/82.

[FR Doc. 82-7927 Filed 3-24-82; 8:45 am]

BILLING CODE 4910-13-M

Research and Special Programs Administration

Prohibition; Propylene Dichloride in Aluminum Packagings

On November 5, 1981, 2054 gallons of propylene dichloride leaked from a compartment of a tank truck at Castaic, California. Evacuation was required because of noxious fumes and 129 persons were treated at Henry Mayo Hospital, Newhall, California. An investigation of the incident determined that the shell of the DOT Specification MC-305 cargo tank (constructed of 5454 H 32 aluminum) used for the shipment had been corroded through at the bottom toward the rear of the truck.

Propylene dichloride is classed as a flammable liquid in 49 CFR 172.101 and referenced to the general packaging section for flammable liquids, § 173.119. Transportation of most flammable liquids in DOT Specification MC-305 cargo tanks is authorized; however, in addition to § 173.119, § 173.24 entitled "Standard requirements for all packages" requires that:

Each package used for shipping hazardous materials under this subchapter shall be so designed and constructed, and its contents so limited, that under conditions normally incident to transportation—

- (1) There will be no significant release of the hazardous materials to the environment;
- (2) The effectiveness of the packaging will not be substantially reduced; * * *

Three large chemical companies which produce propylene dichloride were contacted and all indicated that aluminum should not be used as a material of construction in packagings for propylene dichloride. A technical paper titled "Reaction of Certain Chlorinated Hydrocarbons with Aluminum" was published in *Corrosion*, Volume 14, 1958, in which the corrosive attack of propylene dichloride on a pipe constructed of Type 3003 aluminum was described and in which the authors advised against the use of aluminum as a material of construction for chlorinated hydrocarbons. One conclusion reached in a technical article published in *Industrial and Engineering Chemistry; Product Research Division*, Volume 16, No. 2, 1977, title "Chemical Profile of Polychloroethanes and Polychloroalkenes", is that "Aluminum and zinc corrosion is generally a problem in dry systems containing a saturated chlorinated solvent." Recently, the MTB had a contractor conduct tests to determine the corrosive effect of non-clad 7075-T6 aluminum by commercial propylene dichloride at 130°F. Seven tests were run. One aluminum test coupon was completely destroyed in less than an hour. Another aluminum coupon was completely destroyed in 39 to 48 hours. The other five coupons survived for 168 hours with no measurable weight loss and no visible corrosion.

The above discussion pertains to propylene dichloride which does not

contain water. During the investigation of the accident it was learned that the compartment of the tank involved had been washed out with water before the propylene dichloride was loaded into it. The tank truck compartment had been loaded with "Trans Mix", a mixture of diesel and turbine fuel, prior to being loaded with the propylene dichloride. An employee of the trucking company attempted to wash the "Trans Mix" out by applying water and scrubbing the walls of the compartment with a long handled mop and no effective procedure was employed to dry the compartment. Mixing water with the propylene dichloride increases its corrosion rate on aluminum because propylene dichloride in contact with water forms hydrochloric acid which corrodes aluminum very rapidly. Normally, the rate of production of hydrochloric acid from propylene dichloride and water is very slow, but scrubbing the walls of the compartment with a mop may have formed an emulsion of oil and water which could react much faster with the propylene dichloride. The formation of an emulsion is especially likely if the mop contained any soap or detergent from previous use. The mixture was in the tank approximately 16 hours and the corrosion rate would have to be high to corrode completely through the tank in this relatively short time. MTB believes that the presence of water in the compartment definitely contributed to the failure of the packaging, but it is possible that even without water,

essentially the same thing would have happened in a longer period of time.

In consideration of the foregoing, it is MTB's opinion that the offering for transportation and the transportation of propylene dichloride in packagings constructed of aluminum would constitute a violation of 49 CFR 173.24.

There are other materials that may also be incompatible with aluminum, such as methylene chloride, chloroform, carbon tetrachloride and ethylene dichloride, but MTB does not have sufficient data to address them at this time. MTB recommends that shippers evaluate the compatibility of aluminum with these and similar products before packagings constructed of aluminum are used for transportation in commerce.

For further information on this subject, contact Charles W. Schultz, Chief, Sciences Branch, Technical Division, Materials Transportation Bureau, Department of Transportation, Washington, DC 20590, (202-755-4906).

Issued in Washington, DC on March 19, 1982.

Alan I. Roberts,

Associate Director for Office of Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 82-8000 Filed 3-24-82; 8:45 am]

BILLING CODE 4910-60-M

Department Circular 570, with details as to underwriting limitations, areas in which licensed to transact surety business and other information. Federal bond-approving officers should annotate their reference copies of the Treasury Circular 570, 1981 Revision, at page 33968 to reflect this addition. Copies of the circular, when issued, may be obtained from the Audit Staff, Bureau of Government Financial Operations, Department of the Treasury, Washington, D.C. 20226.

Dated: March 18, 1982.

W. E. Douglas,

Commissioner, Bureau of Government Financial Operations.

[FR Doc. 82-7984 Filed 3-24-82; 8:45 am]

BILLING CODE 4810-35-M

DEPARTMENT OF THE TREASURY

Fiscal Service

Surety Companies Acceptable on Federal Bonds

A certificate of authority as an acceptable surety on Federal bonds is hereby issued to the following company under Sections 6 to 13 of Title 6 of the United States Code. An underwriting limitation of \$1,248,000 has been established for the company.

Name of Company:

IDEAL MUTUAL INSURANCE COMPANY

Business Address:

260 Madison Avenue
New York, New York 10016

State of Incorporation:

New York

Certificates of authority expire on June 30 each year, unless renewed prior to that date or sooner revoked. The certificates are subject to subsequent annual renewal so long as the companies remain qualified (31 CFR Part 223). A list of qualified companies is published annually as of July 1 in

Sunshine Act Meetings

Federal Register

Vol. 47, No. 58

Thursday, March 25, 1982

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONTENTS

	<i>Items</i>
Commodity Futures Trading Commission	1
Copyright Royalty Tribunal.....	2
Federal Deposit Insurance Corporation	3-7
Federal Election Commission.....	8
International Trade Commission	9
Parole Commission.....	10

1

COMMODITY FUTURES TRADING COMMISSION

TIME AND DATE: 11 a.m., Friday, April 2, 1982.

PLACE: 2033 K Street, NW., Washington, D.C., eighth floor conference room.

STATUS: Closed.

MATTERS TO BE CONSIDERED:
Surveillance Briefing.

CONTACT PERSON FOR MORE

INFORMATION: Jane Stuckey, 254-6314.

[S-428-82 Filed 3-23-82; 10:05 am]

BILLING CODE 6351-01-M

2

COPYRIGHT ROYALTY TRIBUNAL

DATE AND TIME: 10 a.m., Wednesday, March 31, 1982.

PLACE: Postal Rate Commission, 2000 L Street, NW., Room 500, Washington, D.C. 20036.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Consideration of matters relating to jurisdictional and procedural questions submitted in comments presented in the cable royalty adjustment proceeding (CRT Docket No. 81-2).

CONTACT PERSON FOR FURTHER

INFORMATION: Commissioner Frances Garcia, Chairman, Copyright Royalty Tribunal, 1111 20th Street, N.W., Washington, D.C. 20036, (202) 653-5175.

March 23, 1982.

Frances Garcia,
Chairman.

[S-434-82 Filed 3-23-82; 2:28 pm]

BILLING CODE 1410-01-M

3

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 10:30 a.m. on Friday, March 19, 1982, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session, by telephone conference call, to consider the following matters:

- Recommendation regarding First Pennsylvania Bank N.A., Bala-Cynwyd, Pennsylvania, and First Pennsylvania Corporation, Philadelphia, Pennsylvania.
- Recommendations 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. 45,130-L—Banco Credito y Ahorro Ponceno, Ponce, Puerto Rico
- Case No. 45,141-NR—United States National Bank, San Diego, California
- Case No. 45,147-L—Franklin National Bank, New York, New York

In calling the meeting, the Board of Directors determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Director C. T. Conover (Comptroller of the Currency), that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(4), (c)(6), (c)(8), (c)(9)(B), and (c)(10) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(4), (c)(6), (c)(8), (c)(9)(B), and (c)(10)).

Dated: March 19, 1982.
Federal Deposit Insurance Corporation.
Hoyle L. Robinson,
Executive Secretary.

[S-429-82 Filed 3-23-82; 10:26 am]

BILLING CODE 6714-01-M

4

FEDERAL DEPOSIT INSURANCE CORPORATION

Changes in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its open meeting held at 2:00 p.m. on Monday, March 22, 1982, the Corporation's Board of Directors determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Director C. T. Conover (Comptroller of the Currency), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matters:

- Recommendations 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. 45,128—The Greenwich Savings Bank, New York, New York
- Case No. 45,129—The Greenwich Savings Bank, New York, New York

By the same majority vote, the Board further determined that no earlier notice of these changes in the subject matter of the meeting was practicable.

Dated: March 22, 1982.
Federal Deposit Insurance Corporation.
Hoyle L. Robinson,
Executive Secretary.

[S-430-82 Filed 3-23-82; 10:26 am]

BILLING CODE 6714-01-M

5

FEDERAL DEPOSIT INSURANCE CORPORATION

Change in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its closed meeting held at 2:30 p.m. on Monday, March 22, 1982, the Corporation's Board of Directors determined, on motion of Chairman William M. Isaac, seconded by Director C. T. Conover (Comptroller of the Currency), concurred in by Director Irvine H. Sprague (Appointive), that Corporation business required the withdrawal from the agenda for consideration at the meeting, on less than seven days' notice to the public, of a memorandum regarding the release of bid information under the Freedom of Information Act.

The Board further determined, by the same majority vote, that no earlier notice of the change in the subject matter of the meeting was practicable.

Dated: March 22, 1982.
Federal Deposit Insurance Corporation.
Hoyle L. Robinson,
Executive Secretary.

[S-431-82 Filed 3-23-82; 10:26 am]
BILLING CODE 6714-01-M

6

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors will meet in open session at 2:00 p.m. on Monday, March 29, 1982, 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.

Disposition of minutes of previous meetings.

Request for rescission of a condition imposed in granting Federal deposit insurance:

First State Bank of Roland, Roland, Oklahoma.

Recommendations 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. 45,136-L—Franklin National Bank, New York, New York.

Case No. 45,138-SR—The Citizens State Bank, Viola, Kansas.

Memorandum and Resolution re: First National Bank & Trust Company of Tuscola, Tuscola, Illinois.

Recommendation with respect to payment for legal services rendered and expenses incurred in connection with receivership and liquidation activities:

Morrison, Hecker, Curtis, Kuder & Parrish, Kansas City, Missouri, in connection with the liquidation of The Mission State Bank and Trust Company, Mission, Kansas.

Memorandum re: Petition of Option Advisory Service, Inc., for the issuance of a rule to amend 12 C.F.R. § 330.11 to prohibit insured banks from selling at their tellers' windows traveller's checks issued by bank holding companies or by nonbank institutions.

Reports of committees and officers:

Minutes of the actions taken by the standing committees of the Corporation pursuant to authority delegated by the Board of Directors.

Reports of the Division of Bank Supervision with respect to applications or requests approved by the Director or Associate Director of the Division and the various Regional Directors pursuant to authority delegated by the Board of Directors.

Discussion Agenda:

No matters scheduled.

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550 17th Street, N.W., Washington, D.C.

Requests for information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389-4425.

Dated: March 22, 1982.
Federal Deposit Insurance Corporation.

Hoyle L. Robinson,
Executive Secretary.

[S-432-82 Filed 3-23-82; 10:27 am]
BILLING CODE 6714-01-M

7

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 2:30 p.m. on Monday, March 29, 1982, 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 number of the Board of Directors requests that an item be moved to the discussion agenda.

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 Federal deposit insurance:

Bank of Jessamine, a proposed new bank, to be located at 100 Rebel Road, Nicholasville, Kentucky.

Application for consent to merge and establish three branches:

Androscoggin Savings Bank, Lewiston, Maine, for consent to merge, under its charter and title, with Atlantic Federal Savings and Loan Association, Portland, Maine, upon its conversion to a state charter, and to establish the three offices of Atlantic Federal Savings and Loan Association as branches of the resultant bank.

Memorandum re: Procedures relating to joint or concurrent examination of national and state member banks.

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 500 17th Street, N.W., Washington, D.C.

Requests for information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389-4425.

Dated: March 22, 1982.
Federal Deposit Insurance Corporation.

Hoyle L. Robinson,
Executive Secretary.

[S-433-82 Filed 3-23-82; 10:28 am]
BILLING CODE 6714-01-M

8

FEDERAL ELECTION COMMISSION

DATE AND TIME: Tuesday, March 30, 1982 at 2 p.m. (previously scheduled for 10 a.m.).

PLACE: 1325 K Street, N.W., Washington, D.C.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED:
Compliance, litigation, audits, personnel.

* * * * *
DATE AND TIME: Wednesday, March 31, 1982 at 10 a.m.

PLACE: 1325 K Street, NW., Washington, D.C.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Continuation of executive session of March 30, 1982, if necessary.

* * * * *

DATE AND TIME: Thursday, April 1, 1982 at 10 a.m.

PLACE: 1325 K Street, NW., Washington, D.C. (Fifth Floor).

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Setting of dates for future meetings
Correction and approval of minutes
Advisory opinions:

Draft AO 1982-5—Anthony S. Harrington,
General Counsel, Democratic National
Committee

Draft AO 1982-7—William G. Phillips, Senior
Vice President, D.C. Associates

Draft AO 1982-16—Mark J. Green, 1980
Congressional Candidate

Draft AO 1982-22—H. D. Pedlar, Jr.,
Treasurer, Steve Bartlett for Congress
Committee

Technical amendment to Honoraria
Regulations (11 CFR 110.12)

Appropriations and Budget Routine
administrative matters

PERSON TO CONTACT FOR INFORMATION:

Mr. Fred Eiland, Public Information
Officer, telephone: 202-523-4065.

Marjorie W. Emmons,
Secretary of the Commission.

[S-436-82 Filed 3-23-82; 3:20 pm]

BILLING CODE 6715-01-M

9

USITC SE-82-11A

INTERNATIONAL TRADE COMMISSION

FEDERAL REGISTER CITATION OF

PREVIOUS ANNOUNCEMENT: 47 FR 10938,
March 12, 1982.

**PREVIOUSLY ANNOUNCED TIME AND DATE
OF THE MEETING:** 10 a.m., Tuesday,
March 23, 1982.

CHANGES IN THE MEETING: Emergency
action to close a portion of the meeting
originally announced as open to the
public.

Pursuant to the specific exemptions of
5 U.S.C. 552b(c)(4) and in conformity
with 19 CFR 201.36(b)(4), Commissioners
Alberger, Calhoun, Stern, Eckes, and
Haggart voted by recorded vote to hold
a portion of the discussion with respect
to item No. 6 [Investigation 731-TA-44
[Final] (Sorbitol from France)—briefing
and vote] in closed session.

Commissioner Frank was not present for
the vote.

Commissioners Alberger, Calhoun,
Stern, Eckes, and Haggart determined,
pursuant to 19 CFR 201.37(b) that
Commission business requires the
change in the determination of the
Commission to open or close this
portion of the meeting and directed the
issuance of this notice at the earliest
practicable time.

PERSON FOR MORE INFORMATION:

Kenneth R. Mason, Secretary (202) 523-
0161.

[S-437-82 Filed 3-23-82; 3:37 pm]

BILLING CODE 7020-02-M

10

PAROLE COMMISSION

[2P0401]

DATE: AND TIME

Monday, March 29, 1982—9 a.m. through
Tuesday, March 30, 1982—5:30 p.m.

PLACE: Room 420-F, One North Park
Building, 5550 Friendship Boulevard,
Bethesda, Maryland 20015.

STATUS: Closed pursuant to a vote to be
taken at the beginning of the meeting.

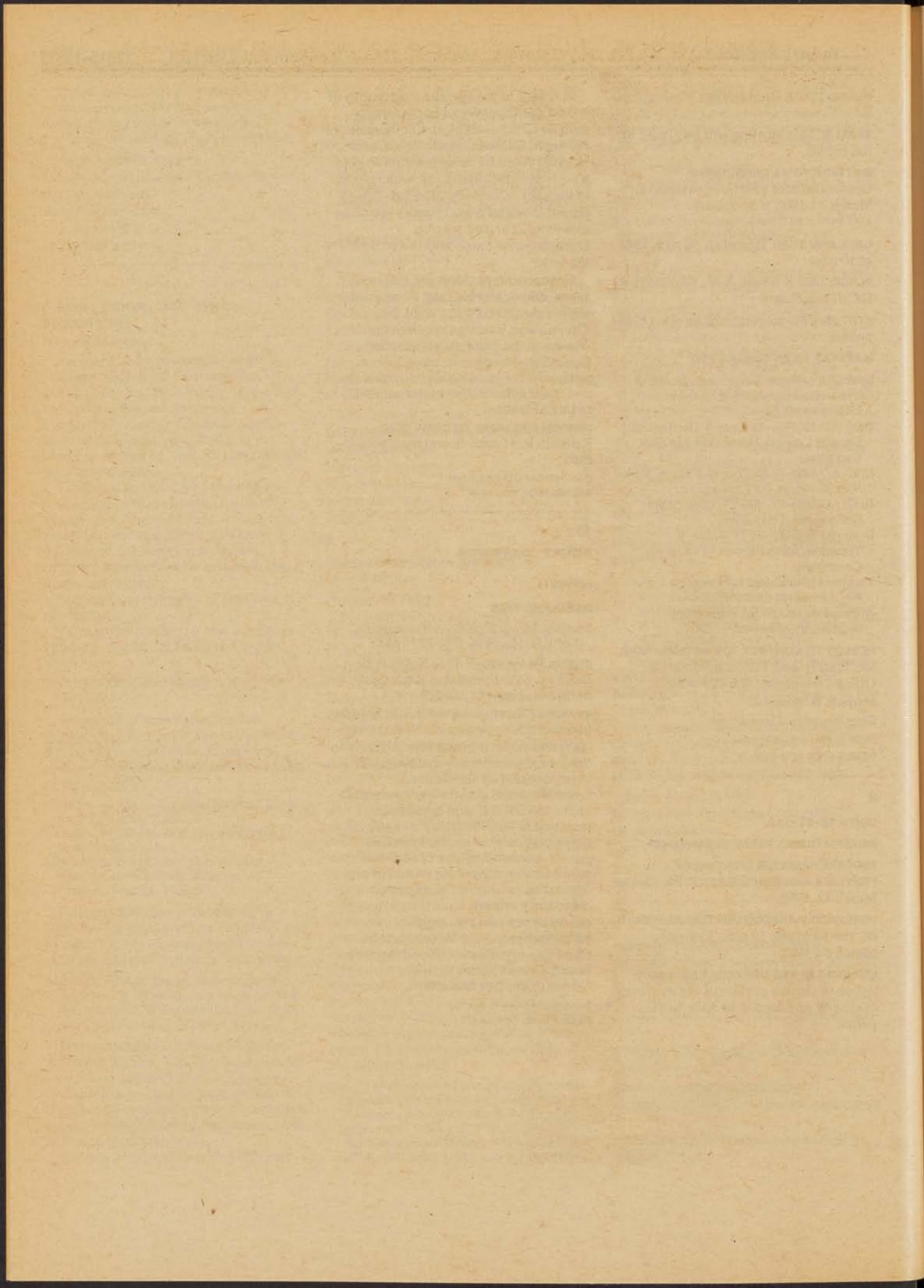
MATTERS TO BE CONSIDERED: Appeals to
the Commission of approximately 19
cases decided by the National
Commissioners pursuant to a reference
under 28 CFR 2.17 and appealed
pursuant to 28 CFR 2.27. These are all
cases originally heard by examiner
panels wherein inmates of Federal
prisons have applied for parole or are
contesting revocation of parole or
mandatory release.

CONTACT PERSON FOR MORE

INFORMATION: Linda Wines Marble,
Chief Case Analyst, National Appeals
Board, United States Parole
Commission, (301) 492-5987.

[S-435-82 Filed 3-23-82; 3:14 pm]

BILLING CODE 4410-01-M



Register Federal Register

**Thursday
March 25, 1982**

Part II

**Department of
Energy**

Energy Information Administration

**Inventory of Current Reporting and
Recordkeeping Requirements**

DEPARTMENT OF ENERGY

Energy Information Administration

Inventory of Current DOE Reporting and Recordkeeping Requirements

AGENCY: Energy Information Administration, DOE.

ACTION: Notice of inventory of current Department of Energy reporting or recordkeeping requirements.

SUMMARY: The Energy Information Administration (EIA) of the Department of Energy (DOE) hereby gives notice to respondents and other interested parties of an inventory of current energy information collection requests as defined in the Paperwork Reduction Act of 1980 (Pub. L. 96-511).

The listing that follows this notice indicates for each requirement approved as of January 1, 1982, the current DOE control or form number, the title of the requirement, and the Office of Management and Budget (OMB) control number and approval expiration date. If applicable, the appropriate Code of Federal Regulations citation is listed. Within the DOE regulations are recordkeeping and reporting requirements not associated with a standard form. These DOE requirements are identified in the inventory with an "R" following the DOE control number, except for requirements of the Federal Energy Regulatory Commission.

FOR FURTHER INFORMATION CONTACT: Carolyn Sinclair, Energy Information Administration, Mail Stop 7413, Federal

Building, 12th and Pennsylvania Avenue, NW., Washington, D.C. 20461 (202) 633-9680.

SUPPLEMENTARY INFORMATION: In an effort to keep respondents, users, and other interested parties informed concerning changes in DOE information collection requests subject to clearance by the Office of Management and Budget pursuant to the Paperwork Reduction Act, the Energy Information Administration will publish, on a quarterly basis, a notice of change in reporting status.

Issued in Washington, D.C., March 16, 1982.

J. Erich Evered,
Administrator, Energy Information Administration.

DOE No.	Title	OMB Control No.	Expiration Date	CFR Citation
DOE Active Forms Sponsored by Conservation and Renewable Energy				
CE-189C	Energy efficiency improvement and recovered materials utilization program-plant reporting form.	19040003	July 31, 1982	10 CFR 445.21, .22, .26.
CE-189E	Energy efficiency improvement and recovered materials utilization program-sponsor reporting form.	19040003	do	10 CFR 445.21, .22, .26.
CE-189S	Energy efficiency improvement and recovered materials utilization program-corporate reporting form.	19040003	do	10 CFR 445.21, .22, .26.
CE-497R	Urban wastes demonstration facilities guarantee program.	19040029	Dec. 31, 1982	10 CFR 798.
CE-741	State energy conservation plan application.	19040035	Dec. 31, 1983	NA.
CE-745	Evaluation of institutional conservation program.	19010243	Dec. 31, 1982	NA.
CE-780R	Reporting requirements for energy conservation.	19040036	June 30, 1982	10 CFR 445.12, .14, .34, .35, 470.
CE-80	Energy extension service quarterly status report.	19040039	Jan. 31, 1985	NA.
CS-199	Grant management activities report.	19040007	June 30, 1983	10 CFR 450, 455.4.
CS-434	Weatherization assistance progress report.	19040027	Aug. 31, 1983	10 CFR 440.12, .23, .22, 420.4.
CS-438	Technical assistance and energy conservation measures report forms.	19040011	Oct. 31, 1982	10 CFR 600.14, 455.6, 63.
CS-462	State energy conservation program—energy savings report.	19040026	Sept. 30, 1982	NA.
CS-476	Subcontractor's survey.	19040006	Dec. 31, 1983	NA.
CS-489R-A	Municipal waste reprocessing demonstration facilities program evaluation, assessment, and reporting guidelines.	19040021	do	NA.
CS-489R-B	Municipal waste reprocessing demonstration facilities program evaluation, assessment, and reporting guidelines.	19040021	do	NA.
CS/AF-703R	Data requirements for regs for loan guarantees for alcohol fuels, biomass and municipal waste energy projects.	19040028	Oct. 31, 1983	10 CFR 799.7(a)(9), .15.
EIA-145	Grant application for technical assistance and energy conservation measures.	19040005	Oct. 31, 1982	10 CFR 455.60.
RA-181R	Data gathering provisions of regs for hydroelectric power projects.	19010225	Dec. 31, 1982	10 CFR 797, 797.60.
DoE Active Forms Sponsored by Defense Programs				
AEC-378	Application for access permit (to restricted data).	19010004	May 31, 1983	10 CFR 275.
DOE-284	Nuclear material transfer report.	19010113	June 30, 1983	NA.
DOE/NRC-740M	Concise note.	19010122	do	NA.
DOE/NRC-741	Nuclear material transaction report.	19010123	do	NA.
DOE/NRC-741A	Nuclear material transaction report (continuation page).	19010123	do	NA.
DOE/NRC-742	Material balance report.	19010124	do	NA.
DOE/NRC-742C	Physical inventory listing.	19010125	do	NA.
DP-1	Personnel security questionnaire.	19010017	July 31, 1983	NA.
DP-188	Milk cow and population survey.	19010108	Dec. 31, 1983	NA.
DP-354	Data report on spouse.	19010002	Apr. 30, 1982	NA.
DP-733	ADP transcription sheet for inventory data.	19010115	June 30, 1983	NA.
DP-733A	ADP transcription sheet for inventory data.	19010116	do	NA.
DP-734	ADP transcription sheet for concise notes.	19010117	do	NA.
DP-735	ADP transcription sheet for MBR data.	19010118	do	NA.
DP-740	ADP transcription sheet, nuclear material transaction journal.	19010119	do	NA.
DP-740A	ADP transcription continuation sheet, nuclear material transaction journal.	19010119	do	NA.
DP-742B	Material activity schedule.	19010120	do	NA.
DP-749	ADP transcription sheet (internal project transfers).	19010121	do	NA.
NV-713	Claim for bodily injury, death, or damage to or a loss of property under section 167, AEA of 1954.	19010003	Apr. 30, 1984	NA.

DOE No.	Title	OMB Control No.	Expiration Date	CFR Citation
DOE Active Forms Sponsored by Energy Information Administration				
EIA-SG-1	Survey of gallonage sales of gasoline	19050006	Sept. 30, 1982	NA.
EIA-SG-2	Survey of gallonage sales of gasoline	19050006	do	NA.
EIA-SG-4	Survey of gallonage sales of gasoline	19050006	do	NA.
EIA-1	General industries and blast furnaces weekly coal monitoring report.	19050112	Dec. 31, 1982	NA.
EIA-101	Monthly residential, commercial, and industrial electric bill data for the U.S. Bureau of Labor Statistics—price indexes.	19050129	Nov. 30, 1984	NA.
EIA-14	Refiners monthly allocation report	19050125	Dec. 31, 1982	NA.
EIA-141	National survey of fuel purchases for vehicles—purchase log and supplementary questionnaire.	19050068	Nov. 30, 1982	NA.
EIA-142	International Energy Agency emergency supply report.	19050067	Aug. 31, 1983	10 CFR 209.34.
EIA-161	Weekly refinery report	19050069	Sept. 30, 1983	NA.
EIA-162	Weekly bulk terminal stocks of finished products	19050070	do	NA.
EIA-163	Weekly pipeline stocks of finished products	19050071	do	NA.
EIA-164	Crude oil stocks report	19050073	do	NA.
EIA-165	Imports report	19050072	do	NA.
EIA-170	Tanker and barge shipments of crude oil and petroleum products.	19050019	Oct. 31, 1982	NA.
EIA-172	Fuel oil and kerosene sales	19050018	Aug. 31, 1982	NA.
EIA-174	Sales of liquefied petroleum gases	19050018	Nov. 30, 1982	NA.
EIA-176	Supply and disposition of natural gas—distributors	19050017	Mar. 31, 1982	NA.
EIA-177	Capacity of petroleum refineries	19050087	Oct. 31, 1982	NA.
EIA-191	Underground natural gas storage report	19050026	June 30, 1983	NA.
EIA-196A	Pennsylvania anthracite production survey	19050085	Dec. 31, 1982	NA.
EIA-196E	Pennsylvania anthracite distribution	19050084	do	NA.
EIA-20	Weekly telephone questionnaire for coal burning electric utilities.	19050114	do	NA.
EIA-213	Annual retail bills for electric utilities	19050045	Sept. 30, 1983	NA.
EIA-23	Annual report of domestic oil and gas reserves	19050057	Dec. 31, 1983	NA.
EIA-25	Prime suppliers report	19050126	Dec. 31, 1982	NA.
EIA-254	Quarterly progress report on status of reactor construction.	19010010	July 31, 1983	NA.
EIA-3	Quarterly coal consumption report—manufacturing plants.	19050115	Jan. 31, 1983	NA.
EIA-4	Weekly coal monitoring report—coke plants	19050113	Dec. 31, 1982	NA.
EIA-429	National survey of fuel purchases for vehicles—background questionnaire.	19050086	Nov. 30, 1982	NA.
EIA-447D	Feasibility survey of buildings—rate schedules, fuel surcharges, and sales tax forms.	19050091	Jan. 31, 1983	NA.
EIA-447E	Feasibility survey of buildings—utility survey forms	19050091	do	NA.
EIA-456A	Crude oil ownership report	19050096	Mar. 31, 1982	NA.
EIA-457A	Residential energy consumption survey—housing unit record sheet.	19050093	May 31, 1983	NA.
EIA-457B	Residential energy consumption survey—household questionnaire.	19050093	do	NA.
EIA-457C	Residential energy consumption survey—rental agents.	19050095	do	NA.
EIA-457D	Residential energy consumption survey—quarterly survey of fuel oil households.	19050094	do	NA.
EIA-457E	Residential energy consumption survey—electric utilities.	19050092	May 30, 1983	NA.
EIA-457F	Residential energy consumption survey—natural gas suppliers.	19050092	do	NA.
EIA-457G	Residential energy consumption survey—fuel oil supplier form.	19050092	do	NA.
EIA-457H	Residential energy consumption survey—liquid petroleum gas suppliers.	19050092	do	NA.
EIA-460	Petroleum industry monthly report for product prices.	19050022	Dec. 31, 1982	NA.
EIA-5	Coke plant report—quarterly	19050003	Jan. 31, 1983	NA.
EIA-5A	Coke plant report—annual supplement	19050013	do	NA.
EIA-6	Coal distribution report	19050005	Apr. 30, 1983	NA.
EIA-627	Annual quantity and value of natural gas production.	19050122	Nov. 30, 1982	NA.
EIA-63	Solar collector manufacturing survey	19050074	Jan. 31, 1982	NA.
EIA-64	Natural gas liquids operations report	19050109	Mar. 31, 1982	NA.
EIA-64A	Annual report of the origin of natural gas liquids—production.	19050099	Aug. 31, 1983	NA.
EIA-67	Foreign crude oil cost report	19050058	Mar. 31, 1983	NA.
EIA-68	Wind energy conversion systems sales survey	19050111	Sept. 30, 1982	NA.
EIA-7A	Coal production report	19050004	Apr. 30, 1983	NA.
EIA-701	Questionnaire for solar installers/dealers survey	19050023	Mar. 31, 1982	NA.
EIA-758	Natural gas producer/pipeline contract report	19050127	do	NA.
EIA-759	Monthly powerplant report	19050130	Jan. 31, 1983	NA.
EIA-81	Gaseous fuels emergency telephone survey	19050059	Mar. 31, 1982	10 CFR 211.12(H).
EIA-87	Refinery report	19050027	Dec. 31, 1982	NA.
EIA-88	Bulk terminal stocks report	19050028	do	NA.
EIA-89	Pipeline products report	19050029	do	NA.
EIA-9A	No. 2 distillate price monitoring report	19050007	Dec. 31, 1983	NA.
EIA-90	Crude oil stocks report	19050030	Dec. 31, 1982	NA.
EIA-97	Boiler manufacturers' report	19050123	Dec. 31, 1983	NA.
MA-451	Consumption survey of hydrocarbon and coal materials refinery and chemical plants.	19010104	July 31, 1983	NA.
MA-452	Survey of the consumption of sel. hydrocarbon, coal, and coke materials—blast furnace form.	19010104	do	NA.

DOE No.	Title	OMB Control No.	Expiration Date	CFR Citation
DOE Active Forms Sponsored by Environmental Protection, Safety and Emergency Preparedness				
EP-119A	Annual projected electric utility energy and capacity rept.	19030050	Nov. 30, 1984	NA.
EP-119M	Monthly electric utility energy and capacity report	19030050	.....do	NA.
EP-411	Coordinated regional bulk power supply program report	19030043	Sept. 30, 1983	NA.
EP-417	Power system emergency report	19030045	Dec. 31, 1982	10 CFR 205.351.
EP-737R	Emergency interconnection of electric facilities and transfer of electricity.	19030068	May 31, 1983	18 CFR 32.20, 23, 60, 62.
EP-781R	Transmission of electric energy at an international boundary.	19010245	June 30, 1982	10 CFR 205 W, 205.308.
ERA-400	Survey of surplus natural gas supplies	19030020	Sept. 30, 1983	10 CFR 595.
ERA-51	Transfer pricing report	19030002	Mar. 31, 1982	NA.
DOE Active Forms Sponsored by Energy Research				
ERDA-601	A survey of occupational employment in nuclear energy activities.	19010022	June 30, 1982	NA.
EV-391	Isotope and technical service order form	19010006	Mar. 31, 1983	NA.
IR-616	Nuclear engineering enrollment and degree survey	19010015	June 30, 1983	NA.
IR-617	Radiation protection enrollment and degree survey	19010015	.....do	NA.
IR-734	DOE traineeship reports	19010012	Jan. 31, 1984	NA.
DOE Active Forms Sponsored by Economic Regulatory Administration				
ERA-166	Public Utility Regulatory Policies Act (PURPA) annual report on electric and gas utilities.	19030060	Dec. 31, 1984	10 CFR 463.3.
ERA-182	Domestic crude oil first purchaser's report	19030053	July 31, 1982	NA.
ERA-316	Petition for temporary use of natural gas	19030063	Dec. 31, 1982	10 CFR 508.
ERA-316R	Information requirements for regulations to grant temp. public int. exempt. for use of nat. gas.	19030018	.....do	10 CFR 508.
ERA-329R	Regulatory reporting and recordkeeping requirements pursuant to 10 CFR 500, 501, 503, 504, and 515.	19030075	June 30, 1982	10 CFR 500, 501, 503, 504, 515.
ERA-424D	Tertiary incentive annual report of prepaid expenses.	19030069	Sept. 30, 1983	10 CFR 212.78.
ERA-60	Report of oil imports into the United States and Puerto Rico.	19030054	Dec. 31, 1983	10 CFR 213.23.
ERA-750R	Annual compilation of proposed and final list of utilities covered by PURPA and NFCPA.	19030070	Oct. 31, 1984	45 Fed. Reg. 67552 (1980).
ERA-757R	Sale and direct industrial use of natural gas for outdoor lighting.	19030072	Sept. 30, 1983	10 CFR 516.10, .51, .52.
ERA-760R	Certification of coverage under FUA/OBRA	19030071	Feb. 29, 1982	46 Fed. Reg. 48118 (1981).
ERA-766R	Record retention and reporting requirements pursuant to general allocation and price rules.	19030073	June 30, 1982	10 CFR 210.1, 211.69, 313.6, 221.36.
ERA-768R	Standby crude oil allocation and refining yield control program.	19030074	.....do	10 CFR 212, App A, 211-1, 5, 6.
FEA-P-133	Shipment of refined petroleum products from Puerto Rico to the U.S.	(1)	(1)	(1).
FE-735A	DOE/RCRA utility impact study verification document.	19010241	Jan. 31, 1982	NA.
FE-769R	Federal loan guarantee for alternative fuel demonstration facilities.	19010244	June 30, 1982	10 CFR 796.99, 796.
RA-16	Coal loan guarantee application	19010081	Sept. 30, 1983	NA.
DOE Active Forms Sponsored by Federal Energy Regulatory Commission				
EIA-194	Incremental Pricing Report	19050083	Dec. 31, 1982	NA.
FERC-1	Annual report of electric utilities, licensees and others (Class A and B).	19020021	Dec. 31, 1984	18 CFR 141.1, 101, 116.
FERC-1-F	Annual report for public utilities and licensees (Class C and D).	19020029	July 31, 1984	18 CFR 141.2, 104.
FERC-11	Natural gas pipeline company monthly statement	19020032	.....do	18 CFR 260.3.
FERC-121	Application for determination of maximum lawful price under the Natural Gas Policy Act of 1978.	19020038	Dec. 31, 1982	18 CFR 274 SUBPART B.
FERC-122	Rept. of 1st sales of nat. gas under Sec. 109, Nat. Gas Policy Act, other categories of nat. gas.	19020039	Apr. 30, 1982	18 CFR 276.104.
FERC-123	Initial rept. of 1st sale of nat. gas under Sec. 105 Nat Gas Policy Act, existing intrastate contracts.	19020041	.....do	18 CFR 276.102.
FERC-124	Rept. of 1st sales of nat. gas under Sec. 106(B), Nat. Gas Policy Act, intrastate rollover contracts.	19020040	.....do	18 CFR 276.103.
FERC-15	Interstate pipelines annual report of gas supply	19020037	Aug. 31, 1984	18 CFR 260.7.
FERC-16	Report of gas supply and requirements	19020025	July 31, 1984	18 CFR 260.12.
FERC-16A	Omnibus report—impact of winter gas supply for twenty-eight pipeline companies.	19020105	May 31, 1983	NA.
FERC-2	Annual report for natural gas companies (Class A and B).	19020028	July 31, 1984	18 CFR 260.1, 201, 216, 282.502.
FERC-2A	Annual report for natural gas companies (Class C and D).	19020030	.....do	18 CFR 260.2, 204.
FERC-42	Application for annual or basic valuation	19020003	.....do	NA.
FERC-5	Electric utility company monthly statement	19020031	.....do	18 CFR 141.25.
FERC-500	Major hydroelectric license-constructed	19020058	Jan. 31, 1982	18 CFR 4 Subpart F.
FERC-501	Major hydroelectric license-new capacity (formal)	19020049	.....do	18 CFR 4 Subpart F.
FERC-503	Major hydroelectric license relicense (formal)	19020053	.....do	18 CFR Subpart F.
FERC-504	Major hydroelectric license-relicense (non-formal)	19020054	.....do	18 CFR 4 Subpart F.
FERC-505	Minor hydroelectric new capacity	19020115	.....do	18 CFR 4 Subpart G.
FERC-506	Minor hydroelectric license-relicense	19020059	.....do	18 CFR 4 Subpart G.
FERC-507	Minor hydroelectric license-constructed	19020063	Feb. 28, 1982	18 CFR 4 Subpart G.
FERC-508	Electric license-amendment to license	19020064	.....do	18 CFR 4 Subpart G.
FERC-509	Electric license-amendment (new capacity)	19020067	Apr. 30, 1982	18 CFR 4 Subpart G.
FERC-510	Electric license-survender of license	19020068	July 31, 1982	18 CFR 6.
FERC-511	Electric license-transfer	19020069	.....do	18 CFR 9.
FERC-512	Electric license-preliminary permit	19020073	June 30, 1982	18 CFR 4 Subpart D.

DOE No.	Title	OMB Control No.	Expiration Date	CFR Citation
FERC-513	Electric license-transmission line application	19020074	do	NA.
FERC-514	Electric license-change in land right	19020078	Aug. 31, 1982	NA.
FERC-515	Electric license-declaration of intention	19020079	do	18 CFR 24.1.
FERC-516	Electric rate-rate filings	19020096	Dec. 31, 1982	18 CFR 35 Subpart A, 35.12, .13.
FERC-517	Electric rates-formal investigations (rate level)	19020097	do	18 CFR 35.13.
FERC-518	Electric rates-formal investigations (other than rate level)	19020077	Aug. 31, 1982	18 CFR 35.12.
FERC-519	Electric rates-corporate applications	19020082	Oct. 31, 1982	18 CFR 33.
FERC-520	Electric rates corporate applications (interlocking positions)	19020083	do	18 CFR 45.
FERC-521	Electric license-headwater benefits	19020087	Dec. 31, 1982	18 CFR 11.26, .31, 13.1.
FERC-522	Electric license-federal rates	19020088	do	18 CFR 300.10-11.
FERC-523	Application for authorization of the issuance of securities or the assumption of liabilities	19020043	Sept. 30, 1983	18 CFR 34.
FERC-525	Financial audit	19020092	Dec. 31, 1982	NA.
FERC-526	Formal complaint	19020093	do	18 CFR 275.204.
FERC-527	Commission review of remedial orders	19020094	do	18 CFR 1.38.
FERC-528	Commission review of adjustment request denial	19020095	do	18 CFR 1.40.
FERC-529	Gas producers certificate: Small producer	19020047	Jan. 31, 1982	18 CFR 2.75, 157.20, 22-29.
FERC-532	Gas producer rate: Rate filing	19020055	Feb. 28, 1982	18 CFR 2.56A, 250.9, 154.92-101.
FERC-533	Gas producer rate: Special relief petition	19020056	do	18 CFR 2.78.
FERC-534	Applications for production related costs	19020057	do	18 CFR 271 Subpart K.
FERC-537	Gas pipeline certificate: Abandonment	19020060	Jan. 31, 1982	18 CFR 2.69, .79, 157.5-18, 22, 100 284.107, .127.
FERC-538	Gas pipeline certificate: Initial service	19020061	do	18 CFR 156.
FERC-539	Gas pipeline certificate: Import/export related	19020062	do	18 CFR 153.
FERC-540	Gas pipeline certificate: Transportation agreement	19020065	June 30, 1982	18 CFR 2.79.
FERC-541	Gas pipeline certificate: Curtailment plan	19020066	do	18 CFR 281.
FERC-542	Gas pipeline rate: Initial rate	19020070	May 31, 1982	18 CFR 154.61-65, .91.
FERC-543	Gas pipeline rates: Rate change (formal)	19020071	do	18 CFR 18 CFR 154.63-65, .91.
FERC-544	Gas pipeline rate: Rate change (non-formal)	19020072	do	18 CFR 154.63-65, .91.
FERC-545	Gas pipeline rate: Rate change-tracking (formal)	19020080	Sept. 30, 1982	18 CFR 154.63-65, .91.
FERC-546	Gas pipeline rate: Rate change-tracking (non-formal)	19020081	do	18 CFR 154.63-65, .91.
FERC-547	Gas pipeline rate: Refund	19020084	Nov. 30, 1982	18 CFR 273.302.
FERC-548	Gas pipeline rate: Staff adjustment under NGPA Sec. 502 (C)	19020085	do	18 CFR 1.41.
FERC-549	Gas pipeline rates: NGPA title III transactions	19020086	do	18 CFR 284 Subparts A,D,E,F,H 284.105, .106, .125, .126, 221.
FERC-550	Oil pipeline: Tariff, formal	19020089	Dec. 31, 1982	49 CFR 1300.
FERC-551	Oil pipeline: Tariff, non-formal	19020090	do	49 CFR 1300.
FERC-552	Oil pipeline: Initial rate	19020091	do	49 CFR 1300.
FERC-555	Records retention requirements	19020098	do	18 CFR 125, 158, 160.1, 276.108, 277.210, 225.358.
FERC-556	Cogeneration and small power production	19020075	July 31, 1982	18 CFR 292.
FERC-557	Cost of service information under Sec. 133 of Purpa.	19020042	Dec. 31, 1982	18 CFR 290.
FERC-558	Contract summary for Applicants for certificates of Public Convenience and necessity.	19020109	July 31, 1984	18 CFR 250.5.
FERC-559	Independent producer rate change or initial billing statement.	19020036	do	18 CFR 250.14.
FERC-561	Report of interlocking directorate positions	19020099	March 31, 1983	18 CFR 46.6.
FERC-564	Fuel purchase practices—environmental constraints.	19020108	Apr. 30, 1982	NA.
FERC-567	Annual reports of system flow diagrams	19020005	July 31, 1984	18 CFR 260.8.
FERC-80	Licensed hydropower development recreation report.	190200106	June 30, 1983	18 CFR 141.14.
FPC-R0016	Report on service interruptions on pipeline systems.	19020004	Mar. 31, 1982	18 CFR 260.9.
FPC-12	Power system statement	19020035	do	18 CFR 141.51.
FPC-14	Annual report for importers and exporters of natural gas.	19020027	Dec. 31, 1982	18 CFR 260.4.
FPC-314A	Application for small producer exemption	19020006	Mar. 31, 1982	18 CFR 250.10.
FPC-334	Reserve dedication report	19020008	Sept. 30, 1982	18 CFR 250.13.
FPC-423	Monthly report of cost and quality of fuels for electric plants.	19020024	June 30, 1982	18 CFR 141.61.
FPC-8	Underground gas storage report	19020026	Jan. 31, 1983	18 CFR 260.11.
ICC-ACV-1	Statement of property changes other than land and rights-of-way pipeline carriers.	19020011	Mar. 31, 1982	18 CFR 361.100.
ICC-ACV-159	Service Life Data	19020019	do	NA.
ICC-ACV-2	Summary of land and rights-of-way property changes—pipeline carriers.	19020018	do	18 CFR 361.101.
ICC-ACV-3	Summary of changes in original cost and total original cost at end of period—pipeline carriers.	19020010	do	18 CFR 361.102.
ICC-ACV-4	Summary of cost reproduction new and reproduction of new less depreciation—pipeline carriers.	19020009	do	18 CFR 361.103.
ICC-ACV-5	Inventory of property other than land and rights-of-way.	19020015	do	18 CFR 360.100.
ICC-ACV-6	Inventory of land and rights-of-way	19020016	do	18 CFR 360.101.
ICC-ACV-7	Summary of original cost of inventory	19020017	do	18 CFR 360.102.
ICC-ACV-8	Cost data for equipment and tanks	19020014	do	18 CFR 360.103.
ICC-ACV-9	Cost data for pipeline construction	19020013	do	18 CFR 360.104.
ICC-P	Annual report—carriers by pipeline	19020022	do	18 CFR 357.2, 351, 352.
DOE Active Forms Sponsored by General Counsel				
GC-498A	Application for Nonexclusive Patent license	19010232	Oct. 31, 1982	10 CFR 781.
GC-498B	Application for exclusive or particularly exclusive patent license.	19010232	do	10 CFR 781.
GC-498C	Inquiry as to usage of licensed subject matter	19010232	do	10 CFR 781.
GC-765R	Patent/invention reporting/recordkeeping requirements.	19010246	June 30, 1982	41 CFR 9-9.107-5, .109-6.

DOE No.	Title	OMB Control No.	Expiration Date	CFR Citation
DOE Active Forms Sponsored by International Affairs				
IA-401	Emergency report questionnaire A	19050079	Dec. 31, 1982	10 CFR 209.24.
IA-473	Unclassified visit proposal	19010130	Sept. 30, 1983	NA.
MB-10,4,SER-1	Unclassified activities in foreign atomic energy programs.	19010005	Dec. 31, 1982	10 CFR Pt 110.
DOE Active Forms Sponsored by Management and Administration				
AD-R0177	National survey of compensation paid S & E's engaged in research and development.	19010016	Mar. 31, 1983	NA.
EIA-188	Uniform reporting system for contractors	19010021	Sept. 30, 1983	41 CFR 9-9, 1, 4, 7, 12, 15, 16, 50.
EIA-459	Uniform reporting system for Federal assistance (grants and cooperative agreements).	19010127	Oct. 31, 1983	NA.
MI-754	OMEI direct ICAN application for bid or proposal preparation.	19010242	Aug. 31, 1983	NA.
PR-437	Request for priority rating for energy programs	19010110	June 30, 1983	10 CFR 216.
DOE Active Forms Sponsored by Nuclear Energy				
NE-491A	Survey of Uranium marketing activities	19010013	Apr. 30, 1984	NA.
NE-491B	Survey of U.S. uranium prices and procurement	19010013	.....do.....	NA.
DOE Active Forms Sponsored by Power Marketing Administration				
BPA-1418-A	Home energy efficiency program—type I energy conservation analysis and heat loss calculation.	19040032	Aug. 31, 1984	NA.
BPA-1418-B	Home energy efficiency program—recommendations form.	19040032	.....do.....	NA.
BPA-1418-C	Home energy efficiency program—notice of work for bid/bid released.	19040032	.....do.....	NA.
BPA-1418-D	Home energy efficiency program—notice to proceed.	19040032	.....do.....	NA.
BPA-1418-E	Home energy efficiency program—weatherization improvements/completion acknowledgement.	19040032	.....do.....	NA.
BPA-1418-F	Home energy efficiency program—monthly financial statement.	19040032	.....do.....	NA.
BPA-406-A	Energy conservation pilot program	19010109	June 30, 1982	NA.
BPA-406-B	Energy conservation pilot program	19010109	.....do.....	NA.
BPA-406-C	Energy conservation pilot program	19010109	.....do.....	NA.
BPA-406-D	Energy conservation pilot program	19010109	.....do.....	NA.
BPA-406-E	Energy conservation pilot program	19010109	.....do.....	NA.
BPA-406-F	Energy conservation pilot program	19010109	.....do.....	NA.
BPA-474-A	Solar domestic hot water pilot program—initial customer contact questionnaire.	19010112	Dec. 31, 1982	NA.
BPA-474-B	Site visit report	19010112	.....do.....	NA.
BPA-474-C	System installation report	19010112	.....do.....	NA.
BPA-474-D	System inspection and acceptance report	19010112	.....do.....	NA.
BPA-474-E	Monitoring equipment installation report	19010112	.....do.....	NA.
BPA-474-F	Solar domestic hot water pilot program	19010111	.....do.....	NA.
BPA-705A	Solar water heating pilot program—customer monitoring card.	19010222	Jan. 31, 1983	NA.
BPA-705B	Solar water heating pilot program—system inspection and acceptance report.	19010223	.....do.....	NA.
BPA-705C	Solar water heating pilot program—workshop evaluation.	19010223	.....do.....	NA.
BPA-705D	Solar water heating pilot program—monthly financial summary statement.	19010224	.....do.....	NA.

¹ Less than 10 respondents. Do not require OMB clearance.

[FR Doc. 82-7707 Filed 3-24-82; 8:45 am]

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federal register

Thursday
March 25, 1982

Part III

Department of Housing and Urban Development

**Office of the Assistant Secretary for Fair
Housing and Equal Opportunity**

**Community Housing Resource Board
Program; Interim Rule**

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT**

**Office of the Assistant Secretary for
Fair Housing and Equal Opportunity**

24 CFR Part 120

[Docket No. R-82-959]

**Community Housing Resource Board
Program; Disbursement of Funds**

AGENCY: Office of the Assistant Secretary for Fair Housing and Equal Opportunity, HUD.

ACTION: Interim rule.

SUMMARY: This rule will govern the disbursement of funds to Community Housing Resource Boards to carry out activities that enhance the effectiveness of the Voluntary Affirmative Marketing Agreements Program.

EFFECTIVE DATE: Upon expiration of the first period of 30 calendar days of continuous session of Congress after publication, subject to waiver. Further notice of the effectiveness of this interim rule will be published in the Federal Register.

Comment due date: May 24, 1982.

ADDRESS: Interested persons are invited to submit comments regarding this rule to the Office of General Counsel, Rules Docket Clerk, Room 5218, Department of Housing and Urban Development, 451 7th Street, SW., Washington, D.C. 20410. Comments should refer to the above docket number and title. A copy of each comment submitted will be available for public inspection and copying during regular business hours at the above address. The Interim Rule may be changed on the basis of comments received.

FOR FURTHER INFORMATION CONTACT: Nathaniel K. Smith, Director, Division of Housing and Community Development, Office of Voluntary Compliance, Washington, D.C. 20410 (202) 755-5992. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: Section 808(e) of Title VIII of the Civil Rights Act of 1968, as amended, requires the Secretary to cooperate with and render technical assistance to Federal, State, local, and other public or private agencies, organizations, and institutions that are formulating or carrying on programs to prevent or eliminate discriminatory housing practices, and to administer the programs and activities relating to housing and urban development in a manner affirmatively to further the policies of Title VIII.

Further, Section 809 requires that the Secretary (1) commence such educational and conciliatory activities

as in his judgment will further the purposes of this title; (2) call conferences of persons in the housing industry and other interested parties to acquaint them with the provisions of this title and his suggested means of implementing it; and (3) with the advice of these persons, work out programs of voluntary compliance and of enforcement.

In order to promote achievement of the goal of fair housing throughout the United States, the Department of Housing and Urban Development has developed the Voluntary Affirmative Marketing Agreements Program. This program focuses on nationwide efforts to assure nondiscrimination in connection with the sale, rental or financing of housing, and the provision of services and facilities in connection therewith, and to promote achievement of a condition in which individuals of similar income levels in the same housing marketing area have available to them a like range of choices in housing regardless of their race, color, religion, sex or national origin.

Consistent with its responsibilities under Title VIII, the Department of Housing and Urban Development has entered Voluntary Affirmative Marketing Agreements (VAMA) with the National Association of Realtors and the National Association of Real Estate Brokers. These agreements are intended to promote a broad equal opportunity program designed to assure that housing will be marketed on a nondiscriminatory basis. In addition, signatories to an agreement agree to certain programs and activities to acquaint communities with the availability of equal housing opportunities, to establish office procedures to ensure that there is no denial of equal professional service, and to make materials available which explain the commitment of signatories to the goal of fair housing.

The VAMAs, signed by housing trade associations at the national level, are implemented on a local level and, in addition to providing a program to promote fair housing efforts, commit HUD to providing technical assistance to local real estate boards who become signatories to the VAMA. Assistance in implementing VAMA commitments is provided to local real estate boards through HUD established Community Housing Resource Boards, composed of representatives of community organizations.

It is the responsibility of Resource Boards, acting in an advisory and resource capacity to local real estate boards in the implementation of the VAMA, to assess progress toward implementation of the VAMA, to serve

as direct liaison with local groups in promoting efforts by signatories implementing the VAMA, to generate creative ways to promote the VAMA on a community-wide basis, and to participate in annual VAMA evaluations.

As established in the VAMA, Resource Boards have two basic objectives: (1) To maximize communication between housing industry groups and minority groups and women of the community; and (2) to enhance the prospect of HUD and industry group commitments being implemented through the initiation of projects and activities and through effective assessment and evaluation of program progress.

In connection with these objectives, Resource Boards have obtained information regarding VAMAs in the following ways:

1. Making inquiry of an Equal Opportunity Committee of a local real estate board, one of whose explicit responsibilities it is to monitor the progress of the VAMA Program. In order to obtain appropriate information to assess progress, Resource Boards must ask relevant questions bearing on program implementation. Additional information can be obtained from HUD Form 941-A (Voluntary Affirmative Marketing Agreement Report—Local Real Estate Boards), available in all HUD Area Offices.

2. Independently evaluating those provisions of the VAMA that readily lend themselves to visual inspection. For example, Resource Boards can review newspaper advertisements, brochures, and signs for the Equal Opportunity logo, and the appropriateness with which human models are portrayed in evaluating efforts under the VAMA. They can also report on the development and implementation of office procedures and techniques to carry out the VAMA, and the experience of persons who have sought housing through firms participating in the VAMA.

In 1979, HUD conducted an analysis and evaluation of programs under the VAMA through tabulation of information received through Voluntary Affirmative Marketing Agreement Reports (HUD Form 941-A) filed with HUD offices. That form surveys the performance of local real estate boards in implementing their commitments under the VAMA. The analysis and evaluation clearly indicated that where a Resource Board had been functioning with a local real estate board for at least four months, there was a higher level of

performance in almost every key area of VAMA commitments.

Although Resource Boards are responsible for initiating activities to further the impact of the affirmative marketing goals of the VAMA, for the most part, Resource Board activities have been initiated with little or no assistance. Currently, there are approximately 400 Resource Boards throughout the United States. Although Resource Boards are eligible to receive Community Development Block Grant funds for administrative costs under Section 570.206, less than one percent of the Boards receive any form of ongoing financial assistance from Federal sources, Block Grant funds, from private organizations, or local real estate boards.

The Department believes that, with adequate funding, Resource Boards can be more productive in assisting signatories in implementing their equal opportunity program and have a significant impact on promoting the goals of fair housing under the VAMA.

In this regard, \$2 million of funds appropriated by Congress for fair housing efforts have been made available for funding Resource Boards through a Community Housing Resource Board Program. In most cases, funding will be limited to a one-time proposal for a one-year effort, following which Resource Boards will be encouraged to seek funds from other sources for continuing projects. The Department believes that these funds can provide the assistance necessary to afford existing Resource Boards the capability of rendering more effective assistance to local real estate boards.

This regulation describes the method of administration and the procedures which will be used in accepting applications and making awards of funds in the Community Housing Resource Board Program. Section 120.15(d) specifies that HUD can recapture funds from Resource Boards that do not conform with the requirements contained in the funding instrument.

Since funding in this program is limited to activities under existing VAMAs, eligible applicants must be Resource Boards providing assistance in the implementation of VAMAs. Further, the Department has determined that, in order to obtain maximum impact in the Community Housing Resource Board, a factor in reviewing projects will be evaluation of measurable or expected results of Resource Board activities. Section 120.20 requires that eligible Resource Boards must have been in existence at least six months prior to the

Notice of Fund Availability for the program.

Section 120.25 describes the projects which are eligible for funding in the Community Housing Resource Board Program. This section also provides that funds can be used for operating costs incurred in connection with the conduct of such activities and that no funds made available under the Part may be used for testing activities, e.g., those activities designed to obtain comparative data regarding implementation of VAMAs through use of matched pairs of persons to determine any disparity in the policies and practices of the local real estate board.

Section 120.30 indicates application requirements for the program. In addition to information regarding the proposed projects, applicants would be required to provide specific information about the Resource Board. Those Boards requiring maintenance will be required to give indication of results of past activities. Resource Boards requiring improvement will be required to state the expected results of their activities.

In this regard, it should be noted that the commitment of Resource Boards as indicated by demonstrated or expected results, is a criteria for selection under § 120.35. Further, § 120.30 states that an organization may submit only one application to carry out activities related to the goals of the VAMA.

Section 120.35 indicates the criteria which will be utilized in reviewing applications and making awards in this program.

Section 120.35(a) states that funding determinations will depend to a large degree upon HUD's evaluation of the implementation of the VAMA. Thus, this section states that HUD has established two categories of awards: Maintenance and Improvement. This division has been used to distinguish between the types of projects appropriate, on the one hand, where VAMAs are fully implemented and, on the other hand, where VAMAs are not implemented. Projects will be evaluated for funding within each category to avoid disadvantaging Resource Boards seeking to implement fully VAMA objectives, but which are located in areas where results under the VAMA have not been demonstrated.

Although the Department does not intend to differentiate between the categories in terms of funding levels, the results of information received through VAMA program monitoring on HUD Form 941-A indicate that a larger number of Resource Boards will be funded in the improvement category, since few Resource Boards currently

have accomplished the objectives in the VAMA. This section also sets forth criteria for selection and the relative weight to be provided in ranking projects within their categories.

This section also advises that HUD can establish in the Notice of Funds Availability additional criteria to be used in connection with the ranking of applications for the funds available.

The CHRB Program is designed to promote the development of Resource Board capability consistent with HUD responsibility to fulfill its contractual agreement to provide technical assistance to local real estate boards by supporting Resource Board projects and activities. Although Resource Boards tend to be small organizations, and there will be several selection criteria applicable to projects proposed for funds in the CHRB Program, the Department does not believe that the criteria will impose a significant burden upon Resource Boards in applying for funds. In addition, in view of the limited resources available for the CHRB Program, the Department does not believe there is any alternative method for disbursing these funds that is consistent with the Voluntary Affirmative Marketing Agreement Program. Further, the regulation does not require additional reporting or record keeping that is inconsistent with requirements placed on small entities receiving other Federal funds through grants or cooperative agreements, nor will this regulation duplicate, overlap or conflict with other HUD rules.

The subject matter of this rulemaking action relates to grants and is therefore exempt from the notice and public comment requirements of Section 553 of the Administrative Procedure Act. As a matter of policy, the Department submits many rulemaking actions dealing with such subject matter to public comment, either before or after effectiveness of the action, notwithstanding the statutory exemption.

The Secretary has determined that notice and public procedure thereon are impracticable and contrary to the public interest and that good cause exists for making this rule effective immediately after publication because fiscal year 1981 funding for the Resource Boards is critical for the survival of the program. It represents assistance for approximately 130 of the 450 Resource Boards currently in existence. Without funding, the activities of these volunteer Boards have diminished, and some are no longer operative. Funding will stimulate activity nationwide and prevent further impairment to the program. Issuance of

an interim rule provides the most expedient route for funding, while allowing adequate opportunity for public comment.

The Secretary also has determined that for the reasons stated above, good cause exists for exempting this interim rule from the 30-day delay in effectiveness provided in the Administrative Procedure Act (5 U.S.C. 553(d)). However, Section 7(o)(3) of the Department of HUD Act (42 U.S.C. 3535(o)(3)) provides for a delay in effectiveness for a period of 30 calendar days of continuous session of Congress after publication, unless waived by the Chairman and Ranking Minority Members of the Senate Committee on Banking, Housing and Urban Affairs and the House Committee on Banking, Finance and Urban Affairs. The Secretary has requested such waivers by the Chairmen and Ranking Minority Members but, at the time of publication of this interim rule, it is not known whether or when such waivers will be granted. Under Section 7(o)(5) of the Department of HUD Act, "Congressional inaction on any rule or regulation shall not be deemed an expression of approval of the rule or regulation involved." The foregoing provision refers to inaction on joint resolution or disapproval of other legislation which is intended to modify or invalidate the rule or regulation or any portion thereof, and the principle that such inaction does not imply Congressional approval applies, *a fortiori*, to a waiver of the nature requested by the Secretary.

Further notice of the effective date of this interim rule will be published in the Federal Register.

This interim rule does not constitute a "major rule," as that term is defined in section 1(b) of the Executive Order 12291 issued by the President on February 17, 1981. Analysis of the proposed rule indicates that it does not (1) have an annual effect on the economy of \$100 million or more; (2) cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) have a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of the United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Information collection requirements contained in this regulation (§§ 120.30 and 120.35) have been approved by the Office of Management and Budget under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96-511)

and have been assigned OMB control number 2529-0001.

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations in 24 CFR Part 50, which implement Section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4332. The Finding of No Significant Impact is available for public inspection and copying during regular business hours in the Office of the Rules Docket Clerk, Room 5218, 451 Seventh Street, SW., Washington, D.C. 20410.

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

This rule was listed as item c) 1 (FHEO-2-81) under the Office of Fair Housing and Equal Opportunity in the Department's Semiannual Agenda of Regulations published on August 17, 1981 (46 FR 41708) pursuant to Executive Order 12291 and The Regulatory Flexibility Act.

The Catalog of Federal Domestic Assistance Number is 14.400.

OMB Control Number: 2529-0001.

Accordingly, a new Part 120 is added to 24 CFR to read as follows:

PART 120—COMMUNITY HOUSING RESOURCE BOARD PROGRAM

Sec.

120.5 Purpose.

120.10 Voluntary Affirmative Marketing Agreements (VAMA).

120.15 Program administration.

120.20 Eligible applicants.

120.25 Eligible projects.

120.30 Applications.

120.35 Selection criteria.

Authority: Title VIII, Civil Rights Act of 1968, as amended, (42 U.S.C. 3601).

§ 120.5 Purpose.

The purpose of the Community Housing Resource Board Program is to provide funding to Community Housing Resource Boards (Resource Boards) that have the responsibility of providing program implementation assistance to housing industry groups that have signed Voluntary Affirmative Marketing Agreements (VAMA) with HUD. The intent of the program is to fulfill HUD's contractual agreement to provide technical assistance to local real estate boards in achieving VAMA goals by supporting projects that improve Resource Board performance and increase their ability to effectively plan, finance, and carry out activities to assist signatory real estate boards in fully implementing the provisions of the VAMA.

§ 120.10 Voluntary Affirmative Marketing Agreements (VAMA).

VAMAs are contracts between the Department of Housing and Urban Development and national organizations involved in the sale or rental of dwellings to implement the Congressional directive set forth in Sections 808 and 809 of Title VIII of the Civil Rights Act of 1968, as amended. VAMAs require the coordinated effort of HUD and industry groups to implement, through local voluntary action, the Congressional policy of fair housing by providing information and establishing policies to enable all buyers, regardless of race, color, religion, sex or national origin, to make free choice of housing location. The application of these voluntary marketing provisions in no way affects affirmative marketing requirements otherwise applicable in HUD programs.

§ 120.15 Program administration.

(a) The Community Housing Resource Board Program is administered by the Office of the Assistant Secretary for Fair Housing and Equal Opportunity, through the Office of Voluntary Compliance.

(b) Assistance under this program will be announced through a "Notice of Funds Availability" published in the Federal Register.

(c) Funding in the Community Housing Resource Board Program for approved projects shall be available for one year after award.

(d) Resource Boards receiving support under this program must conform to reporting and record maintenance requirements determined appropriate by the administering office and, as a condition to participation, must stipulate that HUD can recapture funds if the Resource Board is not conforming to requirements contained in the funding instrument.

§ 120.20 Eligible applicants.

To be eligible, applicants must meet the following criteria:

(a) The applicant must be a Resource Board consisting of HUD appointed representatives from community organizations or agencies formed to fulfill HUD's obligation to provide technical assistance to local real estate boards in the implementation and monitoring of purposes under the VAMA.

(b) The Resource Board must have been in existence at least six months prior to the issuance of the Notice of Funds Availability for the Community Housing Resource Board Program.

§ 120.25 Eligible projects.

(a) HUD will fund only projects that are demonstrated to be components of viable strategies to support the goals of the VAMA. In most cases, funding will be limited to a one-time proposal for a one-year effort, following which Resource Boards will be encouraged to seek funds from other sources for continuing projects. In order to be eligible such projects must be directed at one or more of the following areas:

- (1) Making information public regarding the goals of fair housing and the VAMA;
- (2) Assessing community fair housing needs;
- (3) Assessing the effectiveness of the VAMA;
- (4) Expanding minority involvement in the industry;
- (5) Expanding public awareness of housing opportunities in the community; and
- (6) Developing cooperative solutions to problems associated with the implementation of the VAMA.

Additionally, funds may be used to cover the operating costs associated with the specific funded activities of the Resource Board Program. However, proposals that use the majority of their funds for program costs (as opposed to administrative costs) will receive priority consideration.

(b) No funds made available to Resource Boards under this Part may be used for testing activities.

§ 120.30 Applications.

Applications from eligible applicants must contain:

- (a) A brief letter of transmittal from the Chairperson of the Resource Board indicating that the Resource Board has consulted with the industry group representative on the project.
- (b) A narrative statement describing the nature of the project, the elements of the VAMA it will address, the plan for evaluating the effectiveness of the project, and the resources the Resource Board plans to use to carry out the project.

(c) Information about the Resource Board including:

- (1) The composition of the Resource Board and the consistency of board members participation in the Resource Board activities;
 - (2) The procedures used to provide information to the community about the VAMA;
 - (3) The methods used to evaluate the VAMA and assess progress in its implementation; and
 - (4) A statement of the Resource Boards date of organization.
- (d) Information about Resource Board and local real estate board activities.
- (e) An organization may submit only one application to carry out projects related to the goals of the VAMA. HUD reserves the right to refuse to fund a Resource Board or projects that do not meet the requirements of this Part. Notifications to such applicants shall be sent after selections are made under a Notice of Funds Availability. (NOFA)
- (f) Detailed information on the application process and selection criteria will be included in the NOFA and application package.

(Approved by the Office of Management and Budget under OMB control number 2529-0001.)

§ 120.35 Selection criteria.

(a) The determination of which Resources Boards will be funded will depend, to a large degree, upon HUD's evaluation of the implementation of Voluntary Affirmative Marketing Agreements that are in place six months prior to the publication of the Notice of Funds Availability. Accordingly, two categories of funding will be provided to selected Resource Boards:

(1) *Maintenance*: In those communities where the activity of the Resource Board has resulted in full implementation of the terms of the Agreement, funding will be provided to continue the maintenance of effort related to the technical assistance to the local real estate board.

(2) *Improvement*: In those localities where the Agreement is not fully implemented, funding will be provided to improve the capability of the

Resource Board to provide appropriate technical assistance to the local real estate board.

(b) In addition to the criteria for selection in this section, projects proposed in applications will be ranked based on the following considerations:

- (1) The relationship of the proposed project to the goal of the VAMA;
- (2) The extent to which the proposed project will affect the groups the VAMAs are designed to reach;
- (3) The commitment of the Resource Board members, as indicated through regular attendance at meetings, and by demonstrated results of activities for Resource Boards requiring maintenance and expected results of activities for Resource Boards requiring improvement;
- (4) The amount of relevant professional or organizational experience, including experience in fair housing, available to the Resource Board to implement the projects proposed; and
- (5) The extent to which the proposed projects do not duplicate other community efforts.

(c) The relative weight of the criteria for selection will be:

Criteria	Points
Relationship of Projects to VAMA Goals.....	30
Extent to which groups VAMAs are designed to reach are affected.....	25
Documentation of Resource Board Commitment.....	15
Experience available to implement projects.....	20
Extent to which projects do not duplicate other community efforts.....	10
Total	100

(d) HUD in the publication of the Notice of Funds Availability can establish additional criteria which will be considered in the selection of applications for funding.

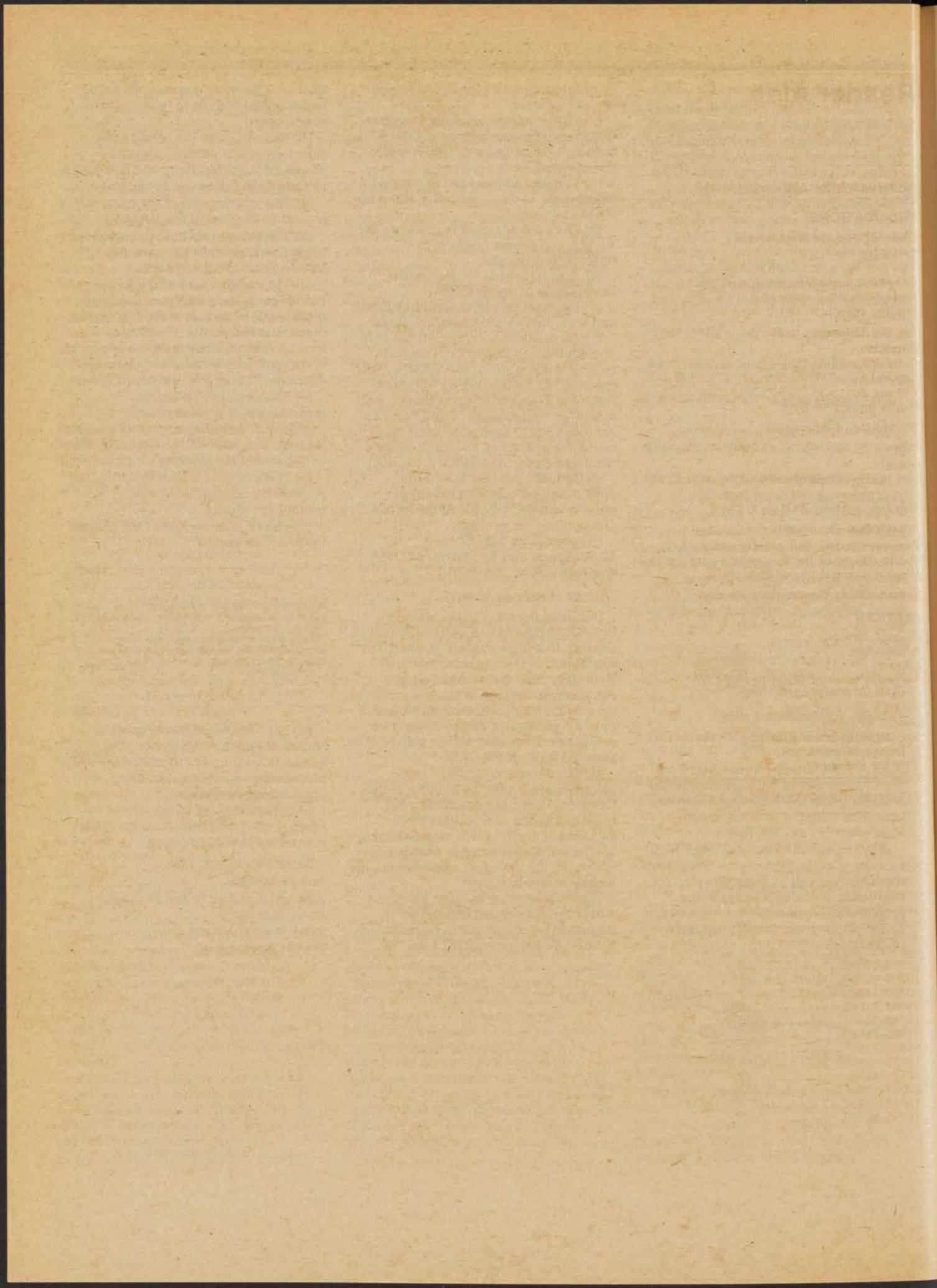
(Approved by the Office of Management and Budget under OMB control number 2529-0001.)

Dated: February 26, 1982.

Antonio Monroig,
Assistant Secretary for Fair Housing and Equal Opportunity.

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Reader Aids

Federal Register

Vol. 47, No. 58

Thursday, March 25, 1982

INFORMATION AND ASSISTANCE

PUBLICATIONS

Code of Federal Regulations	
CFR Unit	202-523-3419
	523-3517
General information, index, and finding aids	523-5227
Incorporation by reference	523-4534
Printing schedules and pricing information	523-3419
Federal Register	
Corrections	523-5237
Daily Issue Unit	523-5237
General information, index, and finding aids	523-5227
Privacy Act	523-5237
Public Inspection Desk	523-5215
Scheduling of documents	523-3187
Laws	
Indexes	523-5282
Law numbers and dates	523-5282
	523-5266
Slip law orders (GPO)	275-3030
Presidential Documents	
Executive orders and proclamations	523-5233
Public Papers of the President	523-5235
Weekly Compilation of Presidential Documents	523-5235
United States Government Manual	523-5230
SERVICES	
Agency services	523-4534
Automation	523-3408
Library	523-4986
Magnetic tapes of FR issues and CFR volumes (GPO)	275-2867
Public Inspection Desk	523-5215
Special Projects	523-4534
Subscription orders (GPO)	783-3238
Subscription problems (GPO)	275-3054
TTY for the deaf	523-5229

FEDERAL REGISTER PAGES AND DATES, MARCH

8547-8748	1
8749-8976	2
8977-9184	3
9185-9386	4
9387-9804	5
9805-9980	8
9981-10198	9
10199-10502	10
10503-10762	11
10763-11000	12
11001-11242	15
11243-11494	16
11495-11640	17
11641-11814	18
11815-12124	19
12125-12326	22
12327-12604	23
12605-12784	24
12785-12930	25

CFR PARTS AFFECTED DURING MARCH

At the end of each month, the Office of the Federal Register publishes separately a list of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

1 CFR		by PLO 6216).....	11669
Proposed Rules:		April 12, 1913	
Ch. III.....	11024, 12631	(See PLO 6213).....	11668
		April 3, 1914	
		(Revoked in part	
		by PLO 6207).....	11666
3 CFR		June 30, 1916	
Administrative Orders:		(Revoked in part	
Presidential determination:		by PLO 6208).....	11666
No. 82-7 of		April 28, 1917	
February 10, 1982.....	9805	(Revoked by	
Proclamations:		PLO 6204).....	11664
2416 (See PLO		August 15, 1919	
6214).....	11668	(Revoked in part	
3279 (Amended by		by PLO 6224).....	11675
Proc. 4907).....	10507	March 29, 1922	
4707 (Amended by		(Revoked by	
Proc. 4904).....	8753	PLO 6175).....	9839
4768 (Amended by		November 9, 1923	
Proc. 4904).....	8753	(Revoked in part	
4801 (See Proc.		by PLO 6206).....	11665
4904).....	8753	October 30, 1924	
4884 (See Proc.		(Revoked in part	
4904).....	8753	by PLO 6201).....	11662
4887 (See Proc.		April 17, 1926	
4904).....	8753	(Revoked in part	
4902.....	8549	by PLO's 6173,	
4903.....	8751	6210).....	9838, 11667
4904.....	8753	November 6, 1926	
4905.....	8977	(Revoked in part	
4906.....	9807	by PLO 6201).....	11662
4907.....	10507	September 20, 1927	
4908.....	10763	(Revoked in part	
4909.....	10765	by PLO 6206).....	11665
4910.....	12127	February 13, 1929	
4910.....	12605	(Revoked in part	
Executive Orders:		by PLO 6206).....	11665
September 22, 1866		808 (Revoked by	
(Revoked by		PLO 6214).....	11668
PLO 6171).....	9838	923 (See	
March 14, 1878		PLO 6214).....	11668
(Revoked in part		3655 (Revoked by	
by PLO 6205).....	11665	PLO 6175).....	9839
March 12, 1884		3893 (See PLO	
(See PLO 6214).....	11668	6171).....	9838
June 13, 1902		4060 (Revoked by	
(Revoked by		PLO 6214).....	11668
PLO 6184).....	10213	4170 (Revoked by	
July 2, 1910		PLO 6226).....	11675
(Revoked in part		5327 (See	
by PLO's 6177,		PLO 6202).....	11663
6215, 6228).....	9840,	5650 (Revoked in part	
	11669, 11871	by PLO 6206).....	11665
July 2, 1910		5683 (Revoked by	
(Revoked by		PLO 6193).....	10214
PLO 6229).....	12172	7799 (Revoked in part	
December 1, 1910		by PLO 6227).....	11676
(Revoked in part		7993 (See	
by PLO 6222).....	11674	PLO 6214).....	11668
January 23, 1911		8009 (Revoked in part	
(Revoked by		by PLO 6206).....	11665
PLO 6229).....	12172	10927 (Revoked by	
April 29, 1912		EO 12353).....	12785
(Revoked in part			

11888 (Amended by
EO 12349)..... 8749
11954 (Revoked by
EO 12348)..... 8547
12074 (Revoked by
EO 12350)..... 10503
12193 (See EO
12531)..... 10505
12295 (See EO
12351)..... 10505
12348..... 8547
12349..... 8749
12350..... 10503
12351..... 10505
12352..... 12125
12353..... 12785

4 CFR
92..... 12607

5 CFR
Ch. XIV..... 9185
737..... 9694
2430..... 11243

Proposed Rules:
410..... 10855
831..... 9470

7 CFR
Ch. IV..... 11642
0..... 10509, 12327, 12607
29..... 8979
51..... 9185
53..... 12327
54..... 11641
273..... 11815
285..... 10767
301..... 8982, 12328
425..... 11645
719..... 9981
724..... 10770
725..... 10772
726..... 10773
907..... 9188, 10509, 11650,
12787
910..... 9188, 9387, 10724,
11816
928..... 10775, 12609
959..... 8551
981..... 9809
982..... 10775
999..... 12609
1093..... 11495
1094..... 10510
1421..... 9188
1435..... 9194
1446..... 8553
1475..... 9981
1701..... 9387
1823..... 11509

Proposed Rules:
51..... 12787
210..... 11877
272..... 11878
273..... 11878
729..... 9972, 10045
985..... 8784
1004..... 10230
1006..... 10203
1007..... 10053, 10203
1011..... 10203, 11679
1012..... 10203
1030..... 11283
1046..... 10203
1094..... 10203

1096..... 10203
1098..... 10203
1425..... 11284
1701..... 8785, 10057, 11285
1861..... 11521
1944..... 10566
1951..... 11521
2900..... 8786

8 CFR
204..... 12129
212..... 12129
214..... 12129
223..... 12129
237..... 12129
238..... 8759, 9982
242..... 12129
245..... 12129
248..... 12129
265..... 12129
316a..... 10776
328..... 10776
332..... 10776
332a..... 10776
334..... 10776
335..... 10776
335b..... 10776
336..... 10776
339..... 10776
344..... 10776

9 CFR
72..... 11001
82..... 11243
92..... 11509
94..... 12612
112..... 8759
303..... 12134
318..... 10779
319..... 10779
381..... 10779, 12134

Proposed Rules:
92..... 9854, 12633
309..... 10856
317..... 9471
381..... 9471, 10856

10 CFR
1..... 9983, 11816
2..... 9983, 9987
14..... 8983
25..... 9194
50..... 11651
73..... 11511
95..... 9194
440..... 9014
705..... 12135
790..... 8555
1004..... 9995

Proposed Rules:
Ch. I..... 8788
50..... 12639
70..... 12639
463..... 11178
508..... 10589
600..... 12038
794..... 9017
795..... 12740

12 CFR
204..... 8987
207..... 8988
211..... 11817
217..... 8987
220..... 8988

221..... 8988
224..... 8988
303..... 9810
308..... 9811
407..... 12136
545..... 10785
546..... 10788
555..... 10785
561..... 10785
576..... 10788
584..... 10785
611..... 12136
613..... 12136
614..... 12136
615..... 12136
616..... 12136
617..... 12136
618..... 12136
701..... 10199
1204..... 11246

Proposed Rules:
Ch. II..... 9017
207..... 8788
220..... 8788
221..... 8788
545..... 9472, 9855
561..... 10858
563..... 9472, 10511
564..... 10858
615..... 11536
618..... 12806
701..... 10232, 10234

13 CFR
105..... 12332
120..... 8990

14 CFR
39..... 8555-8561, 9196,
9812-9815, 10511, 11002-
11008, 11652, 12151, 12152,
12787
47..... 12153
71..... 8562, 9816, 9817,
10512, 10513, 11009, 11653,
12154-12156, 12788
73..... 8563, 11010, 11653,
11654, 12156, 12789
75..... 9200, 9817, 12156
91..... 10514
97..... 9818, 12157
99..... 12324
121..... 10515
202..... 10516
208..... 9819
213..... 10517
241..... 9744
314..... 9744, 11819
385..... 9200, 10200, 10517
389..... 10518

Proposed Rules:
Ch. I..... 11026, 12186, 12320
21..... 9360, 9859
23..... 9360
36..... 9360
39..... 10591, 11034-11037,
12186-12190
71..... 8595, 9222, 9224,
9860, 10592-10594, 11038,
12191-12193, 12808
73..... 11700
75..... 8596, 9222
91..... 9360
121..... 9360, 10748
135..... 9360, 10748
139..... 9360

15 CFR
370..... 11247
371..... 11247
373..... 11247
376..... 9201, 11247
379..... 9201, 11247
385..... 9201, 11247
386..... 11247
399..... 9201, 11247
904..... 9820, 10200
970..... 11512
2301..... 11228

Proposed Rules:
904..... 9861

16 CFR
13..... 9388, 9821, 12613
1050..... 12789
1700..... 10201

Proposed Rules:
13..... 11285, 12809
1306..... 12353
1700..... 10235

17 CFR
155..... 11250
200..... 11380, 11819
201..... 11380, 11819
211..... 10789, 11475
229..... 11380, 11819
230..... 11251, 11380, 11819
231..... 11476
239..... 11251, 11380
240..... 9388, 11476, 11819
241..... 10792, 11380
249..... 11380, 11819
250..... 11380, 11819
260..... 11380, 11819
271..... 10518, 10518
274..... 10518, 11380, 11819

Proposed Rules:
1..... 12353
12..... 9225
180..... 9225
190..... 8789
230..... 11482, 11701, 11704
239..... 11288, 11482
240..... 11482, 11704

18 CFR
35..... 8991
260..... 10202
271..... 8564, 8565, 10203,
12618-12620
282..... 12790
410..... 9206

Proposed Rules:
141..... 10237
271..... 8596, 10237-10242,
12809
273..... 8596
274..... 8596
711..... 12296
713..... 12296
714..... 12296
716..... 12296

19 CFR
6..... 12620
10..... 12159
207..... 12792
212..... 9389

Proposed Rules:
10..... 9225, 11706

18.....	9225	Proposed Rules:		Proposed Rules:		35 CFR	
19.....	9225	Subch. F.....	12358	1910.....	12092	10.....	9207
24.....	9225	333.....	12430, 12480	30 CFR		36 CFR	
113.....	9225	862.....	11879	19.....	11368	7.....	11011
125.....	9225	866.....	11879, 11880	23.....	11369	907.....	8767
132.....	9225	868.....	11880	36.....	11371	Proposed Rules:	
142.....	9225	874.....	11879	910.....	10372	1.....	11598
143.....	11706	878.....	11879	Proposed Rules:		2.....	11598
144.....	9225	880.....	11880	Ch. VII.....	10058	3.....	11598
177.....	10058, 12194	892.....	11879	55.....	10190	4.....	11598
20 CFR		22 CFR		57.....	10190	5.....	11598
404.....	12161	22.....	9999	415.....	9862	6.....	11598
Proposed Rules:		201.....	8766	715.....	12760	7.....	11598
404.....	8789	606.....	11858	716.....	12310	12.....	11598
21 CFR		Proposed Rules:		780.....	12760	50.....	11725
5.....	8761, 11269	41.....	12359	785.....	12082, 12310	38 CFR	
14.....	8763	23 CFR		816.....	10501, 10742, 12088,	1.....	11279, 12340
20.....	10804	12.....	10522		12596, 12760	3.....	11012, 11655
73.....	10804	660.....	10525	817.....	10501, 10742, 12596,	6.....	11656
74.....	11819	668.....	10529		12760	8.....	11656
81.....	10804	712.....	10529	819.....	12088	17.....	10809
101.....	11820	Proposed Rules:		850.....	12779	36.....	9826, 12346
102.....	11820	628.....	9247	906.....	12639	Proposed Rules:	
103.....	11820	740.....	12811	931.....	12361	3.....	12362
114.....	11820	24 CFR		948.....	11885	21.....	11041, 12363, 12640
122.....	11820	111.....	8991	31 CFR		39 CFR	
131.....	11270, 11820	120.....	12926	209.....	9823	111.....	10206
133.....	11820	200.....	9206	520.....	12338	3001.....	12794
135.....	11820	201.....	10204	535.....	12339	Proposed Rules:	
136.....	11820	203.....	10205	32 CFR		775.....	10859
137.....	11820	213.....	10205	1 through 39.....	9399	40 CFR	
139.....	11820	234.....	10205	41.....	10162	Ch. IV.....	12798
145.....	9997, 11820	420.....	10205	199.....	12163	6.....	9827, 9831
146.....	11820	570.....	9822	Proposed Rules:		52.....	8566, 8772, 9462,
150.....	11820	885.....	9206	199.....	11707		9463, 9832-9836, 10206,
155.....	11820	25 CFR		230.....	11708		10208, 10534, 10535, 10813,
160.....	11820	700.....	11858	231.....	11717		11013, 11280, 11661, 11866,
161.....	11820	26 CFR		299.....	8791		12164, 12166, 12625
163.....	11820	1.....	11515	632.....	8790	60.....	12626
164.....	11820	26.....	8995	33 CFR		61.....	11662, 12626
166.....	11820	31.....	11275	84.....	10531	62.....	10004, 10535
168.....	11820	35.....	11275	85.....	10531	81.....	10208, 11014, 11870
169.....	11820	150.....	8995	86.....	10531	85.....	12797
170.....	11835	Proposed Rules:		100.....	12792	122.....	10008
172.....	8763, 11835	1.....	11296, 11882, 12361	110.....	12793	123.....	12347
173.....	11835	51.....	9018	117.....	8566, 9825, 10532,	141.....	8997, 10998
175.....	9395, 11835	27 CFR			11010	180.....	8998-9001, 10210-
176.....	9998, 11835	4.....	11884	140.....	9366		10212, 10536
177.....	11835	5.....	11884	141.....	9366	256.....	9002-9005
178.....	9999, 11835	7.....	11884	142.....	9366	260.....	9007
179.....	11835	Proposed Rules:		143.....	9366, 11011	264.....	10006
180.....	11835	4.....	11884	144.....	9366, 10533	265.....	9802, 10006, 12316
181.....	11835	571.....	9755	146.....	9366	1400.....	12797
184.....	11835	28 CFR		147.....	9366	Proposed Rules:	
186.....	11835	0.....	9822, 10809	149.....	10533	Ch. I.....	9477, 9864
189.....	11835	13.....	11516	175.....	10533	33.....	8960
211.....	9395	570.....	9755, 10206	Proposed Rules:		52.....	9019, 9478-9481,
331.....	9395	571.....	9755	100.....	9863		10058, 10860, 11042, 11045,
438.....	9395, 11856	29 CFR		117.....	8597-8599, 9864,	80.....	12195, 12364
442.....	11856	511.....	11865		10595, 12194, 12811	81.....	11536
450.....	9395	1401.....	10530	147.....	11719	85.....	8791, 9019, 10243
520.....	9395, 10805	1402.....	10530	157.....	11724	86.....	8606
522.....	9398, 10805, 10806	1404.....	9823	159.....	9248	88.....	8606, 11538, 12366
524.....	10807	1410.....	10530	165.....	11719	122.....	8792, 10861, 11538
556.....	9395	1420.....	10530	401.....	11039	123.....	8792, 9336, 9865,
558.....	8764, 8765, 9394,	1425.....	10530	34 CFR			10861, 10862, 11538
	9398, 10807, 10808, 12338	2645.....	12622	645.....	9158	124.....	8792, 10861, 11538
573.....	9395	2704.....	10000	646.....	9150	141.....	9350
610.....	9395			648.....	11866	142.....	9796
630.....	9395			776.....	9786	146.....	8792, 10861
701.....	9395					180.....	9025, 10244, 10596
801.....	9395						
1308.....	11513						

260.....	9336, 9865	part by PLO 6220).....	11671	6215.....	11669	549.....	12367
262.....	9336, 9865	3841 (Revoked in		6216.....	11669	47 CFR	
265.....	8606, 10059	part by PLO 6220).....	11671	6217.....	11669	1.....	9208, 10852
300.....	10972	3964 (Revoked by		6218.....	11670	2.....	9464, 11022
799.....	10597	PLO 6178).....	9840	6219.....	11670	21.....	10852
1510.....	10862	4265 (Revoked in		6220.....	11671	22.....	10018
41 CFR		part by PLO 6220).....	11671	6221.....	11673	23.....	10852
1-4.....	8774	4788 (See PLO		6222.....	11674	25.....	10852
5-53.....	11017	6220).....	11671	6223.....	11674	42.....	10559
5-63.....	11019	4839 (Revoked by		6224.....	11675	43.....	10852
5A-53.....	11017, 11019	PLO 6195).....	10215	6225.....	11675	67.....	9170
5B-15.....	11019	4448 (Revoked in part		6226.....	11675	68.....	10219
5B-63.....	11019	by PLO 6198).....	11282	6227.....	11676	73.....	8583, 8779-8782, 9208-9214, 10219, 10560, 10852, 11023, 11872-11874
8-1.....	8777	5140 (Revoked in		6228.....	11871	74.....	9214
29-1.....	11374	part by PLO 6220).....	11671	6229.....	12172	76.....	8783
101.....	12167	5490 (See PLO		Proposed Rules:			
101-11.....	11281	6178).....	9840	3140.....	8734, 9026	78.....	10852
101-26.....	8779	5844 (See PLO's		3800.....	12197	83.....	10220
101-37.....	8777	6020 and 6196).....	10826	5440.....	12078	87.....	10852
101-41.....	11281	5992 (Corrected by		5450.....	12078	90.....	10852, 11022, 12628
Proposed Rules:		PLO 6197).....	11022	5460.....	12078	94.....	10852
101-41.....	11296	6020 (Corrected by		44 CFR			
42 CFR		PLO 6196).....	10826	2.....	12172	99.....	11022
447.....	8567	6044 (Corrected by		64.....	10827, 10829, 12798	Proposed Rules:	
Proposed Rules:		PLO 6212).....	11668	65.....	10006, 10215, 10538, 10830, 12627	Ch. I.....	10863
405.....	12574	6098 (Corrected by		67.....	10006, 10540	1.....	10871, 11886
416.....	12574	PLO 6199).....	11517	70.....	10007-10018	2.....	9249
43 CFR		6127.....	11022	205.....	10553	15.....	9249
1820.....	12292	6149.....	8779	351.....	10758	43.....	10871
2800.....	12568	6143.....	10537	Proposed Rules:			
2880.....	12570	6170.....	12798	67.....	9865, 10059-10063, 10245, 12812-12814	73.....	8792-8797, 9249, 9482, 10259-10261, 10601, 10603, 11046, 11727-11733, 11901-11909, 12831
3420.....	9008	6171.....	9838	312.....	11297	74.....	9251
Public Land Orders:		6172.....	9838	45 CFR			
30 (Revoked by		6173.....	9838	13.....	10834	81.....	9249
PLO 6214).....	11668	6174.....	9839	46.....	9208	83.....	9249
548 (Revoked in part		6175.....	9839	301.....	8568	90.....	10064, 11731
by PLO 6201).....	11662	6176.....	9839	400.....	10841	97.....	8798
648 (Revoked in		6177.....	9840	401.....	10841	48 CFR	
part by PLO 6185).....	10825	6178.....	9840	500.....	10850	Proposed Rules:	
1314 (Revoked by		6179.....	9840	531.....	11850	14.....	12646
PLO 6179).....	9840	6180.....	9841	605.....	8570	32.....	10878
1368 (Revoked in		6181.....	9841	Proposed Rules:			
part by PLO 6220).....	11671	6182.....	9842	46.....	12276	47.....	12646
1421 (Revoked in		6183.....	9842	1050.....	10598	49 CFR	
part by PLO 6220).....	11671	6184.....	10213	1067.....	10598	1.....	11676
1529 (Revoked in		6185.....	10825	1068.....	10598	192.....	9842
part by PLO 6220).....	11671	6186.....	10213	Proposed Rules:			
1609 (Revoked by		6187.....	10213	25.....	10558	387.....	12800
PLO 6221).....	11673	6188.....	10825	33.....	10558	670.....	11677
1642 (Revoked by		6189.....	10826	67.....	8581	1005.....	12803
PLO 6186).....	10213	6190.....	10214	75.....	10558	1008.....	12803
1653 (Revoked by		6191.....	10214	94.....	10558	1011.....	9466
PLO 6220).....	11671	6192.....	10826	108.....	10558	1015.....	12803
2278 (Revoked in		6193.....	10214	160.....	10558	1033.....	9010, 11518
part by PLO 6220).....	11671	6194.....	10215	162.....	10558	1065.....	12349
2565 (Revoked in		6195.....	10215	164.....	10558	1100.....	9011
part by PLO 6220).....	11671	6196.....	10826	180.....	10558	1111.....	9844, 11875
2845 (Revoked in		6197.....	11022	192.....	10558	1201.....	9466, 12349
part by PLO 6220).....	11671	6198.....	11282	524.....	10217	1206.....	9466, 12349
2978 (Revoked in		6199.....	11517	530.....	10851	1207.....	9466, 12349
part by PLO 6220).....	11671	6200.....	11282	Proposed Rules:			
3250 (Revoked in		6201.....	11662	171.....	9346, 9865	1241.....	10041
part by PLO 6220).....	11671	6202.....	11662	172.....	9346, 9865	1249.....	9468
3282 (Revoked in		6203.....	11664	387-399.....	10066, 10610	Proposed Rules:	
part by PLO 6220).....	11671	6204.....	11664	391.....	9256	171.....	9346, 9865
3310 (Revoked in		6205.....	11665	571.....	9865	172.....	9346, 9865
part by PLO 6220).....	11671	6206.....	11665	1137.....	8801	387-399.....	10066, 10610
3500 (Revoked in part		6207.....	11666	1201.....	11539, 11910	391.....	9256
by PLO 6194).....	10215	6208.....	11666	1244.....	11541	571.....	9865
3633 (Revoked by		6209.....	11667	1263.....	11910	1137.....	8801
PLO 6191).....	10214	6210.....	11667	1310.....	8801	1201.....	11539, 11910
3777 (Revoked in		6211.....	11667	Proposed Rules:			
		6212.....	11668	Ch. I.....	12829	171.....	9346, 9865
		6213.....	11668	Ch. IV.....	10600	172.....	9346, 9865
		6214.....	11668	Subch. D.....	12829	387-399.....	10066, 10610
				Subch. O.....	12829	391.....	9256
				10.....	11046	571.....	9865
				30.....	12829	1137.....	8801
				32.....	12829	1201.....	11539, 11910
				35.....	12829	1244.....	11541
				536.....	10862	1263.....	11910
						1310.....	8801

50 CFR

611.....	10227
619.....	12181
671.....	10043, 10044, 10228, 10853, 11677, 12184
Proposed Rules:	
17.....	9483, 9867
18.....	9869
228.....	9027
285.....	12367
611.....	11299
640.....	10878
651.....	10605

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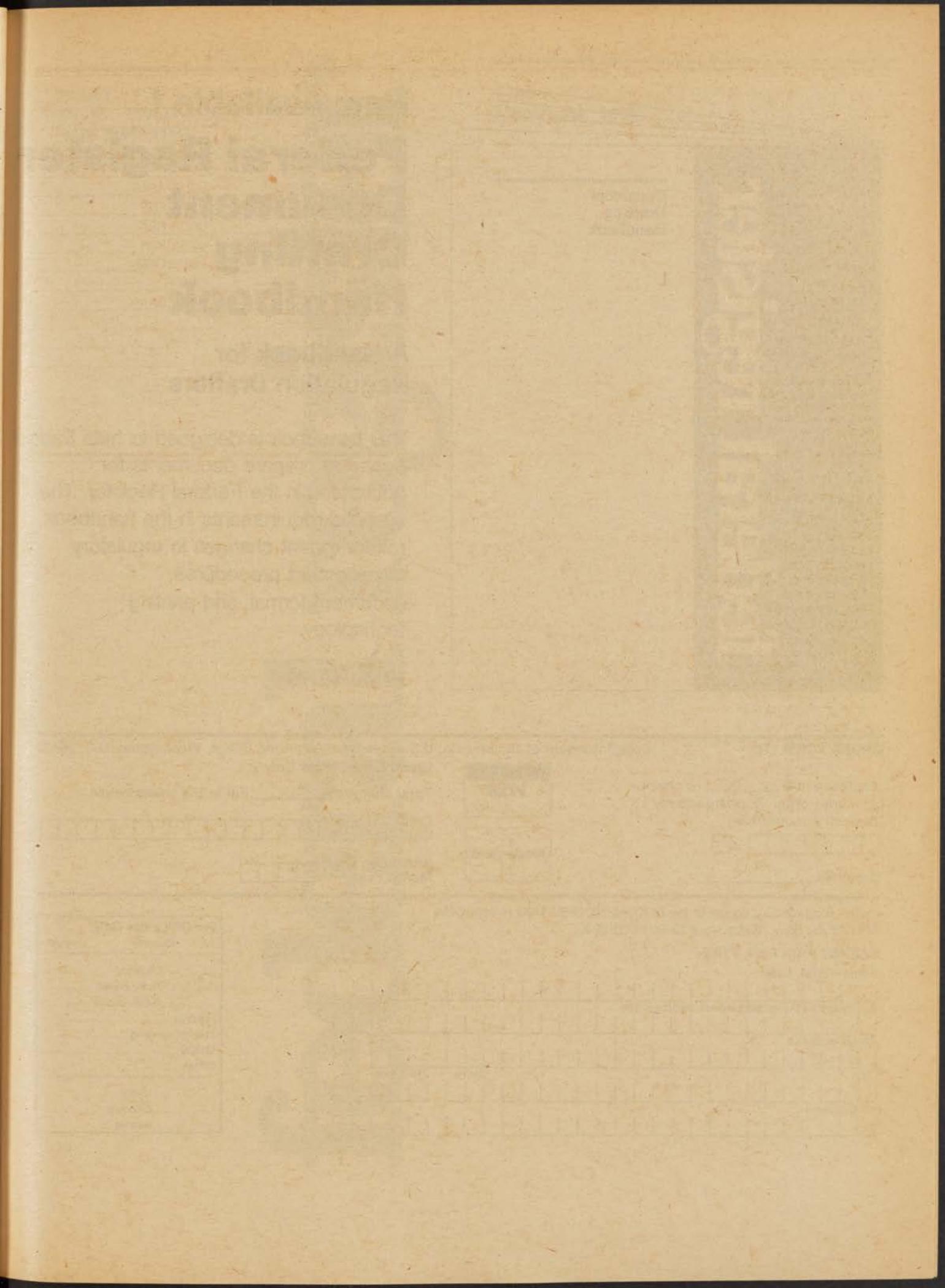
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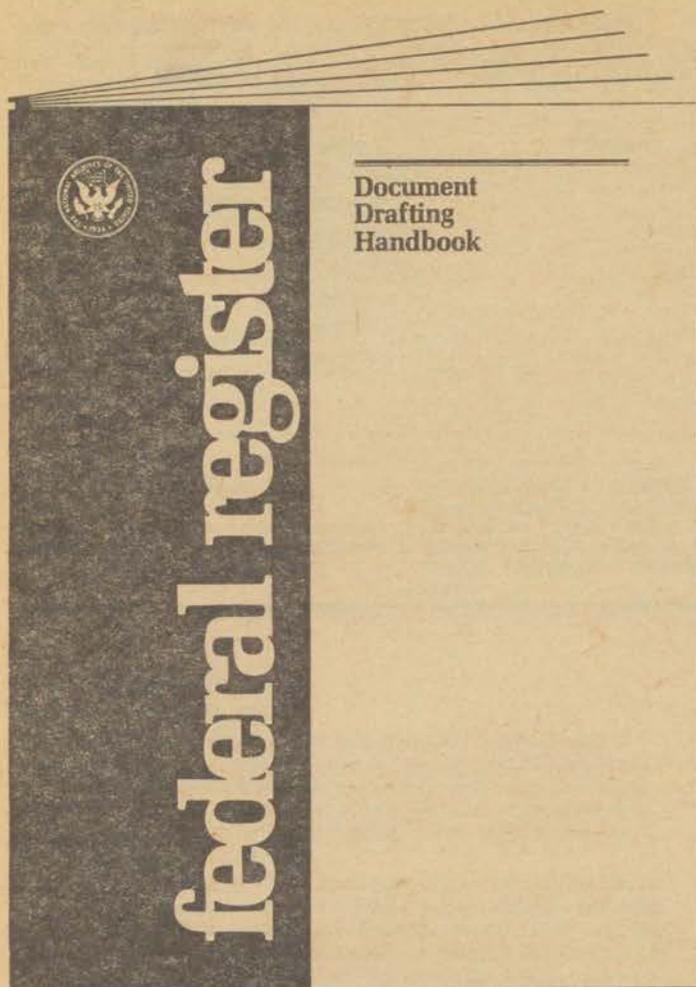
Last Listing March 22, 1982

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H.J. Res. 373/Pub. L. 97-157 Expressing the sense of Congress that the Government of the Soviet Union should respect the rights of its citizens to practice their religion and to emigrate, and that these matters should be among the issues raised at the thirty-eighth meeting of the United Nations Commission on Human Rights at Geneva in February 1982. (Mar. 22, 1982; 96 Stat. 16) Price: \$1.50.

H.J. Res. 348/Pub. L. 97-158 To provide for the awarding of a special gold medal to Her Majesty Queen Beatrix in recognition of the 1982 bicentennial anniversary of diplomatic and trade relations between the Netherlands and the United States. (Mar. 22, 1982; 96 Stat. 18) Price: \$1.50.





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